

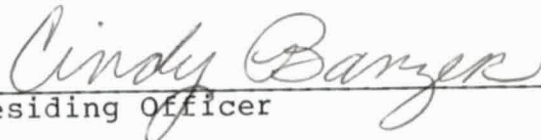
BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO LOCAL) ORDINANCE NO. 82-141
IMPROVEMENT DISTRICTS AND)
REPEALING CODE CHAPTER 4.05)
(ORDINANCE NOS. 79-78 AND 80-93))

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code chapter 4.05, Ordinance No. 79-78 and
Ordinance No. 80-93 are hereby repealed.

ADOPTED this 28th day of October, 1982.



Presiding Officer

ATTEST:



Clerk of the Council

AJ/gl
6503B/107

STAFF REPORT

COUNCIL

Agenda Item No. 6.4

Meeting Date 10/28/82

CONSIDERATION OF ORDINANCE NO. 82-141, AN ORDINANCE
RELATING TO LOCAL IMPROVEMENT DISTRICTS AND REPEALING
CODE CHAPTER 4.05 (ORDINANCES NO. 79-78 AND 80-93).

Date: August 31, 1982

Presented by: Andy Jordan

FACTUAL BACKGROUND AND ANALYSIS

The original Metro statutes enabled Metro to establish LIDs for projects and to adopt a procedural ordinance under which such districts would be created. Metro's authority with respect to LID procedures was substantially amended by the 1981 Legislature, and those legislative changes have rendered Metro's original LID procedures obsolete. Many of the existing procedures are in conflict with the new enabling statute.

The primary reason for repealing the obsolete procedures at this point is to purge them from the Metro Code which is soon to be revised and republished. Without repeal, the new Code will include the existing obsolete and illegal procedures. Although the Council may wish to adopt new procedures in the future, it is not necessary to retain the existing procedures until that time.

EXECUTIVE OFFICER'S RECOMMENDATION

Based on the analysis of the General Counsel, I recommend that Council adopt the attached Ordinance.

COMMITTEE CONSIDERATION AND RECOMMENDATION

The Council Services Committee unanimously approved Ordinance No. 82-141 on September 27, 1982.

AJ/gl
6504B/107
09/29/82

5.1 Public Hearing on Ordinance No. 82-141, An Ordinance Relating to Local Improvement Districts and Repealing Code Chapter 4.05 (Ordinances No. 79-78 and 80-93). (First Reading)

General Counsel Jordan stated that the Ordinance repeals existing Metro ordinances which provide for LID procedures. He stated that the legislature had altered the LID authority substantially and made Metro's procedures obsolete. He said if an LID is proposed at a later date, new procedures would have to be adopted.

Council Rhodes stated that the Services Committee had recommended approval of the Ordinance.

Motion to adopt Ordinance No. 82-141 (Rhodes/Kafoury).

There was no public testimony on this matter.

4.1 Appointment of Citizen Members to Transportation Policy Alternatives Committee (TPAC).

Councilor Bonner stated that the Development Committee was recommending six citizens for appointment to TPAC: Lee Ann MacColl, David Dobak, George Starr, Alicia Diaz Lund, Greg Kantor, and Dr. Larry Griffith.

Councilor Rhodes pointed out that there was no citizen representative from Clackamas County where major projects were expected to occur. She stated she had recommended an individual who was not selected because he was a transportation planner and the Council had a standing policy which disallowed citizens with expertise in the area to serve on the committee. She stated she felt the policy should be changed.

Motion to approve six citizens cited above to TPAC (Bonner/Etlinger).

Councilor Deines stated he too felt the policy of not using citizens with expertise was wrong and indicated he was going to have his committee look at the policy.

The motion carried unanimously.

6.1 Energy Recovery Facility.

Dan Durig introduced Dennis Mulvihill, the newly appointed Waste Reduction Manager. Mr. Mulvihill distributed to the Council copies of the "Energy Recovery Facility Report, October 1982". Mr. Durig then gave a brief overview of the document.

6.3 Public Hearing on Ordinance No. 82-147, An Ordinance approving in part the City of Portland's petition for locational adjustment of Metro's Urban Growth Boundary (UGB) for the area known as Schoppe Acres. (First Reading)

Motion to adopt Ordinance No. 82-147 (Bonner/Kafoury).

Mr. Cortright stated that no communication had been received from anyone in Schoppe Acres. He indicated that the property owner had petitioned for the removal of the property from the UGB and that the City of Portland had pursued the action by the Council.

There was no one present to testify on the ordinance.

The ordinance was passed to second reading on December 2, 1982.

6.4 Ordinance No. 82-141, Relating to Local Improvement Districts and Repealing Code Chapter 4.05 (Ordinance Nos. 79-78 and 80-93). (Second Reading)

The vote on the previous motion of October 28, 1982 to adopt the ordinance resulted in:

Ayes: Councilors Bonner, Burton, Deines, Etlinger, Kafoury, Kirkpatrick, Rhodes, Schedeen, and Banzer.

Nays: None

Absent: Councilors Berkman, Oleson, and Williamson.

Abstention: None

7.1 See action on this item following Agenda Item 6.1.

7.2 Resolution No. 82-367, For the purpose of authorizing Metro to enter into a \$3 million loan contract for the financing and construction of sewers in East Multnomah County in conjunction with construction of Light Rail Transit.

Motion to adopt Resolution No. 82-367 (Deines/Kafoury).

Mr. Phillip Whitmore presented the staff report, as contained in the agenda of the meeting.

ORDINANCE NO. 82-141

TITLE An Ordinance Relating to Local
Improvement Districts and Repealing
Code Chapter 4.05 (Ordinance Nos. 79-78
and 80-93).

DATE INTRODUCED October 7, 1982

FIRST READING October 7, 1982

SECOND READING October 28, 1982

DATE ADOPTED October 28, 1982

DATE EFFECTIVE _____

ROLLCALL

	Yes	No	Abst.
Burton	X		
Oleson			X
Williamson			X
Berkman			X
Kirkpatrick	X		
Deines	X		
Rhodes	X		
Schedeen	X		
Bonner	X		
Banzer	X		
Etlinger	X		
Kafoury	X		



METRO

METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

November 1, 1982

Rick Gustafson
EXECUTIVE OFFICER

Metro Council

Cindy Banzer
PRESIDING OFFICER
DISTRICT 9

Bob Oleson
DEPUTY PRESIDING
OFFICER
DISTRICT 1

Charlie Williamson
DISTRICT 2

Craig Berkman
DISTRICT 3

Corky Kirkpatrick
DISTRICT 4

Jack Deines
DISTRICT 5

Jane Rhodes
DISTRICT 6

Betty Schedeen
DISTRICT 7

Ernie Bonner
DISTRICT 8

Bruce Etlinger
DISTRICT 10

Marge Kafoury
DISTRICT 11

Mike Burton
DISTRICT 12

Mr. Gordon Mulleneaux
Washington County Administrator
150 North First, Room 418
Hillsboro, Oregon 97123

Dear Mr. Mulleneaux:

Enclosed is a true copy of Ordinance No. 82-141,
adopted by the Council of the Metropolitan Service
District on October 28, 1982.

Please file this copy in the Metro ordinance files.

Sincerely,

Everlee Flanigan
Clerk of the Council

Enclosure



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527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

November 1, 1982

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DISTRICT 8

Bruce Etlinger
DISTRICT 10

Marge Kafoury
DISTRICT 11

Mike Burton
DISTRICT 12

Ms. Jane McGarvin
Clerk of the Board
Multnomah County Courthouse
1021 S.W. Fourth Avenue, Room 606
Portland, Oregon 97204

Dear Ms. McGarvin:

Enclosed is a true copy of Ordinance No. 82-141,
adopted by the Council of the Metropolitan Service
District on October 28, 1982.

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Sincerely,

Everlee Flanigan
Clerk of the Council

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November 1, 1982

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Mr. George Poppen
County Clerk
Clackamas County Courthouse
906 Main
Oregon City, Oregon 97045

Dear Mr. Poppen:

Enclosed is a true copy of Ordinance No. 82-141
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Sincerely,

Everlee Flanigan
Clerk of the Council