

**ANNOTATED AGENDA FOR THE  
MEETINGS OF THE  
BOARD OF COMMISSIONERS**

**Thursday, November 30, 2006 - 9:00 AM**  
Multnomah Building, First Floor Commissioners Conference Room 112  
501 SE Hawthorne Boulevard, Portland

**EXECUTIVE SESSION**

Chair Diane Linn convened the meeting at 9:10 a.m., with Vice Chair Lonnie Roberts and Commissioners Lisa Naito and Maria Rojo de Steffey Walsh present, and Commissioner Serena Cruz excused.

**E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle.**

EXECUTIVE SESSION WAS HELD.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:30 a.m.

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**Thursday, November 30, 2006 - 9:30 AM**  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

**REGULAR MEETING**

Chair Diane Linn convened the meeting at 9:35 a.m., with Vice Chair Lonnie Roberts and Commissioners Lisa Naito and Maria Rojo de Steffey Walsh present, and Commissioner Serena Cruz arriving at 9:36 a.m.

**CONSENT CALENDAR**

UPON MOTION OF COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER ROJO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-3) WAS APPROVED, WITH COMMISSIONERS NAITO, ROBERTS, ROJO AND LINN VOTING AYE.

C-1 Appointment of Joe Smith to the PORTLAND INTERNATIONAL AIRPORT CITIZEN NOISE ADVISORY COMMITTEE

C-2 RESOLUTION Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner, BRAD R. BRAMAN

RESOLUTION 06-187

C-3 RESOLUTION Authorizing Annual Designation of a Portion of Compensation as a Housing Allowance for Chaplains Serving Inmates and Employees of Multnomah County Sheriff's Office

RESOLUTION 06-188

**REGULAR AGENDA**  
**PUBLIC COMMENT**

No public comments were made.

**R-1 PROCLAMATION Recognizing Bill Hancock for His Life Long Health Care Advocacy in Association with Proclaiming Friday December 1, 2006 as World AIDS Day in Multnomah County, Oregon**

COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-1. COMMISSIONER ROJO INTRODUCED KATE YEN, SIM , JEAN ANN BANCOCK.

Commissioner Cruz arrived at 9:36 a.m.

MS. YEN, MR. SIMS, AND MS. BANCOCK SHARED THER MEMORIES OF BILL HANCOCK. BANCOCK READ PROCLAMATION. COMMISSIONER ROJO THANKED HER GUESTS FOR COMING AND SHARED HER MEMORIES OF MR. HANCOCK. COMMISSIONER CRUZ EXPRESSED HER CONDOLENCE.

Chair Linn passed the gavel to Commissioner Naito and excused herself at 9:44 a.m.

COMMISSIONER NAITO COMMENTED. PROCLAMATION 06-189 APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-2 Budget Modification DCHS-05 Appropriating \$246,391 in Additional Local Administration Funding from the State of Oregon as a Result of the Medicaid Administrative Match Proposal**

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-2. PATRICIA BOTSFORD EXPLANATION. BUDGET MODIFICATION APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-3 Budget Modification DCHS-15 Transferring \$26,000 from the Strategic Investment Program (SIP) Community Resource Fund to the Bridges to Housing Program**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-3. SETH LYON EXPLANATION. COMMISSIONER CRUZ COMMENTED IN SUPPORT OF THE BUDGET TRANSFER AND ANNOUNCED THAT MEIER MEMORIAL IS PROVIDING A \$500,000 GRANT AND THE FEDERAL GOVERNMENT IS PROVIDING NEARLY \$1 MILLION IN FUNDING FOR THE BRIDGES TO HOUSING PROGRAM. COMMISSIONER NAITO EXPRESSED HER APPRECIATION. BUDGET MODIFICATION APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-4 NOTICE OF INTENT to Apply for a Grant from the Department of Justice, Justice and Mental Health Collaboration Program**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-4. SETH LYON AND JUDY SHIPRACK EXPLANATION. COMMISSIONER NAITO EXPRESSED HER APPRECIATION. NOTICE OF INTENT APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-5 Budget Modification DCM-04 Reclassifying Positions in Assessment and Taxation and Facilities and Property Management, as Determined by the Class/Comp Unit of Central Human Resources**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-5. BOB THOMAS EXPLANATION. BUDGET MODIFICATION APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-6 NOTICE OF INTENT to Apply for an Oregon Department of Environmental Quality Grant for a Green Roof on the Central Library**

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-6. KAT WEST AND ALAN PROFFITT EXPLANATION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER ROJO WELCOMED MS. WEST TO THE COUNTY. COMMISSIONER NAITO EXPRESSED HER APPRECIATION. NOTICE OF INTENT APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-7 Reallocation of Facilities Capital Project Funds FPM 07-04, Multnomah County Inverness Jail Kitchen/Wall Floor Repair**

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-7. JOHN LINDENTHAL EXPLANATION. BUDGET REALLOCATION

APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-8 RESOLUTION Approving a Land Exchange with Laurelview Condos, LLC, at the Penumbra Kelly Building, 4747 East Burnside Street, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete an Exchange**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-8. MIKE SUBLETT EXPLANATION. COMMISSIONER NAITO EXPRESSED HER APPRECIATION FOR THE QUALITY OF WORK AND DILIGENCE OF STAFF IN THIS ENDEAVOR. CAMERON CLEMENS TESTIMONY IN OPPOSITION, ADVISING HE FELT HE WAS BEING BLACK-BALLED AND EXPRESSING HIS CONCERN FOR LACK OF PARKING IF A TAVERN IS BUILT IN AREA WITH A BLIND CORNER. RESOLUTION 06-190 APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-9 Budget Modification OSCP-07 Adding 1 FTE Weatherization Inspector Position to the Department of School and Community Partnerships Energy Services Program**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-9. JIM LOEFFLER EXPLANATION. BUDGET MODIFICATION APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-10 RESOLUTION Authorizing the County to Make an Internal Loan from the Risk Fund to the Dunthorpe-Riverdale Service District No. 1 in the Amount of \$400,000 to Complete Required Capital Maintenance at Tryon Creek and Riverview Pump Stations**

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-10. JERRY ELLIOTT EXPLANATION. RESOLUTION 06-191 APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-11 ORDER Setting a Hearing of Objections to the Assessment for the NW 8th Avenue Bridge Replacement Project and Directing Notice to Property Owners Under ORS 371.645**

COMMISSIONER ROBERTS MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-11. ROBERT MAESTRE EXPLANATION. ORDER 06-192 APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND NAITO VOTING AYE.

**R-12 Public Hearing to Consider and Possibly Act Upon a Measure 37 Claim by Tomasz Fijak for \$497,700 in Compensation or Relief from Regulations to Allow a Three Parcel Land Division and the Development of Two Additional Single Family Residences on Property Located at 22740 NW Rocky Point Road, Scappoose [T3N, R2W, SEC 34, TL 12] (Case File T1-06-027)**

COMMISSIONER NAITO CONVENED THE HEARING, WITH COMMISSIONERS SERENA CRUZ WALSH, LONNIE ROBERTS AND MARIA ROJO DE STEFFEY PRESENT. AT COMMISSIONER NAITO'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT COMMISSIONER NAITO'S REQUEST FOR DISCLOSURE, NO CONFLICTS OF INTEREST WERE REPORTED. AT COMMISSIONER NAITO'S REQUESTS FOR DISCLOSURE, NO BOARD MEMBER DISCLOSED HAVING A FINANCIAL INTEREST IN THE OUTCOME OF THIS MATTER AND NO BOARD MEMBER DISCLOSED LIVING WITHIN THE GEOGRAPHICAL AREA ENTITLED TO NOTICE OF CLAIM. COMMISSIONER NAITO EXPLAINED THE CONDUCT OF HEARING, THE ORDER OF TESTIMONY AND HOW TO PRESENT TESTIMONY. PLANNER KEN BORN PRESENTED THE STAFF REPORT AND RECOMMENDATIONS. TESTIMONY ADVISING LIVED THERE SINCE 1956. THERE BEING NO FURTHER TESTIMONY, ASSISTANT COUNTY ATTORNEY SANDRA DUFFY EXPLANATION AND RESPONSE TO QUESTIONS OF COMMISSIONERS CRUZ, NAITO AND ROJO. COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, AN ORDER DENYING MEASURE 37 REQUEST.

COMMISSIONER ROBERTS ADVISED HE DOES NOT SUPPORT THE MOTION AND WILL VOTE NO. COMMISSIONERS ROJO AND CRUZ ADVISED THEY HAVE EMPATHY WITH THE PARTIES BUT HAVE TO FOLLOW THE LAW. READ BALLOT MEASURE LANGUAGE REGARDING COMPENSATION PURPOSES, NOT WAIVERS. COMMISSIONER NAITO ADVISED SHE SUPPORTS MOTION AND COMMENTED ON THE NEED FOR LEGISLATIVE CLARIFICATION ON THE MEASURE. ORDER 06-193 DENYING BALLOT MEASURE 37 REQUEST OF TOMASZ FIJAK RELATING TO REAL PROPERTY LOCATED AT 22740 NW ROCKY POINT ROAD, SCAPPOOSE APPROVED, WITH COMMISSIONERS CRUZ, ROJO AND NAITO VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.

**R-13 Public Hearing to Consider and Possibly Act Upon a Measure 37 Claim by Wayne and Eliza Miller for \$400,000 in Compensation or Relief from Regulations to Allow for the Development of a Single Family Residence on Property Located at 38775 SE Trout Creek Road, Corbett [T1S, R4E, SEC 13, TL 500] (Case File T1-06-021)**

COMMISSIONER NAITO CONVENED THE HEARING, WITH COMMISSIONERS SERENA CRUZ WALSH, LONNIE ROBERTS AND MARIA ROJO DE STEFFEY PRESENT. AT COMMISSIONER NAITO'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT COMMISSIONER NAITO'S REQUEST FOR DISCLOSURE, NO CONFLICTS OF INTEREST WERE REPORTED. AT COMMISSIONER NAITO'S REQUESTS FOR DISCLOSURE, NO BOARD MEMBER

DISCLOSED HAVING A FINANCIAL INTEREST IN THE OUTCOME OF THIS MATTER AND NO BOARD MEMBER DISCLOSED LIVING WITHIN THE GEOGRAPHICAL AREA ENTITLED TO NOTICE OF CLAIM. COMMISSIONER NAITO EXPLAINED THE CONDUCT OF HEARING, THE ORDER OF TESTIMONY AND HOW TO PRESENT TESTIMONY.

Chair Linn returned at 10:39 a.m. and resumed presiding officer duties.

CHAIR LINN DECLARED SHE HAS HAD NO EXPARTE CONTACTS; HAS NO CONFLICTS OF INTEREST OR FINANCIAL INTEREST IN THE OUTCOME TO REPORT; AND DOES NOT LIVE IN THE GEOGRAPHIC AREA. PLANNER KEN BORN PRESENTED THE STAFF REPORT AND RECOMMENDATIONS. CLAIMANT WAYNE MILLER TESTIMONY, ADVISING EVERYTHING MR. BORN SAID WAS TRUE AND THAT HE GAVE A GOOD PRESENTATION. THERE BEING NO FURTHER TESTIMONY, BOARD QUESTIONS OR DISCUSSION, AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, ORDER 06-194 GRANTING, WITH CONDITIONS, BALLOT MEASURE 37 REQUEST OF WAYNE AND ELIZA MILLER TO NOT APPLY LAND USE REGULATIONS TO REAL PROPERTY LOCATED AT 38775 SE TROUT CREEK ROAD, CORBETT WAS UNANIMOUSLY ADOPTED.

The meeting was recessed at 10:50 a.m. and reconvened at 10:57 a.m.

**R-14 RESOLUTION Approving an Amended 2005-2007 Regional Investment Strategy of the Multnomah-Washington Regional Investment Board**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-14. ROY JAY EXPLANATION AND RESPONSE TO QUESTION. RESOLUTION 06-195 UNANIMOUSLY ADOPTED.

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, TO CHANGE THE ORDER OF AGENDA ITEMS TO R-15, R-17, R-18 AND R-19 AND PUT R-16 AT THE END. COMMISSIONER NAITO EXPLANATION IN RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS. THE MOTION WAS APPROVED, WITH COMMISSIONERS NAITO, CRUZ, ROJO AND LINN VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.

**R-15 Briefing/Work Session to Discuss Recommendations from the Independent Review of Policies and Procedures of Correctional Facilities Operated by the Multnomah County Sheriff. Presented by Commissioner Lisa Naito, District Attorney Michael Schrunk, Special Counsel to the District Attorney John Bradley and Senior Deputy District Attorney Chuck French and Invited Others.**

LISA NAITO, MICHAEL SCHRUNK, CHUCK FRENCH, JOHN BRADLEY AND THOMAS BROWN OF FINANCIAL FORENSICS PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND COMMENTS.

**R-16 RESOLUTION Accepting the Review of Policies and Procedures of Correctional Facilities Operated by the Multnomah County Sheriff's Office by the Multnomah County District Attorney's Office and Creating a Permanent Work Group to Advise the County Commission and Assist the Sheriff on Jail Policies and Procedures - Commissioner Lonnie Roberts**

UPON MOTION OF COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER CRUZ, R-16 WAS UNANIMOUSLY POSTPONED INDEFINITELY.

**R-17 RESOLUTION Accepting the Review of Policies and Procedures of Correctional Facilities Operated by the Multnomah County Sheriff's Office by the Multnomah County District Attorney's Office and Creating a Permanent Work Group to Advise the County Commission on Jail Policies and Procedures - Commissioner Lisa Naito**

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-17. COMMISSIONER NAITO EXPLANATION. COMMISSIONER ROBERTS STATED HE APPRECIATES COMMISSIONER NAITO'S WORK, BUT DISAGREES ON SOME ISSUES AND THE WAY THINGS WERE DONE. COMMISSIONER CRUZ THANKED DISTRICT ATTORNEY MIKE SCHRUNK AND COMMISSIONER NAITO FOR THEIR WORK AND ADVISED SHE SUPPORTS THE RESOLUTION. COMMISSIONER ROJO EXPRESSED HER APPRECIATION AND SUPPORT FOR THE RESOLUTION. CHAIR LINN EXPRESSED HER SUPPORT FOR CREATION OF A COMMITTEE AND STATED SHE WISHED THERE HAD BEEN MORE COLLABORATION WITH THE BOARD ON THIS RESOLUTION AND THAT NOT THE NAMES OF MEMBERS BUT JUST POSITIONS HAD BEEN LISTED. CHAIR LINN EXPRESSED HER APPRECIATION FOR THE WORK OF THE DISTRICT ATTORNEY AND HIS TEAM. RESOLUTION 06-196 ADOPTED, WITH COMMISSIONERS NAITO, CRUZ AND ROJO VOTING AYE, AND COMMISSIONERS ROBERT AND LINN VOTING NO.

**R-18 RESOLUTION Appointing the Chair and Members of the Permanent Work Group to Advise the County Commission on Jail Policies and Procedures for a Term of One Year, Commencing on December 1, 2006**

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-18. COMMISSIONER NAITO EXPLANATION, ADVISING SHE IS HONORED TO HAVE COMMITTEE MEMBERS WILLING TO PROVIDE THEIR EXPERTISE AND THAT THIS IS A STELLAR GROUP CONSISTING OF PHIL ANDERCHUK, SERGEANT, MULTNOMAH COUNTY SHERIFF'S OFFICE; PRESIDENT, MULTNOMAH COUNTY CORRECTIONS DEPUTIES ASSOCIATION; JIMMY BROWN, PUBLIC INFORMATION AND COMMUNITY OUTREACH MANAGER, PORTLAND WATER BUREAU; FORMER INTER-CULTURAL COMMUNICATIONS MANAGER, DEPARTMENT OF COMMUNITY JUSTICE, MULTNOMAH COUNTY; CHARLES DANIELS, WARDEN, FEDERAL CORRECTIONAL INSTITUTION SHERIDAN; KARIN IMMERGUT, U. S. ATTORNEY FOR THE DISTRICT OF OREGON; DICK INUKAI, PRESIDENT, DICK'S COUNTRY DODGE/DICK'S MACKENZIE FORD; CHAIR, BOYS AND GIRLS CLUB; MEMBER, BOARD OF DIRECTORS, CITIZENS CRIME COMMISSION; CHAIR DIANE LINN, MULTNOMAH COUNTY, THROUGH THE EXPIRATION OF HER TERM AS COUNTY CHAIR; SANDRA MCDONOUGH, PRESIDENT AND CEO, PORTLAND BUSINESS ALLIANCE; COMMISSIONER LISA NAITO, MULTNOMAH COUNTY; CHAIR OF THE MULTNOMAH COUNTY LOCAL PUBLIC SAFETY COORDINATING COUNCIL; CARLA PILUSO, CHIEF, GRESHAM POLICE DEPARTMENT; SHERIFF RAUL RAMIREZ, MARION COUNTY; DAVID ROGERS, EXECUTIVE DIRECTOR, PARTNERSHIP FOR SAFETY AND JUSTICE; DISTRICT ATTORNEY MICHAEL D. SCHRUNK, MULTNOMAH COUNTY; DAVE SHIELDS, FORMER CITY OF GRESHAM COUNCILOR; DIRECTOR, MT. HOOD COMMUNITY COLLEGE DISTRICT BOARD OF EDUCATION; LILLIAN SHIRLEY, DIRECTOR, MULTNOMAH COUNTY HEALTH DEPARTMENT; MICHAEL SKEHAN, SITE ADMINISTRATOR, LEGACY GOOD SAMARITAN HOSPITAL AND MEDICAL CENTER; MAYOR MIKE WEATHERBY, CITY OF FAIRVIEW; CHAIR-ELECT TED WHEELER, MULTNOMAH COUNTY; MAX WILLIAMS, DIRECTOR, OREGON DEPARTMENT OF CORRECTIONS, OR DESIGNATED REPRESENTATIVE. COMMISSIONER ROBERTS AND CHAIR LINN ADVISED THEY WILL SUPPORT THIS RESOLUTION. SHERIFF BERNIE GIUSTO STATED THAT THESE MEMBERS ARE ALL RESPECTED PROFESSIONALS AND THAT HE LOOKS FORWARD TO WORKING WITH THEM. RESOLUTION 06-197 UNANIMOUSLY ADOPTED.

**R-19 RESOLUTION Adopting a Policy Regarding Annual Board Inspections of County Correctional Facilities**

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-19. COMMISSIONER NAITO EXPLANATION AND COMMENTS IN SUPPORT. RESOLUTION 06-198 UNANIMOUSLY ADOPTED.

**R-20 Budget Modification DA-03 Requesting General Fund Contingency Transfer of \$61,852 for the Costs Associated with the Independent Review of Jail Policies and Procedures as Outlined in Resolution 06-094**

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-20. SCOTT MARCY EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:40 p.m.

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**Friday December 1, 2006 - 8:00 AM to 4:00 PM**

Hillsdale Library Conference Room  
1525 SW Sunset Boulevard, Portland

**BOARD RETREAT**

The meeting was convened at 8:23 a.m. with the Multnomah County Board of Commissioners, consisting of Chair-Elect Ted Wheeler, Commissioners Lisa Naito, Lonnie Roberts, Maria Rojo de Steffey and Commissioner-Elect Jeff Cogen present.

DISCUSSION ON TEAM BUILDING, MISSIONS, BOARD VALUES, AND BUDGET FRAMEWORKS.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:13 p.m.

Submitted by:  
Lynda J. Grow, Board Clerk  
Marina Baker, Assistant Board Clerk and  
Shirley Luo, Intern  
Board of County Commissioners  
Multnomah County