

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

Tuesday, August 19, 2008 - 9:00 AM

Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Ted Wheeler convened the meeting at 9:03 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

- 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. 1**

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:20 a.m.

Tuesday, August 19, 2008 - 10:00 AM

Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

Chair Ted Wheeler convened the meeting at 10:04 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

- B-1 Public Safety Briefing on (1) Options for the Use of Current Jail Space and (2) Potential Impacts of Ballot Measures 61 and 57 on the County's Plan to Open the Wapato Jail. Presented by Deputy Chief Operating Officer for Public Safety Peter Ozanne, Sheriff Bob Skipper, Department of Community Justice Director Scott Taylor, District Attorney and Presiding Circuit Court Judge Jean Maurer. 2 HOURS REQUESTED.**

DEPUTY CHIEF OPERATING OFFICER FOR PUBLIC SAFETY PETER OZANNE,
SHERIFF BOB SKIPPER, MCSO CHIEF OF STAFF CHRISTINE KIRK, DISTRICT
ATTORNEY MICHAEL SCHRUNK, DEPARTMENT OF COMMUNITY JUSTICE

DIRECTOR SCOTT TAYLOR, MCSO CAPTAIN JAY HEIDENRICH, JUDGE JULIE FRANTZ AND JUDGE JEAN MAURER PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING: JAIL CAPACITY DATA AND TRENDS; RELEASE AND BOOKING TRENDS; JUDICIAL RELEASES; CRIME TRENDS; JAIL BED USAGE; BALLOT MEASURE 11 OFFENDERS; US MARSHALL BEDS; PRE-TRAIL CUSTODY; NON-CUSTODIAL SANCTIONS; COMMUNITY SERVICE; DAY REPORTING AND ELECTRONIC MONITORING. IN RESPONSE TO A REQUEST OF COMMISSIONER ROBERTS, MR TAYLOR EXPLAINED THE DIFFERENCE BETWEEN BALLOT MEASURES 57 AND 61, ADVISING MEASURE 61 OFFENDERS WILL COST THE COUNTY THREE TIMES THE AMOUNT OF MEASURE 57 OFFENDERS. JUDGE JEAN MAURER AND JUDGE JULIE FRANTZ DISCUSSED ISSUES INCLUDING: THE GOALS AND NEEDS OF THE COURTS; WHY APPROPRIATE SENTENCING MATTERS; THE NEED FOR ALTERNATIVES TO JAIL; SENTENCING GUIDELINES; IDENTIFYING CRIMES MERITING JAIL OR PRISON SANCTIONS; CONDITIONS OF PROBATION; AND RESTITUTION AND TREATMENT.

MR. OZANNE COMMENTED THAT WORK RELEASE IS A GOOD IDEA. CHAIR WHEELER SUGGESTED SCHEDULING AN ADDITIONAL BRIEFING. IN RESPONSE TO A QUESTION OF COMMISSIONER NAITO, MR. TAYLOR REPORTED THERE IS A BACK UP IN JAILS DUE TO AN INCREASE IN FEMALE OFFENDERS AND THE ABILITY TO HOUSE INCARCERATED WOMEN IN OUR JAILS. IN RESPONSE TO A QUESTION OF COMMISSIONER ROJO, MR. TAYLOR EXPLAINED MORE WOMEN ARE COMMITTING IDENTITY THEFT CRIMES. CHAIR WHEELER THANKED COMMISSIONER NAITO, SHERIFF SKIPPER, SCOTT TAYLOR, JUDGE MAUER AND JUDGE FRANZ.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:59 a.m.

Thursday, August 21, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Ted Wheeler convened the meeting at 9:37 a.m., with Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present, and Vice-Chair Jeff Cogen participating via speakerphone.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER NAITO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED. [5-0]

DEPARTMENT OF COMMUNITY JUSTICE

- C-1 Budget Modification DCJ-04 Reclassifying a Research/Evaluation Analyst 2 to a Data Analyst Senior in the Employees, Community & Clinical Services Division, as Determined by the Class/Comp Unit of Central Human Resources
- C-2 Budget Modification DCJ-05 Reclassifying a Community Justice Manager to a Program Manager 1 in the Employee, Community & Clinical Services Division, as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA

PUBLIC COMMENT

No public comments were made.

DEPARTMENT OF COUNTY MANAGEMENT

- R-1 RESOLUTION Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2008 and Authorizing Expenditures for Fiscal Year 2009**

COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-1.

BOB THOMAS EXPLANATION AND RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS, ADVISING CONGRESS AND THE PRESIDENT HAVE NOT APPROVED LEGISLATION TO EXTEND TITLE III PAYMENTS BEYOND AUGUST, 2009.

RESOLUTION 08-117 UNANIMOUSLY ADOPTED. [5-0]

- R-2 RESOLUTION Declaring a Portion of the Property Located at 10615 SE Cherry Blossom Drive, Portland, Oregon to be Surplus and Approving a Real Property Sublease with the Oregon College of Oriental Medicine**

COMMISSIONER NAITO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-2.

MICHAEL SUBLETT EXPLANATION.

RESOLUTION 08-118 UNANIMOUSLY ADOPTED. [5-0]

DEPARTMENT OF COUNTY HUMAN SERVICES

R-3 Aging and Disabilities Services Division NOTICE OF INTENT to Apply for a Technology and Low-Income Subsidy Outreach One-time Supplemental Grant from the State of Oregon Senior Health Insurance Benefits Assistance (SHIBA) Program

COMMISSIONER ROBERTS MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-3.

LEE GIRARD EXPLANATION.

NOTICE OF INTENT UNANIMOUSLY APPROVED. [5-0]

R-4 Budget Modification DCHS-02 Increasing Aging and Disability Services Division Appropriation by \$1,200 to Reflect a Grant Received from the American Society on Aging/MetLife Foundation to Host a One-day MindAlert Training for Older Adults and Aging Professionals

COMMISSIONER ROBERTS MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-4.

LEE GIRARD EXPLANATION.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

R-5 Budget Modification DCHS-04 Appropriating \$200,000 of County General Fund Contingency to Fund Program Offer 25090: Addictions Detoxification and Post-Detoxification Housing

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-5.

Commissioner Roberts was excused at 9:48 a.m.

KARL BRIMNER EXPLANATION. COMMISSIONER NAITO EXPRESSED HER APPRECIATION FOR THE WORK OF MR. BRIMNER AND STAFF.

BUDGET MODIFICATION APPROVED. [4-0]

Commissioner Roberts returned at 9:52 a.m.

DEPARTMENT OF HEALTH

R-6 NOTICE OF INTENT to Submit a Proposal to the National Association of County and City Health Officials (NACCHO) for \$5,000 to Support the Health Department's Volunteer Health Reserve Corps Program

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-6.

CHRISTINE BERNSTEN EXPLANATION.

NOTICE OF INTENT UNANIMOUSLY APPROVED. [5-0]

DEPARTMENT OF COMMUNITY SERVICES

R-7 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Comprehensive Plan and Map Revisions Related to the North Interstate Corridor Plan in Compliance with Metro's Functional Plan and Declaring an Emergency

COMMISSIONER NAITO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF FIRST READING AND ADOPTION.

ADAM BARBER EXPLANATION AND RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS REGARDING WHO IS IN CHARGE OF THE JENNY ROAD PROJECT IN GRESHAM. IN RESPONSE TO QUESTIONS OF CHAIR WHEELER, MR. BARBER ADVISED THAT KIM WHITE, ASSOCIATE PLANNER FOR THE CITY OF PORTLAND AND THE PORTLAND DEVELOPMENT COMMISSION ARE FOCUSING ON DEVELOPMENT OF THE AREA.

NO ONE WISHED TO TESTIFY.

THE FIRST READING WAS APPROVED AND ORDINANCE 1118 UNANIMOUSLY ADOPTED. [5-0]

R-8 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Comprehensive Plan and Map Revisions Related to Killingsworth Street between NE 14th to 17th Avenues in Compliance with Metro's Functional Plan and Declaring an Emergency

COMMISSIONER NAITO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF FIRST READING AND ADOPTION.

ADAM BARBER EXPLANATION AND RESPONSE TO QUESTION OF COMMISSIONER NAITO, ADVISING THE AREA HAS BEEN REVITALIZING.

NO ONE WISHED TO TESTIFY.

THE FIRST READING WAS APPROVED AND ORDINANCE 1119 UNANIMOUSLY ADOPTED. [5-0]

R-9 First Reading of a Proposed ORDINANCE Amending MCC Chapter 29, Relating to County Flood Hazard Regulations

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF THE FIRST READING.

ADAM BARBER EXPLANATION AND RESPONSE TO QUESTIONS OF CHAIR WHEELER REGARDING ELEVATION OF A GARAGE PRIOR TO CONSTRUCTION; PROCESS BETWEEN FIRST AND SECOND READING; REQUIREMENTS FOR BUILDING FOUNDATIONS; AND BOUNDARY STANDARD DIFFERENCES BETWEEN METRO AND THE REST OF THE COUNTY.

FOLLOWING EXPLANATION, COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF A SUBSTITUTE ORDINANCE ADDING LANGUAGE TO SECTION 4, MCC § 29.603 AS FOLLOWS: "(C) TRANSPORTATION MAINTENANCE ACTIVITIES MAY BE EVALUATED IN AN ANNUAL FLOOD HAZARD PERMIT. THIS PERMIT WILL CONFIRM THAT THE TYPICAL BEST MANAGEMENT PRACTICES USED TO ACCOMPLISH ROUTINE TRANSPORTATION MAINTENANCE PROJECTS MEET APPLICABLE FLOOD HAZARD REGULATIONS. ELIGIBLE ACTIVITIES INCLUDE ROUTINE CLEANING AND MAINTENANCE OF DITCHES AND CULVERTS, REPLACEMENT CULVERTS, UNANTICIPATED EMERGENCY RESPONSE ACTIVITIES AND THE PERMITTING OF NEW DRIVEWAY CULVERTS CROSSING A COUNTY MAINTAINED DITCH. AFTER THE FACT NOTIFICATION OF THE LOCATION AND SCOPE OF ALL TRANSPORTATION MAINTENANCE ACTIVITIES IS REQUIRED."

NO ONE WISHED TO TESTIFY.

SUBSTITUTE ORDINANCE UNANIMOUSLY APPROVED. [5-0]

THE FIRST READING OF THE ORDINANCE WAS UNANIMOUSLY APPROVED, AS AMENDED. THE SECOND READING IS THURSDAY, SEPTEMBER 4, 2008. [5-0]

R-10 Land Use and Transportation Briefing on Code Compliance Program Progress. Presented by Michael Grimmert, Bill Gotzinger and Karen Schilling.

MICHAEL GRIMMETT, BILL GOTZINGER, KAREN SCHILLING AND ASSISTANT COUNTY ATTORNEY JED TOMKINS PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND COMMENTS ON ISSUES INCLUDING: EXPECTATIONS IN REGARD TO CODE COMPLIANCE PROGRAM BACKLOG NOW THAT A NEW OFFICER HAS BEEN HIRED; PRIORITIZING COMPLAINTS; PROCESS FOR APPLICATION OF FINES; PROPOSED MAXIMUM FINE OF \$10,000; ABATEMENT OF VIOLATIONS; AND RECORDING VIOLATION AS PUBLIC RECORD.

BOARD CONSENSUS THAT STAFF INCLUDE LEGISLATION THAT WOULD ALLOW FEE WAIVERS UNDER CERTAIN CONDITIONS. CHAIR WHEELER ADVISED STAFF TO ASSIST PROPERTY OWNERS WITH VOLUNTARY COMPLIANCE AND SUGGESTED THAT MS. SCHILLING DISCUSS FINE ISSUES WITH LIBRARY DIRECTOR MOLLY RAPHAEL AND AUDITOR LAVONNE GRIFFIN-VALADE PRIOR TO MAKING A RECOMMENDATION.

MS. SHILLING ADVISED IT WAS HER INTENT TO BRING THIS ISSUE TO THE PLANNING COMMISSION ON SEPTEMBER 8, 2008 AND THEN TO THE BOARD BEFORE THE END OF THE YEAR.

BOB LEIPPER, 38 YEAR MULTNOMAH COUNTY RESIDENT, TESTIFIED THAT NO ONE FROM CODE ENFORCEMENT HAS RESPONDED TO ANY OF HIS LETTERS OR PHONE CALLS ABOUT CODE VIOLATIONS, AND ADVISED HE NO LONGER TAKES COMPLAINTS TO THE PLANNING COMMISSION, BUT DIRECTLY TO THE GORGE COMMISSION.

DEPARTMENT OF COUNTY MANAGEMENT

R-11 NOTICE OF INTENT to Submit a Proposal for a \$45,000 Grant to the Oregon Department of Environmental Quality's Solid Waste Grant Program

COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-11.

MOLLY CHIDSEY EXPLANATION, ADVISING THE ONE-YEAR GRANT IN THE AMOUNT OF \$30,000 WOULD BE USED TO HIRE COMMUNITY ENVIRONMENTAL SERVICES, A NON-PROFIT ORGANIZATION BASED OUT OF PORTLAND STATE UNIVERSITY, TO CONDUCT A NEEDS ASSESSMENT ON RECYCLING AND WASTE PREVENTION IN UNINCORPORATED MULTNOMAH COUNTY, AND FOR THE DEVELOPMENT OF A SOLID WASTE AND RECYCLING MANAGEMENT PLAN.

COMMISSIONERS ROJO AND NAITO EXPRESSED THEIR APPRECIATION. COMMISSIONER ROJO ADVISED THIS IS VERY IMPORTANT TO HER DISTRICT. IN RESPONSE TO QUESTIONS OF COMMISSIONER ROJO, MS. CHIDSEY ADVISED THE GRANT IS DUE THE END OF AUGUST, 2008, THEY WILL FIND OUT IN LATE FALL, WITH FUNDS AVAILABLE IN EARLY JANUARY, 2009. IN RESPONSE TO QUESTIONS OF CHAIR WHEELER, MS. CHIDSEY ADVISED THE PROJECT'S FOCUS WILL BE IN RESIDENTIAL AND COMMERCIAL AREAS WITHIN UNINCORPORATED COUNTY, THEN LATER IN SCHOOLS. CHAIR WHEELER ADVISED HE WANTS TO KNOW ABOUT THE COMPLIANCE AND EDUCATION PROGRAMS.

FOLLOWING DISCUSSION WITH COUNTY ATTORNEY AGNES SOWLE AND CHAIR WHEELER, COMMISSIONER ROBERTS MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF AN AMENDMENT TO SUBMIT THE PROPOSAL IN THE AMOUNT OF \$30,000 FOR A ONE-YEAR GRANT.

AMENDMENT TO SUBMIT THE PROPOSAL IN THE AMOUNT OF \$30,000 FOR A ONE-YEAR GRANT UNANIMOUSLY APPROVED. 5-0

NOTICE OF INTENT UNANIMOUSLY APPROVED, AS AMENDED. [5-0]

BOARD COMMENT

No board comments were made.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:25 a.m.

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