

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

Thursday, June 17, 1999 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

Vice-Chair Diane Linn convened the meeting at 9:31 a.m., with Commissioners Lisa Naito and Serena Cruz present, Chair Beverly Stein excused, and Commissioner Sharron Kelley arriving at 9:37 a.m.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER CRUZ, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-11) WAS UNANIMOUSLY APPROVED, WITH COMMISSIONERS NAITO, CRUZ AND LINN VOTING AYE.

NON-DEPARTMENTAL

- C-1 Re-appointment of Marc Gonzales, Judy Homer and George Scherzer to the INVESTMENT ADVISORY BOARD DEPARTMENT OF ENVIRONMENTAL SERVICES
- C-2 ORDER Canceling Land Sale Contract 15741 with Shril D. Lomax and David 1. Lomax Upon Default of Payments and Performance of Covenants ORDER 99-111.

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-3 Renewal of Intergovernmental Agreement 0010040 with Oregon Health Sciences University for Purchase of Inpatient Psychiatric Hospital Emergency Hold Services
- C-4 Renewal of Intergovernmental Agreement 0010175 with the City of Portland Parks and Recreation Senior Center DD Program for Purchase of Employment Services for Individuals with Developmental Disabilities
- C-5 Renewal of Intergovernmental Agreement 0010180 with Oregon Commission for the Blind for Purchase of Employment Services for Individuals with Developmental Disabilities

- C-6 Renewal of Intergovernmental Agreement 0010190 with Tri-Met for Purchase of Transportation Services for Individuals with Developmental Disabilities
- C-7 Renewal of Intergovernmental Agreement 0010212 with Portland Public Schools for Purchase of Early Intervention/Early Childhood Special Education Program Services for Individuals with Developmental Disabilities

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE

- C-8 Budget Modification DCI 99-20 Increasing Expenditures in Fund 156 by \$26,611 and Decreasing Expenditures in Fund 100 by \$26,611 Reflecting Position Transfers to Address Shifts in Workload
- C-9 Budget Modification DCI 26 Adding \$9,129 in Additional Court Appointed Special Advocates (CASA) Revenue to the Counseling/Court Services Division
- C-10 Renewal of Intergovernmental Revenue Agreement 0010600 with Oregon Youth Authority for Evaluation and Diagnostic Services, Disposition of Parole Violations, Detention Back-up Community Programs and Services and a Process for Making Training School Placements and Parole Placement Decisions

DEPARTMENT OF HEALTH

- C-11 Budget Modification HD 21 Reflecting Increases and Decreases in Various Job Classes for an Overall Increase of .1 FTE Funded within the Current Budget

REGULAR AGENDA

AT THE REQUEST OF VICE-CHAIR LINN AND UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER CRUZ, CONSIDERATION OF THE FOLLOWING ITEM WAS UNANIMOUSLY APPROVED, WITH COMMISSIONERS NAITO, CRUZ AND LINN VOTING AYE.

DEPARTMENT OF ENVIRONMENTAL SERVICES

UC-1 FINAL ORDER Findings of Fact, Conclusions of Law and Final Order for Pre 16-98, 17-98 and 18-98 - Applications By Western States Development Corp. for the Validation of Farm Management Plans

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF UC-1. STAFF WAS NOT PRESENT. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, COMMISSIONER NAITO EXPLAINED THE ITEM IS ADOPTION OF THE FINAL ORDER THE BOARD ADOPTED LAST WEEK. COMMISSIONER CRUZ STATED SHE WANTS TO MAKE SURE IT DOES NOT STATE THE BOARD FOUND ANYTHING ABOUT THE VALIDITY OF THE

UNDERLAYING FARM MANAGEMENT PLANS. VICE-CHAIR LINN EXPRESSED CONCERN REGARDING ADOPTION OF THE FINAL ORDER TODAY UNLESS THERE IS A TIMELINE ISSUE. IT WAS ESTABLISHED THERE IS A TIMELINE ISSUE. COMMISSIONER NAITO EXPLAINED THE FINDINGS ARE BASED ON ORDINANCE 903. COMMISSIONER NAITO QUESTIONED THE NECESSITY OF INCLUDING ITEM (4) c), WHICH STATES: "THIS BOARD, AS A MATTER OF POLICY, HAS DETERMINED THAT ITS LAND USE DECISIONS MUST BE BASED ON CRITERIA AT LEAST AS STRICT AS STATE LAW REQUIRES." IN RESPONSE TO A QUESTION OF COMMISSIONER NAITO REGARDING STRIKING (4) c), COUNTY COUNSEL TOM SPONSLER EXPLAINED THAT THE PROVISION SHOULD REMAIN BECAUSE ARGUABLY THAT POLICY IS DIFFERENT FROM PREVIOUSLY ADOPTED BOARD POLICY. FOLLOWING BOARD COMMENTS, FINAL ORDER 99-113 UNANIMOUSLY APPROVED, WITH COMMISSIONERS NAITO, CRUZ AND LINN VOTING AYE.

PUBLIC COMMENT

R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

Commissioner Sharron Kelley arrived at 9:37 a.m.

Public Comment was made and received for the record.

DEPARTMENT OF LIBRARY SERVICES

R-2 Results from RESULTS: Peer Training RESULTS in a Pennant Circulation Training Team. Presented by Marie Bryson, Terri Elledge, Karen Dillon, Carolyn Fleming, Angie Fisher, Delette Huffman, Ann Knutson, Carol Parten, Steven Roskoski and Sherry Swain.

ANN KNUTSON, DELETTE HUFFMAN, ANGIE FISHER, KAREN DILLON, CAROLYN FLEMING, MARIE BRYSON, TERRI ELLEDGE, CAROL PARTEN, STEVEN ROSKOSKI AND SHERRY SWAIN PRESENTATION AND RESPONSE TO BOARD COMMENTS IN SUPPORT.

R-3 Retail Lease 9910771 with South Market Square LLC for Operation of a Multnomah County Branch Library at 1511 NE Village Street in Fairview

BOB OBERST EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING POSSIBLE CONDO TYPE PURCHASE RATHER THAN LEASE. COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, TWO WEEK CONTINUATION OF R-3 IN ORDER FOR STAFF TO DISCUSS PURCHASE OPTION WITH SOUTH MARKET SQUARE LLC. VICE-CHAIR

LINN ENCOURAGED STAFF TO NOT TAKE NO FOR AN ANSWER. R-3 UNANIMOUSLY CONTINUED TO THURSDAY, JULY 1, 1999.

NON-DEPARTMENTAL

R-4 PROCLAMATION Proclaiming Support for Portland's 24th Annual "Lesbian, Gay, Bi, and Trans Pride" Parade and Celebration

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-4. KATHY MILLARD READ PROCLAMATION AND RESPONDED TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. PROCLAMATION 99-112 UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

R-5 NOTICE OF INTENT to Seek Funds from the STOP (Services, Training, Officers, Prosecutors) Violence Against Women Formula Grant Program for Law Enforcement Training to More Effectively Identify and Respond to Victims of Domestic Violence

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-5. SHERI HUMBLE EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-6 Budget Modification MCSO 99-07 Transferring \$11,383 from General Fund Contingency to the Sheriffs Budget to Offset Unanticipated Overtime, Vehicle Costs and Administrative Expenses Associated with Clean-up of a Major Hazardous Material Site this Spring

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-6. LARRY AAB EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

R-7 Budget Modification DES 99-15 Adding 1.0 FTE Facilities Services Coordinator to the Multnomah Building, Beginning May, 1999

COMMISSIONER KELLEY'S MOTION FOR APPROVAL DIED FOR LACK OF A SECOND. COMMISSIONER KELLEY'S MOTION FOR ONE WEEK CONTINANCE DIED FOR LACK OF A SECOND. COMMISSIONER CRUZ COMMENTED REGARDING HER FRUSTRATION WITH STAFF'S LACK OF RESPONSE FOR INFORMATION IN AN ADEQUATE AND TIMELY MANNER. JIM EMERSON AND

LARRY NICHOLAS COMMENTS IN RESPONSE. BUDGET MODIFICATION FAILED FOR LACK OF BOARD ACTION.

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

R-8 Supplemental Budget Requesting Approval of Budget Modification CFS 13 to Increase Department Budget by \$2,314,244 by Recognizing Revenue to Fund Additional Contractual Service and Changes to Program Staffing in the Behavioral Health Managed Care Fund

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-8. WENDY LEAR EXPLANATION AND RESPONSE TO BOARD QUESTIONS. STAFF DIRECTED TO PROVIDE BOARD WITH INFORMATION REGARDING ANY ADDITIONAL FUNDS WHICH MAY BE AVAILABLE FOR MENTAL HEALTH SYSTEM PROGRAMS PRIOR TO BUDGET ADOPTION NEXT WEEK. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

AGING AND DISABILITY SERVICES DEPARTMENT

R-9 Budget Modification ADS 3 Recognizing \$254,854 in Federal and State Revenue, Local Revenue and Recently Awarded Federal Grants and to Authorize Corresponding Expenditures for Additional In-home, Transportation and Legal Services, a Medicare Information and Assistance Pilot Project, and a Pre-admission Screening Program

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-9. CAROLINE SULLIVAN EXPLANATION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER CRUZ REQUESTED PILOT PROJECT STAFF TO TOUCH BASE WITH THE CCFC POVERTY SUBCOMMITTEE BENEFITS CALCULATOR PROJECT. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

R-10 RESOLUTION Authorizing Chair to Sign an Option to Purchase Property at 2234 and 2256 NW Lovejoy Street for a Multnomah County Branch Library

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-10. BOB OBERST AND JUNE MIKKELSEN EXPLANATION. FRANK BIRD TESTIMONY IN SUPPORT, ADVISING NEIGHBORHOOD ASSOCIATION MEMBERS REMAIN CONCERNED OVER MIXED USE HOUSING. VICE-CHAIR LINN ADVISED THERE IS A PUBLIC MEETING REGARDING THIS ISSUE ON JULY 12, 1999. RESOLUTION 99-114 UNANIMOUSLY APPROVED.

R-11 RESOLUTION Authorizing a Memorandwn of Understanding Regarding Johnson Creek Watershed and Allocating \$2,500 from Contingency Under the Memorandum of Understanding

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-11. COMMISSIONER NAITO AND STEVE MARCH EXPLANATION. RESOLUTION 99-115 UNANIMOUSLY APPROVED.

R-12 Budget Modification NOND 7 Authorizing the Allocation of \$2,500 from General Fund Contingency to be Paid to the City of Portland Bureau of Environmental Services as 1999 Summit Funding for the Johnson Creek Watershed Council

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-12. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-13 Information on Metro's Traffic Relief Options Study. Presented by April Siebenaler and Carl Hosticka.

ED ABRAHAMSON, CARL HOSTICKA AND APRIL SIEBENALER PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

COMMISSIONER COMMENT/LEGISLATIVE ISSUES

R-14 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

VICE-CHAIR LINN ADVISED THAT TODAY IS THE LAST DAY OF SCHOOL AND TEACHERS ARE BEING HONORED TODAY

P-1 De Novo Hearing on Appeal of Hearings Officer Decision Denying E 1-99 Regarding Request for Retroactive Exception to the Secondary Fire and Safety Zones and Forest Practices Setbacks for an Illegal Structure on Property Located on NW Skyline Boulevard. Presented by Tricia Sears and Deniece Won.

AT THE REQUEST OF APPELLANT'S ATTORNEY, WITH THE CONSENT OF OPPONENT'S ATTORNEY, AND UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER CRUZ, IT WAS UNANIMOUSLY APPROVED THAT TODAY'S DE NOVO HEARING BE RESCHEDULED FOR 10:00 AM, THURSDAY, JULY 22, 1999, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:35 a.m.

Submitted by:

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