

C O U N C I L

**Metropolitan Service District**

527 SW Hall Portland, Oregon 97201 503/221-1646

*Agenda*

Date: February 28, 1980

Day: Thursday

Time: 7:30 p.m.

Place: Council Chamber

1) affirmation  
2) Financial Report  
3) hand Fill - St. Johns  
4)  
Supreme Court  
Decision

CALL TO ORDER (7:30)

1. INTRODUCTIONS
2. WRITTEN COMMUNICATIONS TO COUNCIL
3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
4. MINUTES OF MEETING OF JANUARY 24, 1980 (7:35)\*
5. REPORTS
  - 5.1 Report from Executive Officer (7:40)\*
  - 5.2 Council Committee Reports (8:00)\*
  - 5.3 A-95 Review Report (8:20)\*
6. OLD BUSINESS
  - 6.2 Ordinance No. 80-86, Submitting Metropolitan Service District Zoo Serial Levies (2 levies) (Second Reading) (8:25)\*
7. NEW BUSINESS
  - 7.1 Resolution No. <sup>80</sup>79-130, Recommending City of Beaverton Request for Acknowledgment of Compliance with LCDC Goals (8:45)\*
  - 7.2 Resolution No. <sup>80</sup>79-131, Authorizing Urban Mass Transportation Administration (UMTA) Federal Funds for Special Transportation Section 16(b)(2) Projects (9:00)\*

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Council Agenda  
February 28, 1980

Page 2

7.3 Resolution No. <sup>80</sup>79-132, Allocating a Metro Reserve of Approximately \$22.1 Million (9:15)\*

8. Discussion of Metro Operational Plan Survey (9:30)\*

ANNOUNCEMENTS

ADJOURNMENT (9:45)\*

\* Times proposed are suggested - actual time for consideration of agenda items may vary.

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MINUTES OF THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

January 24, 1980

Councilors In Attendance

Presiding Officer Marge Kafoury  
Vice Presiding Officer Jack Deines  
Coun. Donna Stuhr  
Coun. Mike Burton  
Coun. Charles Williamson  
Coun. Craig Berkman  
Coun. Corky Kirkpatrick  
Coun. Jane Rhodes  
Coun. Betty Schedeen  
Coun. Cindy Banzer  
Coun. Gene Peterson

Others In Attendance

Ms. Beth Blunt  
Mr. R. W. Blunt, Jr.  
Patty, Erik and  
Jennifer Deines  
Linda Macpherson  
Mr. Bruce Etlinger  
Mr. Steve Lockwood  
Mr. Ray Jaren  
Mr. John MacGregor  
Mr. Phil Adamsak

In Attendance

Executive Officer Rick Gustafson

Staff In Attendance

Mr. Denton U. Kent  
Mr. Andrew Jordan  
Mr. Jim Sitzman  
Mr. Charles Shell  
Mr. C. William Ockert  
Ms. Priscilla Ditewig  
Ms. Sue Klobertanz  
Ms. Judy Bieberle  
Mr. Warren Iliff  
Mr. Jim McAdoo  
Ms. Linda Brentano  
Ms. Marilyn Holstrom  
Mr. John LaRiviere  
Ms. Mary E. Carder

Metro Council  
Minutes of January 24, 1980

CALL TO ORDER

After declaration of a quorum, the January 24, 1980, meeting of the Council of the Metropolitan Service District (Metro) was called to order by Presiding Officer Michael Burton at 7:30 p.m. in the Council Chamber, 527 S. W. Hall Street, Portland, Oregon 97201.

Action will be taken on the canceled January 10 meeting at this meeting.

1. INTRODUCTIONS

Coun. Jack Deines introduced his family who were seated in the audience.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

There were no written communications to be introduced at this time.

3. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

Ms. Beth Blunt, Chairman, Interleague Metro Committee of the League of Women Voters, circulated copies to the Council of a report that she had written for the League of Women Voters. The report outlined efforts and accomplishments of Metro over its first year.

Chairman Burton thanked Ms. Blunt and expressed appreciation for her having attended so many Council meetings and for having written an accurate report of Metro's first year as a regional governing agency.

\* \* \* \* \*

4. CONSIDERATION OF BUSINESS ITEMS FROM AGENDA OF JANUARY 10, 1980.

4. CONSENT AGENDA

4.1 Minutes of meeting of December 6, 1979.

4.2 A-95 Review, Directly Related to Metro.

Coun. Peterson moved, seconded by Coun. Kafoury, that the items on the Consent Agenda be approved.

Coun. Peterson asked to make a correction. On page 5, first paragraph, line 4, a correction should be made to amend the words "Pacific Northwest Regional Community" to "Pacific Northwest Regional Commission."

Metro Council  
Minutes of January 24, 1980

With that correction, a vote was taken on the motion. All Councilors present voted aye. The motion carried.

5. ELECTION OF OFFICERS

- 5.1 Chairman Burton said that he had forwarded a memorandum to the Council thanking members for making his job a very easy one.

Chairman Burton said he would entertain nominations for the position of Presiding Officer. He moved to place in nomination the name of Marge Kafoury. The motion was seconded by Coun. Schedeen.

Coun. Rhodes moved, seconded by Coun. Stuhr, that the Council cast a unanimous ballot for Marge Kafoury for the position of Presiding Officer. All Councilors voting aye, the motion carried unanimously.

The Chairman said he would entertain a motion for nomination for Vice Presiding Officer.

Coun. Berkman moved, seconded by Coun. Banzer, that Jack Deines be nominated for the position of Vice Presiding Officer.

Coun. Rhodes moved, seconded by Coun. Stuhr, that the Council cast a unanimous ballot for Jack Deines for Vice Presiding Officer. All Councilors present voting aye, the motion carried unanimously.

Coun. Burton congratulated Coun. Kafoury and Coun. Deines on their election to the position of Presiding Officer and Vice Presiding Officer.

Coun. Kafoury presented a plaque to Coun. Burton on behalf of the Council and thanked Coun. Burton for his efforts and time that he had spent in the meetings he had attended. Coun. Burton thanked the Council and expressed appreciation to the Council for the plaque.

6. REPORTS

- 6.1 Report from Executive Officer

The Executive Officer called the Council's attention to "The First Year" report which was available for the Council and others who wished to pick one up. Mr. Gustafson expressed thanks to Coun. Burton for his

Metro Council  
Minutes of January 24, 1980

efforts as Presiding Officer and said that he had given the staff much support and assistance so that Metro could accomplish what it had the past year.

The Executive Officer outlined Metro's accomplishments, and called attention to a survey that will be forwarded to community leaders requesting their input to assist with guidance for Metro's future areas of involvement.

Mr. Gustafson said he had attended the National Home Builders Association convention in Las Vegas, where he participated in a panel with Mr. Fred Jarvis, who is writing a book on subdivision design. Mr. Jarvis will forward a copy of his book to Metro which the Executive Officer said he would share with the Council.

The Executive Officer introduced Mr. Jim McAdoo, new Building and Grounds Manager at the Zoo. The Executive Officer asked Judy Bieberle, Development Officer for the Zoo, to report on the animal adoption program. Ms. Bieberle said that 25 percent of the goal had been reached, with over \$22,000 realized to assist with feeding the animals. Ms. Bieberle explained that a campaign is being conducted which is being directed toward getting some of the larger corporations to adopt the larger animals, whose food bills are much more expensive.

## 6.2 Council Committee Reports

Solid Waste/Public Facilities Committee: Coun. Berkman asked Coun. Rhodes to report on the Johnson Creek Task Force. Coun. Rhodes said the Task Force had met and made several recommendations, some of which are in the form of ordinances which will be acted on later in the meeting. She pointed out that some of the recommendations pertained to the boundaries of the project and to methods for arriving at property evaluation relating to assessment. She said that the Council will be making a final decision on the assessment matter.

Coun. Rhodes requested that the question of assessments be referred to the Solid Waste/Public Facilities Committee. Coun. Kafoury said that without objection this matter could be considered referred.

Coun. Kirkpatrick reported on the Ways and Means Committee, and said that a good share of the matters they had discussed would come up later in this agenda. She said that the Ways and Means Committee had discussed the possibility of restructuring Committees. Ways and Means

Metro Council  
Minutes of January 24, 1980

Committee had made recommendations in the matter of vacancies for Public Facilities Director, and Environmental Services Director. The Committee had recommended that only the position of Environmental Services Director be filled. She said that one other staff change had been reported. The current Office Manager would be appointed to the position of Administrative Assistant and the Office Manager position would be abolished. It has been contemplated that a part-time maintenance person will be hired. No action was necessary on these items.

Zoo Committee: Coun. Banzer said the Committee had discussed the two major issues in the audit report that affected the Zoo and considered how they should be dealt with.

Coun. Banzer said the Committee was very pleased with Judy Bieberle's animal project and the fact that she had raised 25 percent of the goal.

The Committee dealt with the subject of the split admittance fee and concluded that the Zoo should continue with this method for the next year. The Committee suggested that a person be hired who could help expedite getting the lines through the entrance gates.

JPACT Committee: Coun. Stuhr said that JPACT had met at its usual time and had recommended several items for Council approval. All items had been approved by both the JPACT and TPAC Committee. Several members of TPAC had expressed concern about use of withdrawal funds for street lighting. JPACT did vote in favor of the city package of projects including street lighting with only one objection.

Regarding the Metro Reserve, the Transportation Committee is considering taking a tour to view some of the projects. They also plan to allow sponsoring jurisdictions an opportunity to make presentations before the JPACT Committee to explain their projects and how the projects meet established Metro criteria.

Coun. Williamson reported that the Westside Corridor Steering Committee had met later in the month. There had been a problem with UMTA financing which has been resolved. A Citizens' Advisory Committee and a Steering Group have been formed which will hold meetings in the near future to discuss specific problems in the Westside Corridor.

Planning and Development Committee: Coun. Peterson said

Metro Council  
Minutes of January 24, 1980

the Planning and Development Committee had met after considerable delay due to storm conditions. The primary subject for discussion was the Goals and Objectives. The Planning and Development Committee had proceeded with discussion of Phase I Goals and Objectives and had adopted a Work Program and Procedure. The Policy Alternative Committee had asked to meet with the Council Committee for the purpose of discussing a draft they are considering and getting some feedback from the Council.

The Committee also discussed the Milwaukie Comprehensive Plan which it felt was very well done and ready for Council consideration.

Citizen Involvement: Coun. Stuhr said that staff has continued to schedule McLoughlin Blvd. presentations. Interest has been high and there has been good attendance at these meetings. Staff has spent time in drafting a citizen involvement process for the Regional Transportation Plan and in meeting with DEQ representatives to design a co-sponsored garbage day and air quality week.

Coun. Rhodes is coordinating specific plans with staff to develop an appropriate strategy for citizen involvement within the Johnson Creek project. A citizen involvement plan has been presented to the Johnson Creek Task Force which will be refined and implemented within the next few weeks. The Citizen involvement staff has made presentations to the Mt. Tabor Neighborhood Association, Sunnyside Fair-Share and SE Uplift concerning the SE Recycling Center. There has been some vocal opposition to the location but there is a generally positive response to Recycling, and to Metro's general Waste Management Plan.

7.1 Ordinance No. 79-81, Adopting Interim Johnson Creek Basin Stormwater Runoff Plan (Second Reading).

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 79-81 the second time by title only.

Coun. Rhodes moved, seconded by Coun. Kirkpatrick, that Ordinance No. 79-81 be adopted.

Coun. Rhodes reported that five of the jurisdictions had already adopted the concept of this Ordinance, and that the city of Gresham already had in place a development restriction which made it unnecessary for Gresham to adopt the Ordinance. Therefore, all six jurisdictions had supported this plan.



Metro Council  
Minutes of January 24, 1980

Roll call vote. All Councilors present voting aye, the motion carried unanimously.

8.1 Resolution No. 79-119, Authorizing a Position to Analyze Alternative Air Quality Control Measures.

Coun. Williamson reported that air quality functions had been transferred to the Transportation Department. Adoption of this Resolution would authorize funding of an additional position to do the work on air quality. The funds are available and this important function needs to be carried out.

Coun. Williamson moved, seconded by Coun. Stuhr, that Resolution No. 79-119 be adopted. All Councilors present voted aye, except Coun. Deines who voted nay. The motion carried.

8.2 Resolution No. 79-120, Designation of Registered Offices and Agent.

Coun. Burton explained that this Resolution was basically a housekeeping matter--that someone had to be designated as the person to appear on a number of documents. It had been decided that the Clerk of the Council should be the person to do that.

Coun. Burton moved, seconded by Coun. Peterson, that Resolution No. 79-120 be adopted. All Councilors present voting aye, the motion carried unanimously.

8.3 Water Resources Study Reports.

Coun. Rhodes reminded Councilors they had previously been given a large stack of books to read. These reports were an additional group to add to those approved for release in June. The Presiding Officer said that, without objection, the remaining study report could be released for public review and comment.

\* \* \* \* \*

A short break was taken.

COUNCIL AGENDA OF JANUARY 24, 1980.

Presiding Officer Kafoury called the meeting to order. It was determined to skip to Item No. 5.1, since it called for a public hearing at 8:30 p.m.

Metro Council  
Minutes of January 24, 1980

- 5.1 Ordinance No. 80-82, Transferring Appropriations Within Funds for FY 1981 Metropolitan Service District Budget (First Reading).

Coun. Kirkpatrick moved, seconded by Coun. Deines, that Ordinance No. 80-82 be adopted.

It having been ascertained that it was the consensus of the Council to do so the Clerk read Ordinance No. 80-82 the first time by title only.

The public hearing was opened. Since there was no one present who wished to testify on this Ordinance and there was no discussion, the public hearing was closed.

- 6.2 A-95 Review directly related to Metro.

Coun. Burton questioned the review of a project for additional housing in Mollala. He asked if that matter was directly related to Metro. Mr. Kent explained that it certainly had an effect on the development outside the urban district and that there was some responsibility in connection with the AHOP.

Coun. Burton moved, seconded by Coun. Deines, to adopt the Consent Agenda.

Coun. Peterson questioned an item concerning Bonneville and how many miles of line were included. Presiding Officer Kafoury asked Coun. Peterson if he could review this item with staff. Coun. Peterson said he would follow it up later.

There being no further discussion, the question was called on the motion. All Councilors present voting aye, the motion carried unanimously.

- 7.3 A-95 Review of items not directly relating to Metro.

There was no discussion and no action required on this matter.

8. NEW BUSINESS

- 8.1 Resolution No. 80-121, Directing Executive Officer to Prepare Preliminary Plans and Specifications for Flood Control and Pollution Abatement Improvements in Johnson Creek Basin.

Coun. Rhodes explained that adoption of this Resolution

Metro Council  
Minutes of January 24, 1980

would allow the Executive Officer to prepare plans and preliminary engineering estimates and specifications for improvements proposed as part of the Johnson Creek flood control and pollution abatement project. The Johnson Creek Task Force had recommended formation of an LID to finance flood control and water pollution abatement improvements in the Johnson Creek Basin. Local jurisdictions within the Basin have supported formation of an LID by providing loans to Metro to finance its formation. To meet the July 1 deadline for inclusion of the assessments on the fiscal year 1981 county property tax bills, and to enable the Council to act May 22 on formation of the district, preparation of preliminary engineering report must be begin now.

Coun. Rhodes moved, seconded by Coun. Schedeen, that the Council adopt Resolution No. 80-121.

Coun. Rhodes moved, seconded by Coun. Peterson, to amend the Resolution to include in the fourth WHEREAS "and the County of Multnomah" after "Happy Valley."

All Councilors present voting aye, the amendment was adopted.

Question called for on the main motion as amended. All Councilors present voting aye, the motion carried unanimously.

8.2 Resolution No. 80-122, Expressing Council Intent Regarding Metropolitan Service District Funding Measures to be Submitted to Voters at 1980 Primary and General Elections.

Coun. Kirkpatrick moved, seconded by Coun. Stuhr, that Resolution No. 80-122 be adopted.

Coun. Kirkpatrick explained that adoption of this Resolution is in conformance with the recommendation of the Finance Task Force and is an appropriate course of action for Council to take in requesting funding for all Metro activities, including the Zoo. She said that adoption of the Resolution will express Council intent to seek voter approval of a serial levy for the Zoo at the May 1980 Primary election, and to include a measure to provide funding for other Metro operations at the November 1980 General election.

Question called on the motion. All Councilors voting aye, the motion carried unanimously.

Metro Council  
Minutes of January 24, 1980

8.3 Resolution No. 80-123, Transmitting FY 1980 Supplemental Budget to the Tax Supervising and Conservation Commission.

Mr. Kent explained that Metro is under obligation under State law to transmit a supplemental budget to the Tax Supervising and Conservation Commission. The supplemental budget will provide necessary changes in the adopted FY 1980 budget to reflect policy decisions previously made by the Council on transfers from the Zoo and Solid Waste funds, and will appropriate new local revenues in the Zoo and General funds. Through adoption of this Resolution, procedures to transmit the supplemental budget to the Tax Supervising and Conservation Commission will be set into motion.

Coun. Kirkpatrick moved, seconded by Coun. Stuhr, that Resolution No. 80-123 be adopted. All Councilors present voting aye, the motion carried unanimously.

8.4 Resolution No. 80-124, Amending FY 1980 Unified Work Program for Purposes of Accelerating Westside Project Schedule

Coun. Williamson said that the Westside project was moving ahead of schedule. To make the most efficient use of available time, the funding authorized by this Resolution would permit acceleration of preliminary engineering (PE) and preparation of a Draft Environmental Impact Statement (DEIS). It is desirable to provide funding through a UWP amendment to authorize tasks which will lead to commencement of PE. A more extensive UWP amendment is presently being proposed for later consideration by the Council which would include PE activities. The Transportation Policy Alternatives Committee (TPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) considered the Resolutions at their meetings January 16, and both recommended adoption by the Council.

Coun. Williamson moved, seconded by Coun. Stuhr, that Resolution No. 80-124 be adopted.

Question called on the motion. All Councilors present voting aye, the motion carried unanimously.

8.5 Resolution No. 80-125, Authorizing Federal Funds for City of Portland I-505 Withdrawal Projects

Coun. Stuhr explained that JPACT had recommended authorization of funding for these projects.

Metro Council  
Minutes of January 24, 1980

Coun. Williamson remarked that, at the time the I-505 funds were withdrawn, all jurisdictions agreed to allow the City of Portland to decide how they wanted to allocate the City Reserve fund. JPACT had approved this Resolution with the exception of one vote.

Coun. Williamson moved, seconded by Coun. Burton, that Resolution No. 80-125 be approved.

Coun. Deines questioned whether the City of Portland had followed the rules with regard to Metro's role as lead agency for transportation planning. Mr. Ockert said that no projects can be funded unless they are initiated by local governments.

Question was called on the motion. All Councilors present voting aye, the motion carried unanimously.

8.6 Resolution No. 80-126, Authorizing Federal Funds for Oregon Department of Transportation I-505 Withdrawal Project (190th and Powell)

Mr. Ockert outlined the past history of this project. He said that the project activities proposed for funding authorization are a result of the Oregon Department of Transportation evaluation of problems at the intersection of 190th and Powell, and that funding of this project was recommended after the Metro staff systems analysis. This action represents continuation of a process that began with the decision to withdraw the I-505 freeway. At the time of that withdrawal, funding for this project was reserved. Therefore, the funding authorization proposed at this time is consistent with established policies. Adoption of the Resolution will authorize \$2,125,000 to support PE, right-of-way acquisition and construction of the 190th and Powell Blvd. project.

Coun. Burton moved, seconded by Coun. Stuhr, that Resolution No. 80-126 be adopted.

Coun. Kirkpatrick requested that titles in Resolutions spell out the particular project. She said it would be helpful to the Council to know what project was being considered for funds. Coun. Williamson said he would suggest to staff that they try to do that in the future.

Coun. Kirkpatrick moved, seconded by Coun. Williamson, that the Resolution be amended to change the title by adding the words "190th/Powell Blvd." All Councilors present voting aye, the motion carried unanimously.

Metro Council  
Minutes of January 24, 1980

Vote taken on the motion as amended. All Councilors present voting aye, the motion carried unanimously.

8.7 Resolution No. 80-127, In Appreciation to Zoo Employees.

Coun. Berkman said that employees at the Zoo had done a tremendous job working to save the trees and to protect the animals during the recent ice and snow storm. Their performance had been beyond the call of duty.

Coun. Burton moved, seconded by Coun. Schedeen, that Resolution No. 80-127 expressing appreciation to Zoo employees be adopted.

Coun. Banzer questioned the fact that electrical power had not been restored to the Zoo. The Executive Officer explained that staff had looked into the matter and found that it had been very difficult to get power up to the hill. There were many broken poles and downed lines. The company was working just as quickly as possible to take care of the matter.

Question called on the motion. All Councilors present voting aye, the motion carried unanimously.

Presiding Officer Kafoury announced that Councilors will interview candidates and select a new person to fill the vacant Council position at its meeting of February 14.

There being no further business to come before the Council the meeting was adjourned.

Respectfully submitted,

Mary E. Carder  
Clerk of the Council

MEC/gl  
6976/87

PLANNING AND DEVELOPMENT  
COMMITTEE

**Metropolitan Service District**  
527 SW Hall Portland, Oregon 97201 503/221-1646

## *Agenda*

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*Date:* February 25, 1980

*Day:* Monday

*Time:* 5:30 p.m.

*Place:* Conference Room C

### CALL TO ORDER

1. INTRODUCTIONS
2. WRITTEN COMMUNICATIONS
3. CITIZEN COMMENTS ON NON-AGENDA ITEMS
4. APPROVAL OF MINUTES
5. REPORTS AND BUSINESS
  - 5.1 Discussion of New Land PAC Membership
  - 5.2 Milwaukie Plan Review Update
  - 5.3 Proposal to LCDC on Conditional Acknowledgment\*

\* Materials attached

MEETING REPORT

DATE OF MEETING: February 11, 1980

GROUP/SUBJECT: Planning and Development Council Committee

PERSONS ATTENDING: Couns. Gene Peterson, Jane Rhodes, Cindy Banzer, Corky Kirkpatrick, Donna Stuhr

Staff: Jim Sitzman, Jill Hinckley, Mike Butts, Ken Lerner, Ray Bartlett, Rod Boling

Guests: Joe Lipscomb, Michael Kronenberg, Linda Davis, G. Herald Campbell, Richard Buono, Jim Irvine, Ken Bostwick, Ernie Bonner, Bud Rogers, Jack Nelson

SUMMARY:

Agenda Item 5.1 - First Annual Report of the Land Market PAC

The "First Annual Report of the Land Market Policy Alternatives Committee" was presented by Joe Lipscomb, Committee Chairman. Mr. Lipscomb discussed five problem areas involving urban development and suggestions for addressing the problems. The problem areas are 1) public facilities financing and timeliness, 2) governmental land use controls and the tax structure, 3) costs and financing of development and home ownership, 4) the changing structure and performance of the construction industry, and 5) industrial and commercial development. These issues were not ranked by the Committee, but Mr. Lipscomb felt that the first two had the most bearing on the cost, type and availability of housing in the region.

Other Committee members stressed the importance of public facilities financing and land use controls, recognizing the trade-offs between achieving growth management objectives and the costs of going through the approval process.

Future Committee efforts will be directed at resolutions to these issues. The Committee would like a regular exchange of information with the P & D Council Committee, beginning with guidance on the best approach to addressing problems. Should the Committee focus on a best recommendation that might contemplate changing Metro authority or involvement, or should it focus on a best realistic recommendation that assumes the status quo?

Coun. Banzer expressed an interest in meeting informally with Mr. Lipscomb and the Committee members for further discussions of the problem areas.



Meeting Report  
Planning and Development Committee  
February 11, 1980

#### 5.2 - Beaverton Acknowledgment Review

Jim Sitzman introduced Beaverton staff: Jack Nelson, Mayor; Linda Davis, Planning Director and Michael Kronenberg, Staff.

Linda Davis presented background on the Beaverton plan and distributed a letter to the Committee explaining the City's past transportation planning activities and expressing the City's support of and willingness to participate in an evaluation of area arterials as part of the Westside transit project.

Mike Butts briefly reviewed the Metro staff report and Metro and Beaverton staff responded to questions about storm drainage and flood hazard protection. Donna Stuhr explained to the Committee her concern about effective coordination of the transportation plans of Washington County cities, the County and Metro. She introduced Bud Rogers who had been active in the City's planning process and expressed his own concerns about when and how coordination problems would be resolved.

Metro staff explained Metro's lead role in coordinating transportation planning through the Regional Transportation Plan (RTP) and Westside project and the process for "re-opening" plans to achieve consistency with regional plans.

The timing of Committee and Council action in response to a question by Corky Kirkpatrick was explained. She moved to approve the staff recommendation and report. The motion passed 3-0.

#### 5.4 - 1981 Budget

The Committee reviewed an outline of programs for budget categories based on the report presented by Jim Sitzman on known revenue sources as well as a number of prospective new grants. Jim pointed out that at the moment money assured for next year's programs is very limited.

REPORT WRITTEN BY: Metropolitan Development Staff

COPIES TO: Metro Councilors, Denton Kent, Rick Gustafson

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# Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

## Memorandum

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*Date:* February 15, 1980  
*To:* Metro Council  
*From:* Executive Officer  
*Subject:* A-95 Report

The following is a summary of staff responses regarding grants not directly related to Metro programs.

1. Project Title: Energy Crisis Assistance Program (#7911-2).

Applicant: State of Oregon, Department of Human Resources.

Project Summary: Funding to provide assistance to low-income households throughout Oregon to pay fuel/energy bills. Maximum assistance per household is \$300, which is paid directly to the vendor by the State.

Federal Funds Requested: \$2,097,080 (Community Services Administration)

Staff Response: Favorable action.

2. Project Title: Primary Medical Dental Care Clinic (#7911-7).

Applicant: Salud de la Familia, Inc.

Project Summary: Funding to continue delivery of health care services to migrant and seasonal agricultural workers and other low-income residents in Marion, Polk, Yamhill and lower Clackamas Counties.

Federal Funds Requested: \$305,000 (Department of Health and Welfare, Public Health Service).

Staff Response: Favorable action.

3. Project Title: Social/Affective Curriculum for Deaf Students (#7911-8)

Applicant: Northwest Regional Education Laboratory.

Project Summary: Funding to develop and demonstrate a social-affective curriculum for hearing impaired children between the ages of 8 and 13.

Federal Funds Requested: \$100,000 (Office of Education).

Staff Response: Favorable action.

4. Project Title: Community Action Program (#7911-12)

Applicant: North Community Action Council.

Project Summary: Funding for agency administration, resource development, community relations and community services as well as operation of a used clothing center. The agency serves low-income people within its North Portland target area.

Federal Funds Requested: \$92,000 (Community Services Administration).

Staff Response: Favorable action.

5. Project Title: Community Action Program (#801-2)

Applicant: Multnomah County Community Action Agency.

Project Summary: Funding to administer community action program in its effort to eliminate causes and effects of poverty within the agency's target area.

Federal Funds Requested: \$279,000 (Community Services Administration).

Staff Response: Favorable action.

6. Project Title: Displaced Homemaker Program (#801-4)

Applicant: Portland YWCA.

Memorandum  
February 15, 1980  
Page 3

Project Summary: Demonstration program to provide life planning, job readiness and job placement services for displaced homemakers in Clackamas, Multnomah and Washington Counties. Program will be coordinated with the St. Johns YWCA, COSSPO, Solo Center and Tri-County Community Council.

Federal Funds Requested: \$70,000 (U. S. Department of Labor).

Staff Response: Favorable action.

7. Project Title: Children and Youth Primary Care Project (#801-5)

Applicant: Multnomah County, Department of Community Health Services.

Project Summary: Provision of comprehensive medical, dental and optometric services on an outpatient basis to approximately 5,500 residents of North and Northeast Portland who have no other source of health care.

Federal Funds Requested: \$349,419 (Public Health Service).

Staff Response: Favorable action.

LB/gl  
7026/D4

TITLE SUBMITTING METROPOLITAN  
SERVICE DISTRICT ZOO SERIAL LEVIES

DATE INTRODUCED 2/14/80

FIRST READING 2/14/80

SECOND READING \_\_\_\_\_

DATE ADOPTED \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ROLLCALL

	Yes	No	Abst.
Burton			
Stuhr			
Williamson			
Berkman			
Kirkpatrick			
Deines			
Rhodes			
Schedeen			
<del>Miller</del> Bonner			
Banzer			
Peterson			
Kafoury			

(2 levies)

BEFORE THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUBMITTING	)	ORDINANCE NO. 80-86
METROPOLITAN SERVICE DISTRICT	)	
ZOO SERIAL LEVIES	)	Introduced by the
	)	Ways and Means Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Short Title

This ordinance shall be known as the "Zoo Serial Levy Ordinance" and may be so cited and pleaded and shall be cited herein as "this ordinance."

Section 2. Definitions

A. "Council" means the Council of the Metropolitan Service District.

B. "District" means the Metropolitan Service District and all of the land and territory included within the boundaries of the District.

C. "Zoo" means the Washington Park Zoo of Portland, Oregon, operated by the District under ORS 268.310 (5).

Section 3. Findings

A. ORS 268.310 (5) permits the District to "acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities."

B. ORS 268.315 provides that "(F)or the purpose of performing the functions set forth in subsection (5) of ORS 268.310, the District, when authorized at any properly called election held for such purpose, shall have the power to levy an ad valorem tax on all

taxable property within its boundaries not to exceed in any one year one-half of one percent (.005) of the true cash value of all taxable property within the boundaries of such district, computed in accordance with ORS 308.207."

C. The Zoo currently receives approximately 40 percent of its total revenues from a serial levy that will expire at the end of FY 1981.

D. The Zoo, with unique educational and recreational offerings, is utilized by and benefits District residents.

E. A regional funding base is necessary to provide for continued adequate care, maintenance and development of the Zoo's animal collection, programs and physical facilities.

F. During fiscal years 1982 through 1984 property tax revenues in the total amount of \$15,000,000 for the three-year period will be needed to fund Zoo operating and capital expenses.

#### Section 4. Purpose

The purposes of this ordinance are:

A. To provide for the health and welfare of District residents by providing for the maintenance and operation of the Zoo, and for construction and renovation of Zoo exhibits.

B. To approve submission of two three-year operating serial levies to the voters on May 20, 1980, the revenues of which will be used for purposes permitted under ORS 268.310 (5) and to pay the costs of holding the election.

#### Section 5. Submission of Tax Levy

A. The Council approves and hereby directs that a three-year operating serial levy of \$2,000,000 each year for three years, a

total of \$6,000,000 for the three-year period, be submitted to the voters on May 20, 1980. This levy shall be submitted separately from the levy described in subparagraph B of this Section so that it may qualify for the partial State payment provided by 1979 Or. Laws ch. 241.

B. The Council approves and hereby directs that a three-year mixed operating and capital serial levy of \$3,000,000 each year for three years, a total of \$9,000,000 for the three-year period, be submitted to the voters on May 20, 1980.

Section 6. Ballot Titles

A. The Ballot Titles for the levies described in Section 5 of this ordinance shall be as follows:

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SERIAL LEVY,  
PARTIALLY STATE FINANCED,  
FOR BASIC ZOO OPERATIONS

QUESTION: Shall the Metropolitan Service District levy \$2,000,000, partially State-financed, each year for three years to operate the Zoo?

PURPOSE: This levy authorizes the Metropolitan Service District to serially levy \$2,000,000 annually for three years for a total of \$6,000,000 property tax outside the six percent limitation specified in the Oregon Constitution. Proceeds would be used entirely to support operation and maintenance of the Zoo. No portion would be used for capital construction.

EXPLANATION: The Washington Park Zoo is owned and operated by the Metropolitan Service District. In 1976, voters in all three counties of the District approved a five-year serial levy for Zoo operations and maintenance of \$10,000,000; \$2,000,000 each year for five years. That levy expires in mid-1981.

This proposed levy would begin in mid-1981 and expire in 1984. No provision is made in this levy for inflation or operation cost increases above the current funding level. A levy to offset such



cost increases during the three-year period is being submitted as a separate measure.

If this measure is approved, the \$6,000,000 will be partially funded by the State of Oregon. Such partial State funding is contingent upon voter approval of Ballot Measure # \_\_\_\_\_ which would provide partial State funding of local levies for operations.

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SERIAL LEVY,  
WITHOUT STATE FINANCING,  
FOR ZOO OPERATIONS AND EXHIBITS

**QUESTION:** Shall the Metropolitan Service District levy \$3,000,000 each year for three years for operating and capital expenses at the Zoo?

**PURPOSE:** This levy authorizes the Metropolitan Service District to serially levy \$3,000,000 annually for three years for a total of \$9,000,000 property tax outside the six percent limitation specified in the Oregon Constitution. Proceeds from the levy would be used entirely to support operations and capital construction at the Zoo.

**EXPLANATION:** The Washington Park Zoo is owned and operated by the Metropolitan Service District. In 1976, District voters in Multnomah, Washington and Clackamas Counties approved a serial levy for Zoo operations and maintenance of \$10,000,000; \$2,000,000 each year for five years. That levy expires in mid-1981. A measure to continue that \$2,000,000-per-year levy until 1984 is being submitted as a separate measure.

This proposed levy would provide \$700,000 each year for Zoo operations and \$2,300,000 each year for capital construction. The operating funds would enable the Zoo to continue the same level of services currently being provided, by offsetting cost increases due to inflation, and would provide operating funds for new exhibits. The capital funds would be used to finance building of new exhibits for Alaskan animals and African Plains animals, would allow completion of the primate house and beaver/otter exhibit, and would allow renovation of the penguinarium.

If this measure is approved, \$9,000,000 of taxes

levied will be totally financed by local taxpayers without any partial state payment.

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B. The above Ballot Titles shall be filed with the Director of Records and Elections of Multnomah County not later than March 11, 1980.

ADOPTED by the Council of the Metropolitan Service District this 14th day of February, 1980.

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Presiding Officer

ATTEST:

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Clerk of the Council

AJ/gl  
6996/92

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council  
 FROM: Executive Officer  
 SUBJECT: Recommending the City of Beaverton's Request for Acknowledgment of Compliance with the LCDC Goals

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of the attached Resolution recommending that LCDC grant the City of Beaverton's request for compliance acknowledgment, conditional upon adopting plan and zoning ordinance amendments to implement its policy on mobile homes in order to comply with Goal #10 (Housing). The Council should act on this item at its February 28 meeting in order to ensure that its recommendation is considered by the LCDC (see background).
- B. POLICY IMPACT: The form of the recommendation establishes a Metro position in favor of conditional acknowledgment of plans which require only minor correction for full compliance. The findings on which the recommendation are based involve significant policy interpretation on the issues of mobile homes and "regional language." These issues are discussed in the staff report under Goals #10 and #6, respectively. Action on these issues will set a precedent for future reviews. The proposed action is consistent with criteria and procedures contained in the Metro Plan Review Manual.

This is one of the first acknowledgment recommendation actions under the revised plan review process. Under this approach, Metro focuses its acknowledgement review on issues of regional significance.

- C. BUDGET IMPACT: None

II. ANALYSIS:

- A. BACKGROUND: The City submitted its plan to LCDC for acknowledgment in November, 1979. Immediately following, the City initiated a number of plan and ordinance amendments addressing problems identified through Metro's acknowledgment review process. The City Council is expected to take final action on most of the amendments on February 25, 1980.

Since the City is taking action on amendments of regional significance, Metro has delayed its recommendations to LCDC (due February 18) until such amendments are adopted. The DLCD has been notified of the reasons for the delay and will consider Metro's late recommendations.

The amendments include "208" and solid waste coordination language and background information on public facilities. Amendments addressing mobile homes were tabled by the Planning Commission and thus are subject to an extended hearing period, extending beyond the LCDC acknowledgment hearing date.

To address concerns about the City's Transportation Plan, Planning Director, Linda Davis, submitted a letter to the Planning and Development Committee explaining past planning efforts and expressing the City's support of and willingness to participate in an evaluation of area arterials as part of the Westside Transit project.

The staff report and recommendations were reviewed and approved by the Planning and Development Committee at its February 11 meeting. The Committee approved a recommendation for a continuance to allow the time to adopt provisions for mobile homes. This recommendation has been changed to conditional acknowledgment to be consistent with the proposal on conditional acknowledgment being presented to the Council as an earlier agenda item.

- B. ALTERNATIVES CONSIDERED: The alternative form of action would be to recommend that LCDC grant Beaverton a continuance (other than conditional acknowledgment). In either case, the City would be required to adopt provisions for mobile homes in order to be acknowledged for compliance with Goal #10. The advantages of conditional acknowledgment are: (1) it places more emphasis on the City's major achievements -- compliance with thirteen of the fourteen applicable goals -- than on the one area still requiring additional work; (2) it allows LCDC more flexibility in establishing an appropriate time frame for completion of the remaining work; and (3) it provides the City protection against appeals of land use actions based on allegations of violations of the goals in any area in which the City's plan has been found adequate.

If the Council does not approve the staff proposal on conditional acknowledgment or if LCDC does not adopt Metro's proposal for conditional acknowledgment, a continuance to provide time for adoption of mobile home provisions would nonetheless be consistent with the substance of Metro's recommendation.

- C. CONCLUSION: Metro's recommendations for conditional acknowledgment will support the local planning process and protect regional interests.

MB:gl  
7038/92  
2/28/80

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING )  
THE CITY OF BEAVERTON'S REQUEST )  
FOR ACKNOWLEDGMENT OF COMPLIANCE )  
WITH THE LCDC GOALS )

RESOLUTION NO. \_\_\_\_\_

Introduced by the  
Planning and  
Development Committee

WHEREAS, Metro is the designated planning coordination body under ORS 197.765; and

WHEREAS, Under ORS 197.255 the Council is required to advise LCDC and local jurisdictions preparing comprehensive plans whether or not such plans are in conformity with the statewide planning goals; and

WHEREAS, LCDC Goal #2 requires that local land use plans be consistent with regional plans; and

WHEREAS, The city of Beaverton is now requesting that LCDC acknowledge its comprehensive plan as complying with the statewide planning goals; and

WHEREAS, Beaverton's comprehensive plan has been evaluated using the criteria and procedures contained in the "Metro Plan Review Manual" and, as summarized in the staff report attached as Exhibit "A," is found to comply with all LCDC goals and to be consistent with regional plans adopted by CRAG or Metro prior to November, 1979, with the exception of Goal #10 (Housing); and

WHEREAS, Adoption of provisions for mobile homes adequate to implement plan policy are necessary for Goal #10 compliance; now, therefore,

BE IT RESOLVED,

1. That the Beaverton comprehensive plan is recommended

for acknowledgment by the LCDC conditional upon adoption of plan and ordinance amendments for mobile homes adequate to comply with Goal #10.

2. That the Executive Officer forward copies of this Resolution, and the staff report attached hereto as Exhibit "A," to LCDC, the city of Beaverton and appropriate agencies.

3. That subsequent to adoption by the Council of any goals and objectives or functional plans after November, 1979, the Council will again review Beaverton's plan for consistency with regional plans and notify the city of Beaverton of any changes that may be needed at that time.

ADOPTED by the Council of the Metropolitan Service District this 28th day of February, 1980.

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Presiding Officer

MB:gl  
7040/92

## EXHIBIT "A"

### BEAVERTON: ACKNOWLEDGMENT REVIEW

#### Introduction:

The city of Beaverton is located in Washington County just west of Portland beyond the Tualatin Hills. The City has evolved from a residential suburb to a major commercial and industrial center. Beaverton's population has increased substantially from 5,937 in 1960 to 23,800 in 1977. The City is projected to reach a plan holding capacity of approximately 51,000 population.

The Beaverton area general plan was adopted in July, 1972, and has gone through a series of revisions subsequent to Land Conservation and Development Commission (LCDC) goal requirements. The plan sets out policy and land use designations for the plan area, although compliance is requested for land within the City limits. A process has been established to resolve all Beaverton plan/Washington County plan land designation inconsistencies prior to County plan submittal to LCDC.

The 1972 Beaverton plan was developed with the assistance of the consulting firm Patterson, Lanford and Stewart. Subsequent updates to the plan were carried out by the City. On the whole, the plan is thorough and represents an evolving planning effort.

#### Conclusions and Recommendations:

The Beaverton City Council recently adopted a number of plan amendments which address compliance issues raised during the acknowledgment review process. However, one proposed amendment, addressing the creation of an R-5 zoning district allowing mobile home parks subject to site development review, is still subject to further hearings before final adoption. Metro finds this amendment, or other provisions for mobile homes, is necessary for compliance with Goal #10 (Housing), since the plan does identify a need for this type of housing. We find the plan in compliance with all other applicable State goals and regional plans. Metro recommends, therefore, that LCDC grant Beaverton a continuance to adopt implementing measures for its policy on mobile homes in order to comply with Goal #10.

#### 0. General Requirements:

All the general requirement items are included within the comprehensive plan package.

#### Goal #1 Citizen Participation:

The City established a Citizen Involvement Advisory Committee in 1975, but the Committee was abandoned soon after December, 1976, following completion of a program document that was not adopted by the Council. Next the Council formed a Committee for Citizen

Involvement which has proven effective. In June, 1979, the Council adopted an ordinance recognizing neighborhood associations as their citizen involvement mechanisms.

Conclusion: The City complies.

Goal #2 Land Use Planning:

Generally the plan contains problem identification, policy and implementing measures. Although the Beaverton area general plan was completed in 1972, most of the base data/inventory information is still relevant today. The salient inventories such as buildable vacant lands and traffic volumes have been recently revised. Task force reports were developed for each element which update most of the inventories. Further, the plan population projections are consistent with Metro's '208' projections.

Concern has been raised that the 1972 Beaverton plan and its numerous amendments have resulted in a written form that is difficult to understand. After LCDC acknowledgment the City intends to reprint the entire plan, incorporating the amendments in the appropriate places within the plan. Given the costs involved in printing and the possibility of further changes, Metro believes Beaverton's delay in reprinting their plan is justified.

The plan and zoning maps are consistent. A few parcels remain in the RA (five acre lot) zoning district. The general plan designation for these areas allow 6,000 sq. ft. lots which provides sufficient market incentive for a zone change to a higher density before development.

Conclusion: The City complies.

Goal #3 Agricultural Lands: Not applicable.

Goal #4 Forest Lands:

Significant forested/natural areas are identified for acquisition by the Tualatin Park and Recreation District to ensure preservation. Additionally, removal of natural vegetation on land in excess of 5,000 sq. ft. requires a permit. Also all development except single family houses and duplexes are subject to site and design review which address tree preservation.

Conclusion: The City complies.

Goal #5 Open Space, Scenic and Historic Areas and Natural Resources:

Open space, fish and wildlife, significant natural areas and scenic views and sites have adequate inventories and policy. Acquisition of these areas is the main tool for preservation. The plan map has identified these areas either as existing or proposed park sites. Aggregate sites which may have future potential are by and large under an existing Thriftway store and a freeway. The existing



Progress-Cobb quarries (just outside the City limits) are recommended for park development once the operation expires. A permit is required for all development locating in or near a natural water course. The floodplain ordinance serves as an additional tool to preserve most of the above along stream courses. Groundwater was not addressed in the plan. However, Public Facilities staff at Metro indicated there were no known problems associated with groundwater in the Beaverton area. Historic structures are protected, in part, through a non-conforming use designation for historically significant structures and through the site and design review process. The City intends to consider historic preservation in the urban renewal plan and proposed downtown development element.

Because Metro has no regional plans or policies requiring specification on historic preservation, we are willing to rely on the City's efforts to assess what needs to be done in this area and act accordingly. While we believe no direct regional interests are at jeopardy, we make no recommendation on whether current policy and proposed planning activity are adequate to protect the State interest in historic preservation.

#### Goal #6 Air, Water and Land Resources Quality

The Beaverton plan has a good inventory of air pollution sources and components; however, it does not reflect the most recent data of the Air Quality State Implementation Plan. Policy is generally adequate, relying on the DEQ permit process to ensure protection of the airshed.

The City has developed a Beaverton Parking, Transportation and Circulation Plan and an Air Quality Analysis of that plan. The desired air quality Metro coordination language is not in place. Metro has recommended that this language, or its equivalent, be included in local plans as a way of insuring that jurisdictions are (1) aware that the region is a non-attainment area for ozone, that a regional control strategy is being developed to solve the problem, and (2) willing to cooperate with respect to local plan changes or program participation required to implement this strategy.

Although Beaverton planning staff are both aware of and willing to cooperate with regional air quality planning programs, the "sample language" reflecting this was inadvertently omitted from the package of proposed plan amendments. To ensure that City officials give public notice to both the problems and Metro's and Beaverton's role in its solution, Metro is sending a letter to Mayor Nelson discussing the situation and the importance of including Metro's "sample language" in its plan when it is next updated.

We believe this is adequate to ensure awareness of the problem; we do not believe that Metro's interest in voluntary local support and cooperation can be served by mandating inclusion of policy on cooperation as a requirement for acknowledgment.

The City has already expressed its commitment to air quality in local planning efforts. No further local action is necessary or desirable at this time. When a regional control strategy is adopted, Beaverton's plan may need to be "re-opened" for plan changes. The plan now contains "opening language" recognizing Metro's role in this regard and there is no indication that they will not fully cooperate in this process.

For these reasons, Metro finds that the absence of appropriate language on air quality does not jeopardize regional interests in air quality protection nor in regional coordination generally, nor does it otherwise preclude compliance with this goal.

With regard to water resources quality, the Unified Sewerage Agency (USA) serves the Beaverton area and has primary responsibility for sewage treatment. Fanno and Beaverton Creeks are mentioned in the Fish and Wildlife reports as having water quality problems. The main problem is one of temperature and siltation. There is very little which could be done to resolve this problem. Site runoff control measures, as part of the site and design review process, appear adequate to ensure no further degradation of these creeks. The plan includes the '208'/Metro coordination language.

A good description of solid waste disposal problems and Metro's role exist in a task force report, plus the plan contains policy on cooperation with Metro on landfill siting. The plan has a good noise policy and ordinance.

Conclusion: The City complies.

#### Goal #7 Areas Subject to Natural Hazards

The plan contains good inventory and policy. Policies are implemented through a flood plan, excavation/fill and general hazard area permit process. The floodplain regulations specify zone designations for any parcel located in the floodplain shall be followed by the notation of floodplain. Although this has not yet been done, the Army Corps of Engineers is still in the process of updating its floodplain maps for the Beaverton area. Amendment of the zoning map to reflect the floodplain notations should be undertaken as an update item when this work is completed. Current floodplain maps on file with the City Engineer and referenced in floodplain ordinance are adequate for compliance now.

Conclusion: The City complies.

#### Goal #8 Recreation

Existing and proposed park sites are identified on the plan map and are in concert with acquisition plans of the Tualatin Hills Park and Recreation District.

In the event proposed sites are lost to development or excessive costs, alternative sites may be substituted or combined with other

parcels to serve a larger area. The plan calls for possible park land dedication or fee for new subdivision. This latter recommendation is only a guideline and thus not carried out through the implementing measures at this time.

Conclusion: The City complies.

#### Goal #9 Economy of the State

The plan includes a good identification of the local and regional economic base, local retail space inventory and demand and the industrial market demand. Policies include limiting strip commercial development and fostering clustered development. Policies are implemented through the zoning and subdivision ordinances. An urban renewal plan is being developed for the downtown area. Also a downtown element is proposed to be developed subsequent to plan acknowledgment. All commercial and industrial development proposals are subject to site and design review.

Conclusion: The City complies.

#### Goal #10 Housing

The housing goal is addressed in the comprehensive plan and in supporting materials, such as the "Public Facilities Requirements" report, the "Community Attitude and Housing Conditions Survey," and the "Citizen Housing Report," and in implementing ordinances. In general, the housing section contains a good information base and analysis of the issues.

The City has submitted a current vacant lands inventory as of January, 1980. The City has stated, in a personal communication, that there are no undeveloped residentially zoned lands that are building constrained or within the floodplain (i.e., all residential/floodplain land is currently developed and only consists of about four parcels totaling 2-5 acres). Therefore, the vacant lands inventory can be considered as a buildable lands inventory and Metro staff is satisfied that this inventory is adequate.

Although plan materials include some general housing projections based on plan map designations, these projections have not been updated and refined to reflect actual zoning. All the information necessary for this analysis is available in plan materials and Metro staff has summarized it in the table on the following page.

BEAVERTON ZONING CAPACITY FOR NEW HOUSING

	SINGLE FAMILY			Total Single Family	MULTI-FAMILY			Total Multi Family	TOTAL
	<u>RA*</u>	<u>R-10</u>	<u>R-7</u>		<u>R-3.5</u>	<u>R-2</u>	<u>R-1</u>		
Gross Residential Acres-Vacant Buildable	116.2	1.9	297	415	3.82	71	36	111	526
Net Acres (gross less 25% for non-residential use)	87.15	1.4	223	312	2.9	53.25	25	81	393
Density Allowed (units/net acre)	.2	4.4	6.2	4.5	12.4	21.8	43.6	28.2	9.84
Potential new Units	174	6	1383	1406	36	1160	1090	2286	3692
% Units of Total				(38%)				(62%)	100%

\*Most RA-zoned land has been planned for higher residential densities and is likely to be rezoned and developed on that basis (see discussions under Goal #2).

Beaverton provides for a single family/multi-family split in which the multi-family is favored and for an overall density considerably higher than the projected regional average. Metro finds that Beaverton's generous provisions for multi-family development are consistent with goal requirements and well in excess of that assumed needed regionwide in the regional Urban Growth Boundary Findings.

LCDC's action on Multnomah County's acknowledgment request established the principle that a jurisdiction need not specifically address the need for mobile homes if it has met its housing needs by providing a range of other types of lower cost housing. Metro finds, for the reasons discussed above, that Beaverton's provisions for multi-family housing at varying densities from duplexes to walk-up apartments, would be adequate to meet its housing needs generally.

However, the City itself has chosen, in plan policy (p. 21 as amended by Ordinance 3084), to provide for mobile homes and Metro believes that Goal #10, in conjunction with Goal #2 (Land Use Planning), still requires that a jurisdiction implements its plan for each type which is the subject of plan policy. The "St. Helens" policy further requires that policies which provide for particular housing types be implemented with clear and objective approval standards.

However, the current zoning excludes mobile homes from R10, R7 and R1 zones and allows them elsewhere only in low density subject to vague and discretionary conditional use approval standards (except on lots of above five acres) such as:

"99.1 The Planning Commission may approve, approve with conditions or deny the application for a Conditional Use Permit.

"99.3 In order to grant a Conditional Use Permit, the Planning Commission shall make findings of fact to support the following conclusions:

B. The proposed development will comply with the Comprehensive Plan.

C. That the location, size, design and functional characteristics of the proposed use are such that it can be made reasonably compatible with and have a minimum impact on the livability and appropriate development of other properties in the surrounding area."

We find, therefore, that Beaverton must adopt ordinance provisions adequate to implement its policy on mobile homes in order to comply with this goal.

The planning staff has proposed a zoning ordinance amendment which create an R-5, (5,000 sq. ft. minimum lot size), that will allow

mobile home parks as a permitted use, subject to site development review. An accompanying plan amendment will ensure that, although it is not immediately applied, the R-5 zone will be applicable to the Urban Standard Plan designation, which contains many large vacant buildable parcels. The provisions of the R-5 zone and the availability of land for application is sufficient to resolve the inconsistency between the plan policies encouraging mobile homes and the failure of existing measures to adequately implement such policies.

The Planning Commission has tabled this proposal for further discussion so no action will have been taken the time of the City's acknowledgment hearing. Adoption of the amendments as proposed would be adequate to address Metro's compliance concerns. However, Beaverton does have system development charges to fund system-wide improvements for a variety of basic services. Plan policy expressly states that ordinances and regulations should not unnecessarily increase housing costs beyond the extent housing creates or increases burdens on government services. This policy, coupled with the fact that such charges appear to be reasonable and have not been shown to have a serious impact on housing costs, should be sufficient to ensure that the systems development charge will not affect compliance.

In summary, Beaverton has done an excellent job in identifying and providing for housing needs, but must follow through on its commitments to provide for mobile homes.

Conclusion: The City must implement its policy on mobile homes with clear and objective approval standards in order to comply. Adoption of the proposed amendment would be adequate for this purpose.

#### Goal #11 Public Facilities and Services

The Beaverton comprehensive plan policies, staff reports, and implementation measures are sufficient to ensure an orderly, timely and efficient extension of public services. In particular, Beaverton has undertaken numerous studies of public facilities with respect to its moratorium and systems development charges and an ambitious and complete Capital Improvements Program.

Problem areas, which include water and storm drainage problems, are also discussed by the City. The water problem centers around supply and the City has prepared a report, entitled "Capital Improvements Water System" and dated May, 1979, which examines present and future water requirements and supply, and sets out a program of improvements to increase the supply of water available to Beaverton.

As for the storm drainage situation, Beaverton has recognized that a problem exists. As development continues, the magnitude of this problem increases. The City states in a personal communication that "Beaverton supports and will be subject to provisions that may be promulgated under the storm drainage element of the '208' Regional Management Plan for Urban Storm Water Run-off," and appropriate

language was adopted, as a plan amendment, supporting the '208' plan. They are also preparing a study to determine capital improvements necessary to correct flooding problems within the Beaverton Creek area. Metro staff is satisfied with the direction Beaverton has taken with this problem and find plan provisions sufficient for goal compliance.

The plan does not include any discussion of energy and communication services, but the City does not have responsibility for providing such services and there are no outstanding problems in this area.

Police protection is discussed in the "Public Facilities Requirements" report (p. 7). No problems are identified; the ratio of police to residents is within the average for the State. The City does state that police service will increase as population increases. Further information on future police services is noted in the "Capital Improvement Strategy" (Cogan report). This Capital Improvement report also addresses public health and safety and general government services.

Solid Waste provisions are discussed under Goal #6.

Conclusion: The City complies.

#### Goal #12 Transportation

The Beaverton plan contains a good inventory of transportation facilities and an analysis of needed improvements. Roadway standards have been developed and incorporated into the subdivision ordinance. The City has an excellent bikeway plan. Although the Beaverton plan does not directly address the issue of services for the transportation disadvantaged, Tri-Met and Metro have the primary planning responsibility in this area. Metro's plan for the transportation disadvantaged will be included as part of its Regional Transportation Plan (RTP). The Beaverton plan has policy supporting the RTP, as well as policy generally in support of mass transit. Metro is satisfied with the level of support and cooperation we have received from Beaverton in planning for Westside Transit. Support of the Westside Transit project is addressed in the plan through pending amendments slated for adoption prior to the City's acknowledgment hearing.

The Beaverton plan proposed a number of road closures affecting Hall Blvd., Allen Ave., and Murray Blvd. The Metro Transportation Department indicates the major highway facilities transversing the Beaverton area will be severely congested by the year 2000. A detailed technical analysis would need to be performed to determine the actual impact of the road closures. In the absence of any indication that the proposed closures will significantly affect the regional system, no immediate action by Metro appears warranted. The RTP will provide a framework for an overall evaluation of the problem and appropriate solutions including plan changes, if necessary, identified on that basis. In addition, Metro can provide Beaverton with technical assistance in evaluating the impacts of the

closures, if the City so requests. The City has forwarded a letter to the Planning and Development Committee, dated February 11, 1980, indicating their willingness to support a special arterial analysis of the Beaverton area as part of the Westside Alternative Project.

Conclusion: The City complies.

Goal #13 Energy Conservation

The plan contains an adequate factual base and inventory of energy use. Comprehensive energy policy is developed and implemented generally through the land use plan and zoning ordinance. An ordinance or set of standards will be developed during 1980 to encourage energy conservation.

Conclusion: The City complies.

Goal #14 Urbanization

The majority of land within the City and immediately outside is developed and can be serviced within the immediate future. The City does not contain, therefore, any urbanizable (future urban) land, so goal requirements for conversion do not apply.

Conclusion: The City complies.

MB:ss  
6610/101



A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Executive Officer  
SUBJECT: Authorizing UMTA Federal Funding for Special  
Transportation Section 16(b)(2) Projects

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Council adoption of the attached Resolution which would authorize \$136,920 of federal 16(b)(2) funds to support the purchase of ten (10) lift equipped vehicles and related equipment to provide special transportation services in the Metro region.
- B. POLICY IMPACT: This action is consistent with the adopted Interim Regional Special Transportation Plan.
- C. BUDGET IMPACT: The approved Metro budget includes funds to monitor federal funding commitments.

II. ANALYSIS:

- A. BACKGROUND: Section 16(b)(2) authorizes the Urban Mass Transportation Administration (UMTA) to make capital grants to private, non-profit organizations to provide transportation services for elderly and handicapped persons when existing mass transportation services are inaccessible, insufficient or inappropriate. Capital investments, including purchase of conventional and paratransit vehicles and other equipment and the construction or renovation of buildings and related fixed facilities associated with providing local and regional (non-intercity) transportation services to the elderly and handicapped are eligible for 16(b)(2) funds. Apportioned 16(b)(2) funds are not available for operating expenses. Transportation Improvement Programs and their annual elements must be amended to include new 16(b)(2) projects.

In December, 1977, the CRAG Board of Directors adopted the Interim Special Transportation Plan which, in part, established regional plan objectives, service priorities and implementation strategies to be used in the regional evaluation of candidate 16(b)(2) applications. The Metro Council makes recommendations regarding the applications to the Oregon Department of Transportation based on these policies. Local providers have submitted five applications for the use of available federal funds. The staff analysis concludes that these projects are consistent with the Interim Special Transportation Plan.

- B. ALTERNATIVES CONSIDERED: Inasmuch as these are non-duplicative services, the alternative would be to

provide no special transportation services in these areas. This alternative is not acceptable.

- C. CONCLUSION: Based on Metro staff analysis, it is recommended that the attached Resolution to provide funding for the projects be approved.

JAG:bk  
6776/92  
2/28/80

BEFORE THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING )  
UMTA FEDERAL FUNDING FOR SPECIAL )  
TRANSPORTATION SECTION 16(b)(2) )  
PROJECTS

RESOLUTION NO. 80-131  
Introduced by the Joint  
Policy Alternatives  
Committee (JPACT)

WHEREAS, The Oregon Department of Transportation (ODOT) has requested that Metro Council make recommendations regarding the allocation of Urban Mass Transportation Administration (UMTA) 16(b)(2) funds in the Metro region; and

WHEREAS, To comply with federal requirements, the Transportation Improvement Program (TIP) must be amended to include projects recommended for UMTA 16(b)(2) funds; and,

WHEREAS, The CRAG Board of Directors adopted the Interim Special Transportation Plan which established regional policies and criteria for purposes of evaluating UMTA 16(b)(2) applications; and,

WHEREAS, Local providers have submitted five projects for funding authorization involving \$136,920 in federal 16(b)(2) funds; and,

WHEREAS, The applications described in Attachment B were reviewed and found consistent with federal requirements and regional policies and objectives; and,

WHEREAS, The Metro Council granted A-95 approval for these projects in the October, 1979, Consent Agenda; now, therefore,

BE IT RESOLVED,

1. That \$136,920 of (federal) 16(b)(2) funds be authorized for the purchase of special transportation vehicles and related equipment for the five projects.

2. That the TIP and its Annual Element be amended to reflect this authorization as set forth in Attachment B.

ADOPTED by the Council of the Metropolitan Service District this 28th day of February, 1980.

\_\_\_\_\_  
Presiding Officer

JAG:bk  
6776/97

Attachment B

Project 1

Applicant: Special Mobility Services, Inc.

Project Description: Special Mobility services requests UMTA 16(b)(2) capital assistance to purchase two vans and one minibus (all lift equipped) and three mobile radios for special transportation services in western Multnomah County. This project would constitute a portion of the region's special effort. This application is coordinated with Tri-Met.

<u>Project Cost:</u>	UMTA 16(b)(2)	\$46,620
	Local (20%)	<u>11,655</u>
	Total	\$58,275

Project 2

Applicant: Special Mobility Services, Inc.

Project Description: Special Mobility Services requests UMTA 16(b)(2) capital assistance to purchase three vans, one minibus (all lift equipped) and two mobile radios for special transportation services in Washington County. This project would constitute a portion of the region's special effort. This application is coordinated with Tri-Met.

<u>Project Cost:</u>	UMTA 16(b)(2)	\$56,280
	Local (20%)	<u>14,070</u>
	Total	\$70,350

Project 3

Applicant: Loaves and Fishes Centers, Inc.

Description of Project: Loaves and Fishes Centers, Inc. requests UMTA 16(b)(2) capital assistance to purchase one new lift equipped van and one mobile radio to provide special transportation services in the city of Wilsonville and surrounding areas of Clackamas County. This application is coordinated with Clackamas County Community Action Agency and Tri-Met.

<u>Project Cost:</u>	UMTA 17(b)(2)	\$11,340
	Local	<u>2,835</u>
	Total	\$14,175

Project 4

Applicant: Loaves and Fishes Centers, Inc.

Description of Project: Loaves and Fishes Centers, Inc. requests UMTA 16(b)(2) capital assistance to purchase one new lift equipped van and one mobile radio to provide special transportaton services in the city of Molalla and surrounding areas of Clackamas County. This application is coordinated with Clackamas County Community Action Agency and Tri-Met.

<u>Project Cost:</u>	UMTA 17(b)(2)	\$11,340
	Local	<u>2,835</u>
	Total	\$14,175

Project 5

Applicant: Metal Health Council, Inc.

Description of Project: Metal Health Council, Inc. requests UMTA 16(b)(2) capital assistance to purchase one new lift equipped van and one mobile radio to provide special transportation services in the Marylhurst and surrounding areas of Clackamas County. This application is coordinated with Clackamas County Community Action Agency and Tri-Met.

<u>Project Cost:</u>	UMTA 17(b)(2)	\$11,340
	Local	<u>2,835</u>
	Total	\$14,175

JAG:bk  
6776/97

## A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Executive Officer  
SUBJECT: Allocating A Metro Reserve Of Approximately \$22.1 Million

I. RECOMMENDATIONS:

- A    ACTION REQUESTED: Recommend Metro Council adoption of the attached Resolution allocating the Metro Reserve fund to ten specific projects and to two new reserve funds.
- B.    POLICY IMPACT: This action would recommend authorizing the use of 40 percent of the Metro Reserve for ten eligible projects which do not directly relate to the McLoughlin and Westside Corridor projects (this percentage is used in that 40 percent of the overall cost of the candidate projects involves "non-corridor" projects). Metro staff analysis indicates that project development activities on these projects should proceed immediately without further corridor studies. The selection of those projects is based on a staff evaluation accounting for the criteria adopted by the Metro Council in June, 1979.

The Resolution would also allocate 32.8 percent of the Metro Reserve to a new reserve account which would be available to support regional projects relating to the Westside Corridor project (this is the percent that candidate projects relating to the Westside Corridor project are of all projects). 27.2 percent of the Metro Reserve would be allocated to a new reserve fund which would be available to support projects relating to the McLoughlin Corridor project (this is the percent that candidate projects relating to the McLoughlin Corridor project are of all projects). Corridor-related projects which would use these new reserve funds would be identified and evaluated as part of Metro's corridor studies according to separate decision schedules. This will allow coordination of these projects with major corridor projects.

- C.    BUDGET IMPACT: The approved Metro budget funds staff efforts to establish project priorities. The effect of this Resolution on staff requirements would be to allow more efficient use of staff assigned to the corridor planning teams. Generally, transportation planning revenues this fiscal year appear to be adequate to support staff efforts which would integrate corridor studies with the Reserve planning process.

## II. ANALYSIS:

- A. **BACKGROUND:** Over the past several months, Metro staff held a number of meetings with the staff of local jurisdictions who are sponsoring projects eligible for funding from the Metro Reserve. The general consensus of the meetings was that candidate projects which do not directly relate to the major corridor projects should be evaluated separately and Metro funding decisions for these projects made in February.

Because the McLoughlin and Westside Corridor projects will require secondary support improvements to bring about an adequate functioning of the overall transportation system, it is necessary to establish different time tables for funding projects which relate to these major corridor projects. To do this, it is proposed that portions of the Metro Reserve be allocated to two separate reserve funds which would be allocated to projects by the Metro Council at different times. The Transportation Policy Alternatives Committee (TPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) approved and recommended this approach and an allocation formula in December, 1979.

Since December, Metro staff have been evaluating the candidate projects which do not directly relate to the major corridor projects. Based on this evaluation, a funding recommendation has been prepared. The evaluation and funding recommendations have been based on evaluation criteria adopted by the Council in June, 1979.

Preliminary Metro staff project evaluations and funding recommendations have been reviewed and recommended by the TPAC. This preliminary recommendation has recently been modified to further downscope the Beaverton-Hillsdale TSM project to \$200,000 at the request of the city of Beaverton. It is recommended that the \$300,000 left from this downscoping be reallocated to: 1) support a portion of the Clackamas Town Center Park and Ride project which is not eligible for Interstate funding (\$250,000), and 2) cover the full cost of the downscoped Hwy. 43 project (\$450,000).

The Metro staff recommendations have also been reviewed and recommended by JPACT. The JPACT recommendation is contingent on having further funding for expansion of the Rideshare Program eligible for other Interstate Transfer reserve funds, including the Westside and Southern Corridor Subaccounts, if other funds are not available. The Council Resolution has been revised accordingly.

- B. **ALTERNATIVES CONSIDERED:** The option of allocating all funds in February, 1980, would not allow an integration of



corridor-related projects with decisions on major corridor projects.

A number of variations on allocating the funds for "non-corridor" projects exist. The recommended allocation would fund the most critical candidate projects in accordance with the Council approved evaluation criteria.

- C. CONCLUSION: Based on the staff evaluation, it is recommended that 40 percent of the Reserve fund be allocated to ten "non-corridor" projects. The remaining funds should be held in two reserve accounts for later allocation to specific projects to be defined in Metro Corridor Studies.

GS:gl  
6116/81  
2/28/80

BEFORE THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ALLOCATING )  
A METRO RESERVE OF APPROXIMATELY )  
\$22.1 MILLION )

RESOLUTION NO. 80-132  
Introduced by the  
Joint Policy Advisory  
Committee on  
Transportation

WHEREAS, In CRAG Resolution No. BD 781213, a Metro Regional Reserve of Federal Interstate Transfer funds (about \$22.1 million as of September 30, 1979) was established to fund regional transit and highway improvement projects outside the City of Portland; and

WHEREAS, As a condition for projects to be funded from the Metro Reserve, the regional Transportation Systems Planning Program, in cooperation with local jurisdictions and implementation agencies, is to prepare a "systems analysis" for all proposed projects; and

WHEREAS, The Metro Council in Resolution No. 79-48 established a study process and a schedule (Staff Report No. 42) for establishing priorities for the Metro Reserve; and

WHEREAS, The Metro Council in Resolution No. 79-54 adopted criteria for establishing problem priorities and evaluating proposed projects; and

WHEREAS, The Metro Council in Resolution No. 79-67 selected high priority problem areas for further study and identified them as eligible for future funding decisions; and

WHEREAS, The Metro Council in Resolution No. 79-103 added the expansion of the Rideshare program as eligible for funding from the Metro Reserve and

WHEREAS, Candidate projects have been scaled to meet the identified problems in the most cost-effective manner; and

WHEREAS, A systems analysis for candidate projects not directly relating to the McLoughlin and Westside Corridor projects has been completed; and

WHEREAS, The staff has worked with the local jurisdictions to identify local match responsibility for each project and received assurance from sponsoring local jurisdictions to that effect; now, therefore,

BE IT RESOLVED,

1. That the Council authorizes the use of 40 percent of the Metro Reserve for the following ten projects:

<u>Project</u>	Total Cost (\$ million)
Tigard Park and Ride	0.3
Cornell Rd. (E. Main to Elam Young Parkway)	2.1
Allen Blvd. (Murraray Blvd. to Hwy. 217)	2.4
Hwy. 43 (McVey to Terwilliger)	0.45
Beaverton-Hillsdale Hwy. (Lombard to S.W. 91st)	0.2
East County Signals	0.5
242nd (Division to Glisan)	0.8
257th (Stark to Columbia)	3.0
Clackamas Town Center Park and Ride <i>Transit Center</i>	0.25
Rideshare Program Expansion	0.4
	<u>\$10.4</u>

2. That these projects be initiated by July 1, 1981.

3. That the Transportation Improvement Program (TIP) Subcommittee monitor the progress of the projects.

4. That the TIP be amended to include the projects described above and that these projects be added to and made an integral part of the TIP and the FY 1980 Annual Element.

5. That the Metro Council hereby finds the projects in

accordance with the region's Continuing, Cooperative, Comprehensive Transportation Planning Process and hereby gives affirmative A-95 approval.

6. That the Council suballocates the remaining 60 percent of the Metro Reserve into two new reserves. Projects to be funded by these reserves are to be identified and evaluated according to the Council approved criteria in the Corridor studies led by Metro. The new reserves are:

<u>Reserve</u>	<u>Percent of Metro Reserve</u>
Westside Corridor - Related Regional Projects	32.8%
Southern Corridor - Related Regional Projects	27.2%
Total	60%

7. That the following funding decision schedule be established:

<u>Reserve</u>	<u>Official Project Submittal</u>	<u>Metro Council Funding Action</u>
Westside Corridor - Related Projects	Aug., 1980	Nov., 1980
Southern Corridor - Related Projects	Feb., 1980	May, 1980

8. That additional funding to support an adequate Rideshare Program through FY 1986 is an eligible item for funding consideration from the various Interstate Transfer Reserve funds including the Westside Corridor - Related and Southern Corridor Related Reserves (if other funding reserves cannot be found).

GS:ss  
6117/81

# PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND METROPOLITAN AREA

**PROJECT DESCRIPTION**  
 RESPONSIBILITY (AGENCY) Special Mobility Services, Inc  
 LIMITS West Multnomah County LENGTH \_\_\_\_\_  
 DESCRIPTION Project is a centrally dispatched special transportation program serving elderly and handicapped persons in West Multnomah County. Funds are to be used to purchase two lift-equipped vans, one lift-equipped mini bus, and three mobile radios.

Portland/West  
 PROJECT NAME Multnomah Co  
Special Transportation Program  
 ID No \_\_\_\_\_  
 APPLICANT Special Mobility Services, Inc

**SCHEDULE**  
 TO ODOT \_\_\_\_\_  
 PE OK'D \_\_\_\_\_ EIS OK'D \_\_\_\_\_  
 CAT'Y \_\_\_\_\_ BID LET \_\_\_\_\_  
 HEARING \_\_\_\_\_ COMPL'T \_\_\_\_\_

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN  
 LONG RANGE ELEMENT \_\_\_\_\_ TSM ELEMENT \_\_\_\_\_

FUNDING PLAN BY FISCAL YEAR (\$000)						
	FY 79	FY 80	FY 81	FY 82	FY 83	TOTAL
TOTAL		58,275				58,275
FEDERAL		46,620				46,620
STATE						
LOCAL		11,655				11,655

**APPLICANT'S ESTIMATE OF TOTAL PROJECT COST**

PRELIM ENGINEERING \$ \_\_\_\_\_  
 CONSTRUCTION \_\_\_\_\_  
 RIGHT OF WAY \_\_\_\_\_  
 TRAFFIC CONTROL \_\_\_\_\_  
 ILLUMIN, SIGNS, \_\_\_\_\_  
 LANDSCAPING, ETC \_\_\_\_\_  
 STRUCTURES \_\_\_\_\_  
 RAILROAD CROSSINGS \_\_\_\_\_

Equipment \_\_\_\_\_ 58,275  
 TOTAL \$ 58,275

**LOCATION MAP**

**SOURCE OF FUNDS (%)**

FEDERAL  
 FAUS (PORTLAND) \_\_\_\_\_  
 FAUS (OREGON REGION) \_\_\_\_\_  
 16 (b) (2) \_\_\_\_\_  
 UMTA CAPITAL 80 UMTA OPRTG \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 FED AID PRIMARY \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 SUBSTITUTION \_\_\_\_\_

NON FEDERAL  
 State \_\_\_\_\_ Local 20

# PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND METROPOLITAN AREA

**PROJECT DESCRIPTION**  
 RESPONSIBILITY (AGENCY) Special Mobility Services, Inc  
 LIMITS Washington County LENGTH \_\_\_\_\_  
 DESCRIPTION Project is a centrally dispatched special transportation program serving elderly and handicapped persons in Washington County. Funds will be used to purchase three lift-equipped vans, one lift-equipped mini-bus, and two mobile radios.

PROJECT NAME Washington County Special Transportation Program  
 ID No \_\_\_\_\_  
 APPLICANT \_\_\_\_\_

**SCHEDULE**  
 TO ODOT \_\_\_\_\_  
 PE OK'D \_\_\_\_\_ EIS OK'D \_\_\_\_\_  
 CAT'Y \_\_\_\_\_ BID LET \_\_\_\_\_  
 HEARING \_\_\_\_\_ COMPL'T \_\_\_\_\_

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN  
 LONG RANGE ELEMENT \_\_\_\_\_ TSM ELEMENT \_\_\_\_\_

**FUNDING PLAN BY FISCAL YEAR (\$000)**

	FY 79	FY 80	FY 81	FY 82	FY 83	TOTAL
TOTAL		70,350				70,350
FEDERAL		56,280				56,280
STATE						
LOCAL		14,070				14,070

**APPLICANT'S ESTIMATE OF TOTAL PROJECT COST**

PRELIM ENGINEERING \$	_____
CONSTRUCTION	_____
RIGHT OF WAY	_____
TRAFFIC CONTROL	_____
ILLUMIN, SIGNS, LANDSCAPING, ETC	_____
STRUCTURES	_____
RAILROAD CROSSINGS	_____
<u>Equipment</u>	<u>70,350</u>
<b>TOTAL \$</b>	<b>70,350</b>

**LOCATION MAP**

**SOURCE OF FUNDS (%)**

FEDERAL

FAUS (PORTLAND) \_\_\_\_\_

FAUS (OREGON REGION) \_\_\_\_\_

16 (b) (2) \_\_\_\_\_

UMTA CAPITAL 80 UMTA OPRTG \_\_\_\_\_

INTERSTATE \_\_\_\_\_

FED AID PRIMARY \_\_\_\_\_

INTERSTATE \_\_\_\_\_

SUBSTITUTION \_\_\_\_\_

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NON FEDERAL

State \_\_\_\_\_ Local 20

# PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND METROPOLITAN AREA

**PROJECT DESCRIPTION**  
 RESPONSIBILITY (AGENCY) Loaves & Fishes Centers, Inc  
 LIMITS Wilsonville (Clackamas County) LENGTH \_\_\_\_\_  
 DESCRIPTION Will provide transportation services to approx. 200 seniors and handicapped in the Wilsonville area. Services will be provided on a demand and priority basis. Funds will be used to purchase a lift equipped van and one mobile radio.

Wilsonville Area  
 PROJECT NAME Transportation for Elderly & Handicapped  
 ID No \_\_\_\_\_  
 APPLICANT Loaves & Fishes Centers, Inc

**SCHEDULE**  
 TO ODOT \_\_\_\_\_  
 PE OK'D \_\_\_\_\_ EIS OK'D \_\_\_\_\_  
 CAT'Y \_\_\_\_\_ BID LET \_\_\_\_\_  
 HEARING \_\_\_\_\_ COMPL'T \_\_\_\_\_

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN  
 LONG RANGE ELEMENT \_\_\_\_\_ TSM ELEMENT \_\_\_\_\_

FUNDING PLAN BY FISCAL YEAR (\$000)						
	FY 79	FY 80	FY 81	FY 82	FY 83	TOTAL
TOTAL		14,175				14,175
FEDERAL		11,340				11,340
STATE						
LOCAL		2,835				2,835

**APPLICANT'S ESTIMATE OF TOTAL PROJECT COST**

PRELIM ENGINEERING \$ \_\_\_\_\_  
 CONSTRUCTION \_\_\_\_\_  
 RIGHT OF WAY \_\_\_\_\_  
 TRAFFIC CONTROL \_\_\_\_\_  
 ILLUMIN, SIGNS, \_\_\_\_\_  
 LANDSCAPING, ETC \_\_\_\_\_  
 STRUCTURES \_\_\_\_\_  
 RAILROAD CROSSINGS \_\_\_\_\_

Purchase of Van 14,175  
 TOTAL \$ 14,175

**LOCATION MAP**

**SOURCE OF FUNDS (%)**

FEDERAL  
 FAUS (PORTLAND) \_\_\_\_\_  
 FAUS (OREGON REGION) \_\_\_\_\_  
 16(b) (2) \_\_\_\_\_  
 UMTA CAPITAL 80 UMTA OPRTG \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 FED AID PRIMARY \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 SUBSTITUTION \_\_\_\_\_

NON FEDERAL  
 State \_\_\_\_\_ Local 20

# PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND METROPOLITAN AREA

**PROJECT DESCRIPTION**  
 RESPONSIBILITY (AGENCY) Loaves & Fishes Centers, Inc  
 LIMITS Molalla (Clackamas County) LENGTH \_\_\_\_\_  
 DESCRIPTION Will provide transportation services to approx. 327 seniors and handicapped in Molalla area of Clackamas County. Will provide services on a demand and priority basis. Funds will be used to purchase lift equipped van and one mobile radio.

Molalla Area  
**PROJECT NAME** Transportation Elderly & Handicapped  
 ID No \_\_\_\_\_  
**APPLICANT** Loaves & Fishes Centers, Inc

**SCHEDULE**  
 TO ODOT \_\_\_\_\_  
 PE OK'D \_\_\_\_\_ EIS OK'D \_\_\_\_\_  
 CAT'Y \_\_\_\_\_ BID LET \_\_\_\_\_  
 HEARING \_\_\_\_\_ COMPL'T \_\_\_\_\_

**RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN**  
 LONG RANGE ELEMENT \_\_\_\_\_ TSM ELEMENT \_\_\_\_\_

**FUNDING PLAN BY FISCAL YEAR (\$000)**

	FY 79	FY 80	FY 81	FY 82	FY 83	TOTAL
TOTAL		14,175				14,175
FEDERAL		11,340				11,340
STATE						
LOCAL		2,835				2,835

**APPLICANT'S ESTIMATE OF TOTAL PROJECT COST**

PRELIM ENGINEERING \$ \_\_\_\_\_  
 CONSTRUCTION \_\_\_\_\_  
 RIGHT OF WAY \_\_\_\_\_  
 TRAFFIC CONTROL \_\_\_\_\_  
 ILLUMIN, SIGNS, LANDSCAPING, ETC \_\_\_\_\_  
 STRUCTURES \_\_\_\_\_  
 RAILROAD CROSSINGS \_\_\_\_\_

Purchase of Van 14,175  
 TOTAL \$ 14,175

**LOCATION MAP**

**SOURCE OF FUNDS (%)**

FEDERAL  
 FAUS (PORTLAND) \_\_\_\_\_  
 FAUS (OREGON REGION) \_\_\_\_\_  
 16 (b) (2) \_\_\_\_\_  
 UMTA CAPITAL 80 UMTA OPRTG \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 FED AID PRIMARY \_\_\_\_\_  
 INTERSTATE \_\_\_\_\_  
 SUBSTITUTION \_\_\_\_\_

NON FEDERAL State \_\_\_\_\_ Local 20



# PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND METROPOLITAN AREA

**PROJECT DESCRIPTION**  
 RESPONSIBILITY (AGENCY) Mental Health Council, Inc  
 LIMITS Clackamas County LENGTH \_\_\_\_\_  
 DESCRIPTION Project will provide variety of transportation services to handicapped persons in Clackamas County.  
Funds will be used to purchase 1 lift equipped van and one mobile radio

PROJECT NAME Marylhurst  
Special Transportation Project  
 ID No \_\_\_\_\_  
 APPLICANT Mental Health Council, Inc

**SCHEDULE**  
 TO ODOT \_\_\_\_\_  
 PE OK'D \_\_\_\_\_ EIS OK'D \_\_\_\_\_  
 CAT'Y \_\_\_\_\_ BID LET \_\_\_\_\_  
 HEARING \_\_\_\_\_ COMPL'T \_\_\_\_\_

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN  
 LONG RANGE ELEMENT \_\_\_\_\_ TSM ELEMENT \_\_\_\_\_

**FUNDING PLAN BY FISCAL YEAR (\$000)**

	FY 79	FY 80	FY 81	FY 82	FY 83	TOTAL
TOTAL		14,175				14,175
FEDERAL STATE		14,175				14,175
LOCAL		2,835				2,835

**APPLICANT'S ESTIMATE OF TOTAL PROJECT COST**

PRELIM ENGINEERING \$	_____
CONSTRUCTION	_____
RIGHT OF WAY	_____
TRAFFIC CONTROL	_____
ILLUMIN, SIGNS, LANDSCAPING, ETC	_____
STRUCTURES	_____
RAILROAD CROSSINGS	_____
Equipment	14,175
<b>TOTAL \$</b>	<b>14,175</b>

**LOCATION MAP**

**SOURCE OF FUNDS (%)**

FEDERAL	
FAUS (PORTLAND)	_____
FAUS (OREGON REGION)	_____
16 (b) (2)	_____
UMTA CAPITAL	80 UMTA OPRTG _____
INTERSTATE	_____
FED AID PRIMARY	_____
INTERSTATE SUBSTITUTION	_____
NON FEDERAL	
State	_____
Local	20

*move to  
Beaverton*

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# Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

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## Memorandum

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*Date:* February 27, 1980  
*To:* Council  
*From:* Planning and Development Committee  
*Subject:* Conditional Acknowledgment

Attached is a draft rule which the Executive Officer has proposed for adoption by the LCDC. A petition requesting such adoption is being prepared.

### ANALYSIS

The proposed rule would enable the LCDC to grant conditional acknowledgments on local plans, in appropriate circumstances, rather than continuances. Specifically, when a plan substantially conforms to the Goals but is deficient in one or a few minor respects, the LCDC could, under this rule, acknowledge the plan with stated conditions which would still have to be met by the local jurisdiction.

The rule would provide a local jurisdiction with positive recognition for substantial conformance with the goals rather than the negative effects of a continuance. LCDC continuances have been construed by local officials, citizens and the media as synonymous with denial. Where substantial compliance exists, denial is an inappropriate and unnecessary State response. In addition, by requiring the LCDC to clearly cite the specific conditions yet to be met, local officials would have a much clearer path to follow in achieving all the goals.

Conditional acknowledgment is not a recently conceived notion, but has been considered and rejected by the LCDC several times in the past few years. Reasons for rejection have been stated variously as follows:

- (a) Would cause confusion among State agencies since such agencies are bound to acknowledge local plans.
- (b) Would cause confusion among developers; they would not know how the acknowledgment affects them.
- (c) Continuances are positive, not negative, inasmuch as they do declare which goals have been met.

- (d) Since the goals are interrelated, it is impracticable to acknowledge compliance with some but not others.
- (e) Conditional acknowledgment is not authorized by statute.

We believe the first three arguments are simply without merit. If conditional acknowledgment orders are written clearly, confusion should not exceed the current level. Also, whether an act of LCDC is positive or negative is a matter of perception. If the media views a continuance as negative (e.g., as a denial), then that is what it is, regardless of the LCDC's intent.

Regarding the interrelatedness of goals, it must be conceded that one goal violation may indeed have a ripple effect into other goals. However, if LCDC perceives that the ripple would be substantial in a given case, conditional acknowledgment may be rejected in favor of continuance or denial. We do not suggest that conditional acknowledgment will always be appropriate.

Finally, the argument that LCDC lacks statutory authority for conditional acknowledgment is based upon ORS 197.251 which provides that the Commission "...shall...either grant or deny the request (for acknowledgment)." Some have asserted that this statute must be read strictly requiring either total denial or total acknowledgment. It is a fundamental principle, however, that State administrative agencies have both discretion and latitude in interpreting their enabling statutes and may fashion procedures in a manner reasonably designed to carry out the intent of such statutes. A strict interpretation is always convenient for those who wish to limit themselves, but where the perceived limitation serves no important legislative objective, it is generally subject to reasonable agency flexibility.

#### CONCLUSION

While conditional acknowledgment will not be useful where substantial compliance does not exist, it is perceived as highly beneficial where minor or singular deficiencies exist in otherwise compliant plans. Employment of this device in appropriate cases will be of benefit to the Oregon land use program by rewarding local areas for jobs well done while focusing future effort on specific deficiencies.

Memorandum  
February 27, 1980  
Page 3

RECOMMENDATION

Approval by the Council of the Executive Officer's proposal to petition LCDC for adoption of the attached rule on Conditional Acknowledgment.

AJ:bk  
7167/D5

Attachment

1 PROPOSED LCDC RULE

2 ON

3 CONDITIONAL ACKNOWLEDGMENT  
4

5 A. Notwithstanding any other provisions of OAR 660-03-000 to  
6 660-03-035, the Commission may, with the consent of the  
7 affected city or county, enter an order conditionally granting  
8 an acknowledgment request if the Commission finds:

9 (1) That a comprehensive plan or any implementing ordinances  
10 or regulations submitted by the jurisdiction as part of  
11 the acknowledgment request do not comply with one or more  
12 of the statewide planning goals, and

13 (2) That the plan, ordinances or regulations are, with the  
14 exception(s) found under paragraph (1), substantially in  
15 conformance with the statewide planning goals.

16 B. The conditional acknowledgment order shall specify the condi-  
17 tions of the acknowledgment, a time certain within which  
18 certain conditions must be met and a time by which evidence of  
19 compliance with the conditions must be submitted to the depart-  
20 ment for review. Any conditions not met within the time speci-  
21 fied in the order, unless good cause therefor is shown, shall  
22 result in the entry by the Commission of an order withdrawing  
23 acknowledgment and may result in the issuance of an order of  
24 enforcement pursuant to ORS 197.320.

25 C. At the time the jurisdiction submits its evidence of compliance  
26 with conditions to the Department, it shall also serve copies

1 of the submission by regular mail on any person who has  
2 objected to or commented upon the original acknowledgment  
3 request. The jurisdiction shall also attach to the submission  
4 a certificate of mailing certifying compliance with this  
5 requirement.

6 The Department shall, upon receipt of the submission, notify  
7 all other persons who were entitled to notice of the juris-  
8 diction's acknowledgment request under OAR 660-03-015 of the  
9 date the submission may be inspected and the time within which  
10 written objections or comments to the submission must be filed.

11 D. Written comments or objections to the submission shall be filed  
12 with the Department not later than twenty (20) days after the  
13 date the submission was submitted to the Department.

14 E. The Director shall evaluate the submission, and any comments or  
15 objections, and advise the Commission and the jurisdiction in  
16 writing whether it complies with the Conditional Acknowledgment  
17 Order. Copies of this evaluation shall also be sent to the  
18 local coordination body and staff and any person who has in  
19 writing commented upon or objected to the submission or to the  
20 original acknowledgment request. The evaluation of the  
21 Director, if favorable, shall constitute notice that the  
22 acknowledgment is no longer conditional.

23 F. The evaluation of the Director may be appealed to the  
24 Commission by the jurisdiction or by any person who has filed  
25 comments or objections pursuant to paragraph D. Such appeal  
26 shall be in writing and shall be filed with the department

20 ~~public~~

1 within 10 days of issuance of the Director's evaluation. The  
2 Commission may either affirm or vacate the Director's  
3 evaluation.

4 /////

5 /////

6 AJ/gl

7 7143/94

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METROPOLITAN SERVICE DISTRICT  
527 S. W. Hall Street  
Portland, Oregon 97201  
Telephone (503) 221-1646

*Deaton -  
For the P & D  
Committee.*

*Corby rec  
Jane - 2nd*

*unan -  
Pres  
Cinda  
Corby  
Gene  
Jane  
Donna  
no vote*

*Andy*

PROPOSED LCDC RULE

ON

CONDITIONAL ACKNOWLEDGMENT

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A. Notwithstanding any other provisions of OAR 660-03-000 to 660-03-035, the Commission may, with the consent of the affected city or county, enter an order conditionally granting an acknowledgment request if the Commission finds:

- (1) That a comprehensive plan or any implementing ordinances or regulations submitted by the jurisdiction as part of the acknowledgment request do not comply with one or more of the statewide planning goals, and
- (2) That the plan, ordinances or regulations are, with the exception(s) found under paragraph (1), substantially in conformance with the statewide planning goals.

B. The conditional acknowledgment order shall specify the conditions of the acknowledgment, a time certain within which certain conditions must be met and a time by which evidence of compliance with the conditions must be submitted to the department for review. Any conditions not met within the time specified in the order, unless good cause therefor is shown, shall result in the entry by the Commission of an order withdrawing acknowledgment and may result in the issuance of an order of enforcement pursuant to ORS 197.320.

C. At the time the jurisdiction submits its evidence of compliance with conditions to the Department, it shall also serve copies

METROPOLITAN SERVICE DISTRICT  
527 S. W. Hall Street  
Portland, Oregon 97201  
Telephone (503) 221-1646



1 of the submission by regular mail on any person who has  
2 objected to or commented upon the original acknowledgment  
3 request. The jurisdiction shall also attach to the submission  
4 a certificate of mailing certifying compliance with this  
5 requirement.

6 The Department shall, upon receipt of the submission, notify  
7 all other persons who were entitled to notice of the juris-  
8 diction's acknowledgment request under OAR 660-03-015 of the  
9 date the submission may be inspected and the time within which  
10 written objections or comments to the submission must be filed.

11 D. Written comments or objections to the submission shall be filed  
12 with the Department not later than twenty (20) days after the  
13 date the submission was submitted to the Department.

14 E. The Director shall evaluate the submission, and any comments or  
15 objections, and advise the Commission and the jurisdiction in  
16 writing whether it complies with the Conditional Acknowledgment  
17 Order. Copies of this evaluation shall also be sent to the  
18 local coordination body and staff and any person who has in  
19 writing commented upon or objected to the submission or to the  
20 original acknowledgment request. The evaluation of the  
21 Director, if favorable, shall constitute notice that the  
22 acknowledgment is no longer conditional.

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24 /////

25 AJ/gl

26 7143/94

Hinda -

1) Dept. can only acknowledge or deny -

2) State agencies bound in and another not be - confusion - also to citizens and developer

3) Will review for goal compliance only once

4) Headlines - LCDC thinks it is positive

Certainty →

reasons for doing it -

# of Goal violations?

Proposed Resolution for MSD adoption Oct. 25, 1979.

WHEREAS the impact upon landowners in the areas designated as "REGULATED SPECIAL AREAS" is more extensive than the restrictions and limitations proposed for other parts of MSD's UGB, and

WHEREAS, in some instances, five minutes speaking time may not provide sufficient time to adequately address the issues, and

WHEREAS, in some instances, a more logical presentation may be made by one person speaking for several affected owners,

THEREFORE, BE IT RESOLVED BY THE METROPOLITAN SERVICE DISTRICT COUNCIL that at its public hearing on the UGB findings scheduled for November 8th, the Council hereby agrees that upon presentation of a certificate signed by a landowner within any one of the five areas designated as a "REGULATED SPECIAL AREAS", a speaker designated by the owner shall be entitled to the owner's allotted time.

Be it further resolved that no designated speaker may speak on the subject for more than 30 minutes.

*Jim Allison*  
Submitted by Jim Allison, President, Washington County  
Landowners Association.

*I concur with the above statement*

*Marjorie Stewart*  
*Mayor - Sherwood*

BEFORE THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

VETERANS HOSPITAL )  
Declaration of no intent to file )  
legal action challenging EIS )

RESOLUTION NO. \_\_\_\_\_  
Introduced by  
Corky Kirkpatrick

WHEREAS, The Metro Council has been approached informally to take a lead role in a law suit regarding the Environmental Impact Study (EIS) process for the Veterans Hospital; and

WHEREAS, That action was intended to carry out a mandated A-95 review function of the agency and not a review of the location of the hospital; and

WHEREAS, It is clear that our mandated function cannot be separated from the larger issue and an accusation of further delay in hospital funds; and

WHEREAS, We currently have no funding or responsibility for health care; now, therefore,

BE IT RESOLVED,

That the Metro Council, on February 28, declares their intent not to accept funds from Multnomah County to initiate legal action challenging the adequacy of the EIS for the Veterans Hospital.

ADOPTED by the Council of the Metropolitan Service District this 28th day of February, 1980.

\_\_\_\_\_  
Presiding Officer

CK:bk  
7182/92

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# Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

## Memorandum

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Date: February 28, 1980  
To: Metro Council  
From: Executive Officer  
Subject: Metro Involvement in the Veterans Administration Hospital Issue

The following is a summary of Metro's involvement in the proposed siting of a Veterans Administration (V.A.) Replacement Hospital in Portland.

1. February, 1977 CRAG received notification from the V.A. regarding their intent to construct a 770 bed replacement hospital on Marquam Hill.
2. Due to the regional significance of the facility and the lack of information provided on the proposal, CRAG requested information on the land use impacts of the proposed hospital.
3. Information on land use impacts was never received until June, 1979, when Metro received from the V.A. a Draft Environmental Impact Statement (DEIS) on the proposed V.A. Replacement Hospital.
4. The DEIS was circulated to interested and affected jurisdictions and agencies as well as Metro staff for A-95 review and comment. A-95 review of the DEIS revealed the following deficiencies in the statement:
  - a. Inadequate documentation of the need for the facility.
  - b. Inadequate evaluation of transportation impacts.
  - c. Inadequate evaluation of air quality impacts.
  - d. Inadequate evaluation of noise impacts during construction of the facility.
5. In August, 1979, the Metro Council voted to request the V.A. to prepare an additional environmental impact statement to address the issues outlined above. At this time, the Council expressed an interest in pursuing the question of whether the funds appropriated for construction of a

facility could be diverted into a program to mainstream veteran's into existing health care facilities. A letter regarding these issues was sent to the V.A.

6. In November, 1979, the V.A. provided Metro with a Final Environmental Impact Statement (FEIS) on the Replacement Facility. The FEIS addressed the environmental concerns raised in Metro's August, 1979, letter to the V.A. The FEIS did not adequately address the issue of mainstreaming and thus the question of need for the facility remained.
7. After careful consideration of the apparent options at its December 6, 1979, meeting, the Metro Council took no formal action with respect to the FEIS on the proposed V.A. Replacement Hospital.
8. Metro was notified that should the Council express interest in litigating the EIS issue that the Multnomah County Commission would be requested to provide financial support for that suit.
9. After an informal briefing on the matter, the Council decided to approach Multnomah County to determine whether the County might be willing to assume all the costs for litigation against the V.A. and to participate with Metro in the lawsuit.
10. Before Metro could approach Multnomah County regarding the above, publicity on the matter ensued producing a great deal of confusion.
11. It is not clear that the distinction between the procedural violation and the larger issue of existence and siting of the hospital can be separated in the public's mind.

RG:LB:ss  
7180/89