

C O U N C I L

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

Agenda

Date: March 13, 1980
Day: Thursday
Time: 7:30 p.m.
Place: Council Chamber

CALL TO ORDER (7:30)

1. INTRODUCTIONS
2. WRITTEN COMMUNICATIONS TO COUNCIL
3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
4. CONSENT AGENDA
 - 4.1 A-95 Review, directly related to Metro
 - 4.2 Minutes of Meeting of February 14, 1980
5. REPORTS
 - 5.1 Report from Executive Officer (7:40)*
 - 5.2 Council Committee Reports (8:00)*
6. NEW BUSINESS
 - 6.1 Resolution No. 80-134, City of Milwaukie Request for Acknowledgment of Compliance with LCDC Goals (8:20)*
 - 6.2 Resolution No. 80-135, New Job Description for Project Manager (8:35)*
 - 6.3 Charge to Budget Task Force (8:50)*

- Landfill

- disposition of Councils Plan

ANNOUNCEMENTS

ADJOURNMENT (9:10)*

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

mec

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

Agenda

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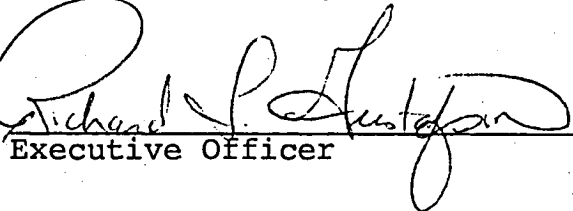
Day: Thursday

Time: 7:30 p.m.

Place: Council Chamber

C O N S E N T A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet the Consent List Criteria established by the Rules and Procedures of the Council.


Executive Officer

4.1 A-95 Review, Directly Related to Metro

Action Requested: Concur in staff findings

4.2 Minutes of Meeting of February 14, 1980

Action Requested: Approve minutes as circulated

mec

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING

A special meeting of the Metro Council was called to order on February 14, 1980, at 4:00 p.m. by Presiding Officer Kafoury in the Metro offices at 527 S. W. Hall, Portland, Oregon 97201.

Councilors present included: Mike Burton, Donna Stuhr, Charles Williamson, Corky Kirkpatrick, Jack Deines, Jane Rhodes, Betty Schedeen, Cindy Banzer, Gene Peterson. Executive Officer Gustafson was present. Other staff in attendance were: Denton Kent, Andrew Jordan and Mary Carder.

Coun. Banzer explained that this meeting had been called to permit Council discussion of the upcoming Zoo levy. Coun. Banzer called attention to a Finance Task Force report and said the Council should address the issue of whether there should be a combined or separate levies. Priorities should be set by the Council, focusing on dollar amounts and the extremely confusing issue of the Legislature's Property Tax Relief Plan. There are two options. To ask for an "A" and "B" ballot with "A" requesting the amount of money used in the past programs plus an inflation growth factor. The "A" ballot would have to be approved before the "B" ballot could be considered. The other option would be to go with three ballots -- "A," "B" and "C." Only the "A" ballot is eligible for property tax relief.

Mr. Iliff clarified the ballots and said the Zoo Committee originally recommended asking for all operating and revenue funding and then for capital. As a result of the Finance Task Force meeting there is a third possibility of a two ballot measure which would permit completion of the primate project, maintenance of the beaver/otter exhibit, and renovation of the Alaskan and African Plains exhibits. Renovation of the penguinarium and the reptile house could be completed by requesting an additional \$300,000 over the next three years. The "A" ballot would be \$2 million with an increase on the "B" ballot to levy \$2.3 million in capital.

Coun. Kirkpatrick said these figures were not those presented to the Finance Task Force and this could lead to confusion.

Mr. Kent explained that the reason the request for \$300,000 for the penguinarium did not come up at the Task Force meeting was that this was the first time the two ballot proposal had been presented. An analysis had not been done of the impact until the two ballot proposal was adopted as the Finance Task Force position. Within the Finance Task Force recommendation the projects can be accommodated down to the penguinarium and the reptile house. If the Finance Task Force recommendation was adopted fully those two projects could not

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be improved.

Mr. Iliff said that if a policy decision could be made to include an additional \$300,000, the penguinarium and reptile house could be improved.

There was a discussion on the fact that this proposal included money that was not approved by the Finance Task Force. Coun. Burton pointed out that the Finance Task Force was not as concerned with the dollar amounts as how the ballot was presented.

Mr. Charlie Shell explained the ballots and the purpose of the "A" and "B" ballots as proposed by the Legislature.

Coun. Kirkpatrick said she agreed with the concept of making the proposal as simple as possible and suggested that the Council go with the two ballots rather than with three. She suggested that they not use enterprise revenue for capital. She felt the taxpayers should not bear the entire cost of operations and suggested that the Ordinance to reflect this.

Mr. Jordan explained the differences between the Ordinance presented to the Council and outlined the material in Ordinance No. 80-86 that had been prepared in accordance with the Task Force recommendation.

Coun. Stuhr moved, seconded by Coun. Kirkpatrick, that Ordinance No. 80-86 be accepted as what will appear on the Council agenda at its regular meeting.

Coun. Burton moved, seconded by Coun. Deines, to include an amendment in the Ordinance under Section 5 (b) to add \$300,000 to the mixed operating and capital serial levy to bring that amount to a total of \$3 million each year for three years.

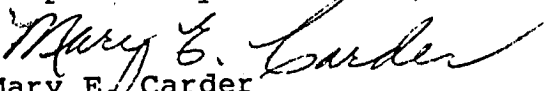
A vote was taken on the amendment. By a vote of 6 to 2 the motion carried.

Vote taken on the main motion as amended. All Councilors present voted aye, except Coun. Banzer, who voted nay. The motion carried.

Presiding Officer Kafoury clarified that Ordinances No. 80-84 and No. 80-85, which appeared on the agenda will be replaced by Ordinance No. 80-86 on which the Council had just acted. At the regular Council meeting the Ordinance would have a public hearing.

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

Respectfully submitted,


Mary E. Carder
Clerk of the Council

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING

A special meeting of the Metro Council was called to order on February 14, 1980, at 5:30 p.m. by Presiding Officer Kafoury in the Metro offices at 527 S. W. Hall, Portland, Oregon 97201.

Councilors present included: Mike Burton, Donna Stuhr, Charles Williamson, Corky Kirkpatrick, Jack Deines, Jane Rhodes, Betty Schedeen, Cindy Banzer, Gene Peterson, Craig Berkman. Executive Officer Gustafson was present. Other staff in attendance were: Denton Kent, Andrew Jordan and Mary Carder.

Presiding Officer Kafoury explained that the purpose of this meeting was to secure a person to fill Council Position No. 8 on the District Council.

Presiding Officer Kafoury asked to change the selection process that had been outlined in her memorandum.

Coun. Burton said that the process had been announced and he felt that the Council should stay with it.

Coun. Stuhr moved, seconded by Coun. Williamson, that in order to shorten the process, Councilors should nominate one person rather than three.

Coun. Peterson said he would be opposed to making a change in any publicly announced process.

Vote taken on the motion. Motion failed.

Presiding Officer Kafoury clarified that at the conclusion of the interviews each Councilor would choose three candidates, sign the ballot and forward it to the Presiding Officer. The person receiving the fewest number would be eliminated from that list. Council would proceed in this manner until one candidate had received a majority of the votes.

Ms. Caryl Waters told the Council what process the Public Information Office had followed in advertising the vacancy.

Mr. Michael Batori gave an explanation of his reasons for seeking the nomination. Councilors questioned Mr. Batori in a short interview session.

Mr. Ernie Bonner gave an outline of his reasons for seeking the nomination.

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Coun. Deines questioned Mr. Bonner whether he felt he might have a conflict of interest, since he was on the Board of 1,000 Friends of Oregon. Mr. Bonner said he had considered this question and felt that he would have to refrain from voting on issues in which he might have a conflict. Coun. Williamson said he felt there was no legal conflict of interest in this case.

Mr. Scott Burgess gave a short outline of his reasons for seeking the nomination. Councilors questioned him on his qualifications and his reasons for running for this office. They asked Mr. Burgess if he felt his affiliation with Beaverton could create a conflict of interest. Mr. Burgess did not believe it would.

Mr. Tim Johnson explained why he was seeking the nomination to the Metro Council. Councilors questioned him briefly, asking whether he would seek a permanent District seat, if chosen.

Mr. Gustafson explained that the term of office would be until someone had received 51 percent of the vote in a general election so that it was possible that they could be replaced in either May or November. The person receiving the largest number of votes would be sworn in at the next meeting of the Council following certification.

Mr. Loyal Lang gave his presentation to the Council, after which Council questioned him.

Mr. Sollie Solomon told Councilors why he wished to be nominated to the Metro Council. He was also questioned by Councilors.

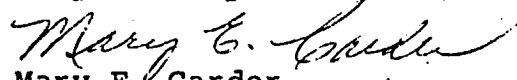
The first ballot was cast. Votes received were Bonner - 10; Burgess - 6; Lang - 4; Batori - 4; Solomon - 1. Mr. Johnson was eliminated from further consideration.

The Presiding Officer explained that the votes are public record and will be included in the record for inspection.

The final ballot was cast. Mr. Batori received 1 vote; Mr. Burgess 1 vote; and Mr. Bonner 9 votes. Mr. Bonner was declared to be nominated to the Metropolitan Service District Council.

There being no further business the meeting was adjourned to an informal Council meeting at 6:30 p.m.

Respectfully submitted,



Mary E. Carder
Clerk of the Council

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

February 14, 1980

Councilors In Attendance

Presiding Officer Marge Kafoury
Vice Presiding Officer Jack Deines
Coun. Donna Stuhr
Coun. Charles Williamson
Coun. Corky Kirkpatrick
Coun. Jane Rhodes
Coun. Betty Schedeen
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Ernie Bonner

Others In Attendance

Ms. Rosa S. Hyland
Mr. and Mrs. Bruno
Buranello
Ms. Terri Shields
Mr. Lee Barrett
Mr. J. Rey
Ms. Carol Morgan
Ms. Doreen Casebeer
Mr. Charles Lawrence
Mr. William McCormick
Ms. Jan Spencer

IN ATTENDANCE

Executive Officer Rick Gustafson

Staff In Attendance

Mr. Denton U. Kent
Mr. Andrew Jordan
Mr. John LaRiviere
Mr. Merle Irvine
Ms. Marilyn Holstrom
Mr. C. William Ockert
Ms. Berta Delman
Mr. Warren Iliff
Ms. Priscilla Ditewig
Ms. Mary Carder

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CALL TO ORDER

After declaration of a quorum, the February 14, 1980, meeting of the Council of the Metropolitan Service District (Metro) was called to order by Presiding Officer Marge Kafoury at 7:30 p.m. in the Council Chamber of the Metropolitan Service District at 527 S. W. Hall Street, Portland, Oregon 97201.

Mr. Ernie Bonner was sworn in by Mary Carder, Clerk of the Council, to the office of Councilor for District No. 8 of the Metropolitan Service District.

1. INTRODUCTIONS

The Presiding Officer introduced Mr. Ernie Bonner saying he was the newest Council member, and had just been elected by the Council to fill the vacancy in District No. 8.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL.

There were no written citizen communications to the Council.

3. CITIZEN COMMUNICATION TO COUNCIL ON NON-AGENDA ITEMS.

The Presiding Officer said she had received several cards from persons in the audience wishing to speak to the issue of a proposed recycling center at S. E. 49th and Belmont.

Ms. Terri Shields, who said she had written a letter earlier this week, objected to a proposed recycling center in her neighborhood. She was not against the recycling center itself, but only against having it on that site.

Coun. Stuhr questioned staff about the site and about the operator selection. Mr. Irvine explained that Requests for Proposal had been issued and that only one application had been received. Part of the Charge to the operator was to choose a site.

Coun. Williamson asked if the City had approved the site that had been chosen.

The Presiding Officer said that it was her understanding that the Council role was to impose conditions on the operator of the site. Mr. Irvine agreed that that was what would be done. Mr. Irvine stated that the City of Portland Hearings Officer has recommended a Revocable Permit be issued for this purpose, however, this decision has been appealed to the City Council.

Ms. Carol Morgan said that she felt the land was not appropriate to this use. She said that unsightly materials and much

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noise would accompany the operation and that it was too close to a residential neighborhood.

Mr. William McCormick said that he was representing 40 home owners in the area. He asked the Council to please consider other alternatives to this site.

Councilors questioned Mr. Irvine concerning what hearings had been held and what opportunity residents had had for input. Mr. Irvine said that staff in Solid Waste Division and Public Information Office had attended all hearings that were conducted by the City concerning this location and various neighborhood association meetings.

Mr. Charles Lawrence said he lived directly across the street from this proposed site on property that was occupied by a convalescent center. He felt the site was too close to such a facility and should be located in an M2 zoning designation.

Ms. Doreen Casebeer said that the area was particularly bad for such a facility. There were traffic problems and she was concerned that the site had apparently been chosen because of the low rent. She felt that it would present a great hazard to the neighborhood.

Ms. Jan Spencer said that she was against location of the facility at this site. In response to questioning by Coun. Banzer, she expressed dissatisfaction with Metro staff and with the opportunity for citizen input.

Coun. Stuhr asked staff what the time frame was on any action that the Council might wish to take. She felt that rather than discuss this matter this at time it could be put on an agenda and the problems could be identified. Mr. Irvine explained that a contract had been negotiated that spoke to operation of the site. There is an appeal which will be heard by the City in the near future. No site improvements can take place until the operator actually receives a revocable permit from the City.

Mr. Lee Barrett said he was the General Manager of the Portland Recycling Team (PRT); and that, if the Council preferred, he would speak at a meeting where the Council had set aside time for this matter. Presiding Officer Kafoury said the Council would have an informal session and would appreciate having he and the others speak to this matter at that time.

Coun. Burton asked that the Council be briefed on this matter and that notice be sent to persons speaking tonight so that they could attend that informal meeting.

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4. CONSENT AGENDA

4.1 Minutes of the meeting of December 20, 1979.

Coun. Deines moved, seconded by Coun. Burton, that the minutes of December 20 be approved. All Councilors present voting aye, the motion carried unanimously.

The Presiding Officer asked if there was any one present who wished to testify at the public hearing on Ordinance No. 80-86 concerning the Zoo serial levies. Since there was no one present who wished to be heard at this time, she ruled that the matter would be taken in the regular rotation.

5. REPORTS

5.1 Report from Executive Officer.

The Executive Officer said that he, Coun. Kirkpatrick and Mr. Kent had gone to Washington, D. C., to attend a NARC federal briefing. They had had a full and active schedule throughout the week speaking to congressional representatives and administrative agencies while seeking financial support. They ran into a great deal of difficulty caused by the technical problems created by Metro being the first regional agency of its type. This has become a very major problem for Metro.

The Executive Officer reported that the Assisted Housing Opportunity Plan (AHOP) submitted to HUD has been approved and is in full force and effect.

5.2 Council Committee Reports

JPACT: Coun. Williamson introduced Resolution No. 80-129, For the Purpose of Establishing Regional Priorities for Interstate Funds.

Coun. Williamson explained that this Resolution had been put together following the JPACT meeting because funding of I-5 Interstate/Vancouver Bridge reconstruction had been severely delayed. The fact that ODOT must put off this part of its schedule for two or three years has strained the Oregon and Washington relationship. This Resolution would, if passed, be forwarded to ODOT requesting that they retain the I-5 projects as priorities. The Resolution is considered an emergency because the Oregon Transportation Department will be meeting in five days to consider this subject. The Resolution states the Council concern about these projects and indicates that they

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should be a #1 priority.

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that Resolution No. 80-129 be adopted. All Councilors present voting aye, the motion carried unanimously.

Coun. Williamson said that most of what had been discussed at the JPACT meeting would be before the Council at the Council's next regular meeting.

Coun. Williamson moved, seconded by Coun. Schedeen, that the Council appoint and confirm Mr. R. Craig Henley to the Air Quality Advisory Committee.

All Councilors present voting aye, the motion carried unanimously.

Coun. Williamson moved, seconded by Coun. Peterson, that the Council appoint and confirm Mr. Chuck Becker to the Transportation Policy Alternatives Committee.

All Councilors present voting aye, the motion carried unanimously.

Ways and Means Committee: Coun. Kirkpatrick said Councilors had received a pink sheet which had emerged from the last Ways and Means Committee meeting which outlined a restructuring of the Council Committee system.

Coun. Kirkpatrick moved, seconded by Coun. Deines, that Resolution No. 80-128 be approved.

Coun. Williamson moved, seconded by Coun. Schedeen, that the Resolution be amended to add in paragraph 2 that there would be three Council representatives on JPACT. Coun. Williamson said that it was felt that there should be a good Council representation on this Committee.

Coun. Stuhr suggested that the amendment could be for one member and an alternate. Coun. Williamson still felt that there should be three members on the JPACT Committee.

Coun. Burton said that he would like to have this matter held over to the next Council meeting. He did not feel he had had enough time to consider the Resolution.

There was further discussion of the number of members required for the JPACT Committee.

Presiding Officer Kafoury said she could support the

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motion if it was for a designee and alternate. Coun. Schedeen asked Coun. Williamson if he would accept that suggestion as a friendly amendment. Coun. Williamson said he would accept two and then change the word "representative" to "representatives."

Question was called on the motion. Six Councilors voted in favor, and four voted against. There was one abstention. The motion carried.

Coun. Peterson said that the Council had appointed a Committee on Committees which had established five standing Committees and specified their function. He said that this proposal would make a substantial revision in the Council Committee setup and suggested that the matter be held over until a time certain so that the Council could give more consideration to the proposal and develop some alternatives.

Coun. Banzer moved, seconded by Coun. Peterson, that this item be postponed to a time certain of February 28, 1980. The motion failed.

Coun. Rhodes recommended that the Johnson Creek Task Force be placed under the Service Committee because it is services rather than planning. She thought this could be assigned, rather than an amendment to the motion.

Coun. Burton moved, seconded by Coun. Banzer, to strike the words "Executive Officer being a non-voting member" from the end of paragraph 4. Coun. Burton did not see any point in putting someone on a committee as a non-voting member. He said the Executive Officer could certainly attend all Committee meetings. All Councilors present voting aye, the motion carried unanimously.

Coun. Bonner questioned the placement of the Criminal Justice Committee. Coun. Kirkpatrick agreed that it did not fit in any of the sections. Coun. Burton suggested that there could be an individual Task Force in each of the areas in the Council Service Delivery section.

Coun. Peterson moved, seconded by Coun. Banzer, to delete Item 3, and provide for a Planning and Transportation Committee, a Solid Waste/Public Facilities Committee and Zoo Committee. He clarified that this could be accomplished by deletion of paragraph 3 and changing the title in first paragraph to "Council Planning and Transportation Committee."

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Coun. Rhodes said Public Facilities is essentially planning and should be with the planning portion. Criminal Justice could possibly go with planning.

Coun. Peterson said he would further amend the motion to place Criminal Justice under the Coordinating Committee.

Question called on the motion. The motion failed.

Coun. Bonner moved, seconded by Coun. Kirkpatrick, that the Resolution be amended to remove the Criminal Justice Committee from paragraph 3, placing it in paragraph 4 (Coordinating Committee). All Councilors present voting aye, the motion carried unanimously.

Coun. Williamson said that he would vote for the Resolution but that the issue of representation had not been raised with either TPAC or JPACT and he felt it should be discussed with them. It would be possible that he might return with a request for more than two Councilors on the JPACT.

There was further discussion of the Resolution and whether the structure should be changed.

Coun. Peterson asked if the Council could amend its own rules. Mr. Jordan clarified that this Resolution constituted a Committee structure for the Council and this Resolution simply replaced the old Resolution.

Mr. Kent clarified that the rules as currently drafted are permissive with regard to setting a Committee structure. The Resolution is guidance to the rules and, if passed, this Resolution would supersede the present Resolution as guidance to the rules.

Coun. Kirkpatrick moved, seconded by Coun. Schedeen, that the wording of the Resolution be amended in paragraphs 1, 3 and 4 to add after the word "monitor" "and propose policy direction." All Councilors voted aye except Coun. Burton who voted nay. The motion carried.

Question called on the motion as amended. The motion carried.

A short break was taken.

Solid Waste/Public Facilities Committee: Coun. Deines reported that a general meeting for the Council had been called for Wednesday, February 19, at 3:00 p.m. At that

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meeting Council will be considering negotiations with Publishers Paper Co. He urged that all Councilors attend, since important decisions would be made at this meeting.

Coun. Deines said the Solid Waste/Public Facilities Council Committee has reviewed applications for membership to Solid Waste Public Alternatives Committee and recommended several persons for Council approval to fill the vacancies.

Coun. Deines moved, seconded by Coun. Peterson, that the following persons be approved for membership on the Solid Waste Policy Alternatives Committee.

<u>NAME</u>	<u>REPRESENTING</u>
Judy Roumpf	Recycling, Oregon Environmental Council
Frank Cooper	Construction Industry
Robert Harris	Public - Clackamas County

Coun. Deines said the following existing SWPAC members have served their two-year terms. The Committee recommended that these members be reappointed at the February 14 Council meeting.

Coun. Deines moved, seconded by Coun. Peterson, that the Council approve reappointment of the following persons to SWPAC:

<u>NAME</u>	<u>REPRESENTING</u>
James Cozzetto	Collection Industry
Bill Culham	Public -- Multnomah County
Howard Grabhorn	Landfills
Harold LaVelle	Landfills
John Trort	Collection Industry

The motion carried unanimously.

Coun. Deines moved, seconded by Coun. Kirkpatrick, that the Council appoint the following to the Regional Landfill Siting Committee.

MULTNOMAH COUNTY
John H. Gray; Chief Geologist
John Hankee; Civil Engineer
Phyllis Ricks

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CLACKAMAS COUNTY

Tor Lyshaug
Robert Whipps
Roy Simmons

WASHINGTON COUNTY

Frank Deiver
Allen Cicrich

OUTSIDE METRO RESIDENTS

Roger Reif
Howard Grabhorn
David Phillips

Coun. Banzer objected to the fact that there was only one representative from East Multnomah County on the Siting Committee.

There was a general discussion of the makeup of the Committees. Councilors expressed concern that a number of people wish to serve on Committees and that there was some duplication in this list. Coun. Rhodes suggested that perhaps some vacancies could be left and the Council advertise for someone to fill the vacancies.

Presiding Officer Kafoury pointed out that names could be added to this list. Mr. Irvine explained how the public had been notified of the fact that there were vacancies.

Question was called on the motion. All Councilors present votes aye, except Coun. Banzer who voted nay. The motion carried.

PLANNING AND DEVELOPMENT COMMITTEE: Coun. Peterson said the Planning and Development Committee had met February 11. The Committee had received the first annual report from the Land Market Policy Alternatives Committee. He said the Committee had reviewed the Beaverton Comprehensive Plan and that it would be on the agenda soon for action.

6. PUBLIC HEARINGS

6.1 Ordinance No. 80-86, Submitting Metropolitan Service District Zoo Serial Levies (2 levies), First Reading.

It having been ascertained that it was the consensus of

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the Council to do so, the Clerk read Ordinance No. 80-86 the first time by title only.

Coun. Deines moved, seconded by Coun. Stuhr, that Ordinance No. 80-86 as amended be adopted.

The public hearing was opened. Since there was no one present who wished to speak, the public hearing was closed.

Coun. Williamson circulated the following letter to the Council asking that it be included in the record.

"For the following reasons, I cannot support the placing of the Zoo levy upon the May primary ballot:

- "1. By separating the Zoo from the other Metro functions, the Metro council is imperiling the future financial existence of this government. Metro cannot obtain funding from the voters unless our services are voted on as one package. No government can afford to separate its visible and popular functions from its less visible and less popular ones. A government would be ill-advised to place its police and fire costs on one ballot and its human services, planning and administrative functions on yet another. In essence, however, that is precisely what we are doing with the Zoo levy.
- "2. By this action we are placing Metro at the mercy of the 1981 legislature and there is no guaranty whatsoever that we will be funded. Further, this action places us at the mercy of local governments who may well lobby their legislative representatives not to support funding for Metro.
- "3. The Metro council is yielding to a well organized special interest group for the Zoo rather than serving the interests of the District as a whole.
- "4. Separate elections will cost the district in the neighborhood of \$50,000.00 which should not have to be borne by the public."

Coun. Williamson said that this material would be available if the public wished to peruse it.

Further action will be taken on Ordinance No. 80-86 at the meeting of February 28, 1980.

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7. OLD BUSINESS

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

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

A motion was previously made on this Ordinance at a earlier meeting. There was no discussion of this item at this time.

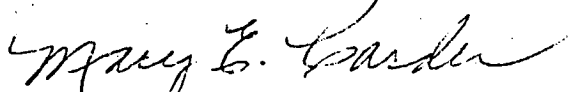
Question was called on the motion. The motion carried unanimously.

8. ANNOUNCEMENTS

Coun. Schedeen announced that there will be a meeting at Mt. Hood Community College of the East County Caucus of Mayors and heads of jurisdictions. They will be discussing the "911" emergency system and the EMS.

There being no further business the meeting was adjourned.

Respectfully submitted,


Mary E. Carder
Clerk of the Council

MC/gl
7210/87

DIRECTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>1. <u>Project Title:</u> Housing and Community Development Program (#802-5) <u>Applicant:</u> City of Portland <u>Project Summary:</u> Funding for the sixth year of Portland's Housing and Community Development Program. Program activities include: housing rehabilitation, construction of public housing units, economic development and revitalization, street improvements, park improvements, etc. <u>Staff Recommendation:</u> Favorable Action</p>	<p>\$10,356,000 (Dept. of Housing and Urban Development)</p>			<p>\$3,950,000</p>	<p>\$14,306,000</p>
<p>2. <u>Project Title:</u> Low Income Housing Rehabilitation (#802-8) <u>Applicant:</u> The Burnside Consortium, Inc. <u>Project Summary:</u> Funding for rehabilitation of two residential hotels in the Burnside Neighborhood for occupancy by low income households. Rehabilitation of the Camp and Rich Hotels will provide 66 additional low income housing units. <u>Staff Recommendation:</u> Favorable Action</p>	<p>\$150,000 (HUD, Neighborhood Self-Help Program)</p>			<p>\$220,000</p>	<p>\$370,000</p>

ZOO COMMITTEE (Metro Council)
February 21, 1980
Zoo Conference Room

Present: Cindy Banzer, Chairperson; Councilor Craig Berkman.
Staff: Warren Iliff, Judy Henry.

I. Minutes: The minutes of January 17 and 23, 1980, were approved as published.

II. Reports

A. Construction Update: The elephant project is going well although there is some problem with slippage caused by the recent rains. The other problem is that CH2M Hill is requesting a greater fee than they are entitled to under their contract.

The contract negotiations for the primate house are progressing very well; hopefully a contract recommendation will be ready for the next meeting of this committee. We are attempting to obtain foundation monies for portions of the primate project. Councilor Berkman strongly recommended that the Murdock Foundation be contacted, and volunteered to go with Mr. Iliff to present the request. Mr. Iliff will discuss this with Jack Delaini.

The beaver/otter design to date has been approved by Mr. Hardy, so we can now move into the next stage of the project.

Container Corporation has sent us a sample copy of the brochure they have developed on The Cascades Exhibit. It is extremely well done, and Container will print 10,000 copies at no charge to us. Mr. Iliff will bring the sample copy to the next committee meeting.

B. Status of Budget Preparation: The Zoo staff is now in the process of planning next year's budget. Chairperson Banzer reminded Mr. Iliff that the committee had previously outlined budget priorities and expected that they be followed.

C. Staff Retreat: The retreat was held for the purpose of preparing the operational planning process. This included an analysis of services and a determination of what the goals and objectives are.

A questionnaire was drafted and will be mailed in two parts. The results of the first mailing will be compiled, with a second mailing going out in June on the formal operational plan.

III. Old Business

A. Zoo Levy

1. Discussion of Ballot Amount and Levy Composition:
There are to be separate ballot measures for operating and capital funds. The Task Force is reconvening on February 11, and at 4:00 p.m. on February 14 an informal meeting will be held to go over the ballot measures. Mr. Iliff recommended that the measures be as simple and straightforward as possible. The committee would prefer that the levy be for a period of five to six years and that it be kept to an individual yearly tax of \$10.40.

Chairperson Banzer would like to know the status of the two drafted ordinances coming from the Zoo Committee and also requested that the January 25 memo from herself to Rick Gustafson be corrected to read "14.3% inflationary increase..."

2. Update on Campaign Levy Committee: Don Frisbee has agreed to be the Finance Chairman with Hillman Lueddemann as his assistant.

IV. New Business

- A. Pacific Northwest Regional Commission: Mr. Iliff suggested to Steve Feinstein a three-state regional approach to Public Service Announcements to outline what zoos are doing in the areas of education, conservation and research. There were discussions with representatives of the Commission to determine whether there is funding assistance for general zoo support.
- B. Cascades Exhibit: We have made an application for support from the Economic Development Advisory Committee for the nocturnal portion of The Cascades Exhibit. Chairperson Banzer would like to draft a letter to John Wight saying that she is interested in lending support to this request and relating experiences she has had in zoos where EDA funding has had an impact. Mr. Iliff is to contact the CEDS staff to request information on how we should proceed.
- C. Preparation for February 14 Council Briefing
 1. The following items are to be put into packets for the meeting:
 - a) Newspaper article regarding A/B ballots

- b) January 26 editorial in Oregonian
 - c) Ballot wording of 1976 Zoo levy
 - d) Copy of January 25 corrected memo
 - e) Updated figures for projected operating costs
2. Chairperson Banzer dictated a memo to Charlie Shell regarding the redrafting of alternative strategies for the Zoo serial levy.

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 Milwaukie's Request For Acknowledgment of Compliance With The LCDC Goals

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of the attached Resolution that LCDC grant acknowledgment of the city of Milwaukie's request for compliance. The Council should act on this item at its March 13 meeting in order to ensure that its recommendation is considered by LCDC (see background).
- B. POLICY IMPACT: The recommendation is consistent with the criteria and procedures contained in the Metro Plan Review Manual. The review did not identify any major issues which would require significant policy interpretation or set an important precedent for future reviews, but findings on the City's provisions for mobile homes, discussed under Goal #10 (Housing), do further define Metro's position on the meaning and application of LCDC's "St. Helen's" policy.
- C. BUDGET IMPACT: None

II. ANALYSIS:

- A. BACKGROUND: Milwaukie submitted its plan to LCDC for acknowledgment in December, 1979. Based on plan and ordinance deficiencies identified during the Metro acknowledgment review, the City Council initiated a number of amendments. The Metro Planning and Development Committee took action on the Milwaukie plan at its January 16 meeting. The Committee concurred with the staff recommendation of approval based on the assumption that the proposed amendments would be adopted as proposed prior to final Metro action. When the City Council adopted the amendments on February 4, it revised amendments addressing mobile homes. As proposed, mobile homes would have been permitted outright in residential zones. As revised and adopted, mobile homes are now permitted as a conditional use. Metro staff found the conditional use standards to be clear and objective (see acknowledgment review, Exhibit "A," Goal #10).

The deadline for Metro recommendation for LCDC is March 17, 1980.

- B. ALTERNATIVES CONSIDERED: Metro staff did not find any issues which warranted serious consideration of an alternative recommendation (i.e., for denial, conditional acknowledgment or a continuance).

- C. CONCLUSION: Metro's recommendation for approval will support local planning efforts while protecting regional interests.

JH:bk
7195/92
3/13/80

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

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

RESOLUTION NO. 80-134

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, Milwaukie's comprehensive plan, as amended February 4, 1980, has been evaluated following the criteria and procedures contained in the "Metro Plan Review Manual" and found to comply with LCDC goals and to be consistent with regional plans adopted by CRAG or Metro prior to November, 1979, as summarized in the staff report attached as Exhibit "A"; and

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

BE IT RESOLVED:

1. That the Milwaukie comprehensive plan is recommended for compliance acknowledgment by the LCDC.

2. That the Executive Officer forward copies of this resolution and the staff report attached hereto as Exhibit "A" to

LCDC, the city of Milwaukie and appropriate agencies.

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

ADOPTED by the Council of the Metropolitan Service
District this 13th day of March, 1980.

Presiding Officer

MB/gl
4363/65

EXHIBIT "A"

MILWAUKIE PLAN ACKNOWLEDGMENT REVIEW

Introduction

The city of Milwaukie is located in Clackamas County along the east bank of the Willamette River, just south of Portland. The City evolved from a small town in the 1940's to an industrial center in the war years to a suburban community beginning in the 1950's. The population doubled between 1960 and 1975, largely a result of large annexations to the City. From the 1975 population of 18,059, it is expected to reach a level of 20,250 by 1990.

The Milwaukie plan sets out policy and land use designations for land within the City limits and is, therefore, a "complementary plan."

Metro conducted both draft and final preliminary reviews of the plan and the city has been very cooperative in responding to and resolving identified problems. At the time of Metro's acknowledgment review, a number of plan and ordinance inconsistencies and omissions were identified. Upon being made aware of these deficiencies, the City began amendment proceedings. Following completion of the required hearings process, the Milwaukie Council adopted the necessary plan and ordinance amendments on February 4, 1980. This review reflects those amendments.

The Milwaukie plan was developed with the assistance of the consulting firm, Wilsey and Ham. In general, the plan is well organized, thorough, concise and innovative.

Conclusion and Recommendation

Metro finds that Milwaukie's comprehensive plan complies with all State goals and regional policies. Metro recommends that the Land Conservation and Development Commission (LCDC) grant compliance acknowledgment of the city of Milwaukie's comprehensive plan. Further, Metro extends congratulations to Milwaukie and its citizens for a commendable job.

0. General Requirements

The City has included all general requirement items within its comprehensive plan package.

Goal #1 Citizen Involvement

The City has provided an extensive program for citizen involvement. The Comprehensive Planning Steering Committee, Neighborhood Councils, Community Planning Organizations, Technical Advisory Group and Special Task Forces compose the various avenues for citizen input into the plan's development. Neither Metro nor the Department of

Land Conservation and Development (DLCD) has received any complaints of Goal #1 violations. For citizen participation in post acknowledgment, a Comprehensive Plan Review Committee (CPRC) will be appointed not only to monitor and review the plan's effectiveness and make recommended amendments, but also to serve as the Committee for Citizen Involvement (CCI) to ensure citizen participation in this process. The CPRC will consist of one representative from each of five neighborhoods within the City, each of the Advisory Committees, business representative, County Planning Organization representative and a Planning Council and City Council representative. The CPRC will report annually to the Planning Commission on its findings and recommendations, to be forwarded onto the City Council.

Conclusion: The City complies.

Goal #2 Land Use Planning

The City has addressed the various base inventory/data requirements through a series of "Working Papers" (collated into a "Planning Notebook") and supporting studies and documents. Policies have been developed which address local, regional and state concerns. Implementation measures are adequate to carry out the policies and include several innovative techniques which foster fair approval requirements and quality developments (e.g., density bonuses). The sum of all policies within the Milwaukie plan which have direct implementing measures are adequate to meet goal requirements. There are a number of supplementary policies which serve as either a statement of intent or position on certain issues or suggest future work programs. Although these latter policies do not have direct implementing measures, implementation is either implicit in the policy statement or supplementary to compliance requirements.

In addition to the Urban Planning Area Agreement (UPAA) with Clackamas County, the plan contains policy which establishes the County as the jurisdiction retaining final responsibility for all land use actions within the dual interest area. Further, the City has 35 days to comment on proposed land use action or plan amendments affecting the outlying planning area.

Conclusion: The City complies.

Goal #3 Agricultural Lands -- Not applicable.

Goal #4 Forest Lands

The plan states there are no commercial forest lands within the City. Lands with substantial tree coverage have been inventoried and areas designated for tree preservation included within Ecologically Significant Natural Areas. The "Natural Areas" are protected through an "Environmental Protection Ordinance" which sets out objective standards for development and open space preservation.

Conclusion: The City complies.

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

The City realizes the limited options for open space due to the fact the City is largely developed. Heavy reliance on the private sector for providing open space on the remaining vacant land has been one adopted option. The open space policies are implemented through: (1) the zoning ordinance, which requires a percentage of open space per unit; (2) the subdivision ordinance through administrative reviews; (3) administration of an Environmental Protection Ordinance which allows density adjustments and bonuses for dedicated open space in new development; and (4) the Willamette River Greenway Ordinance. Scenic views will be protected and enhanced through the Greenway program, downtown plan and the McLoughlin Blvd. design plan by the Oregon Department of Transportation (ODOT).

The plan identifies four historic sites: the Pioneer Cemetery, three pear trees at the Waverly Golf Club, an "old stone burr" on 21st St. and a flowering peach tree at City Hall. Historic preservation policy is adequate. The City supports the efforts of the Milwaukie Historic Society. The cemetery and flowering peach tree are protected through City ownership. The "three pear trees" are located outside the City limits and, therefore, not affected by the City's acknowledgment request. The "old stone burr" was a grinding stone located in conjunction with a mill. The mill and stone were destroyed many years ago. Historic preservation will be considered in developing Neighborhood Design Guides and the Park and Recreation Master Plan subsequent to plan acknowledgment.

Significant natural areas containing fish and wildlife habitats are protected through the Environment Protection Ordinance (EPO) and the Willamette River Greenway Zone. There are no mineral and aggregate resources nor significant wetlands.

Conclusion: The City complies.

Goal #6 Air, Water and Land Resources Quality

All the required regional coordination language for air, water and solid waste are in place. Special noise control requirements are instituted for development along designated roadways. There is a provision for the City to review potential noise generating developments and coordinate with DEQ on issuing a "Statement of Compatibility" for local site specific actions and require mitigating measures where appropriate. An analysis of water quality indicates serious degradation of City's waterways. Implementation of the Environmental Protection Ordinances and "208" Water Quality recommendations should prove effective in ameliorating the situation.

Conclusion: The City complies.

Goal #7 Hazards

The plan contains policy to protect against hazards from flood, seismic response and weak foundation soils. The policies are

implemented through a flood hazard zone in the zoning ordinance and through the Environmental Protection Ordinance. These hazard overlay zones are administered by City staff.

Conclusion: The City complies.

Goal #8 Recreation

The City has limited recreational opportunities due to an insufficient amount of vacant land. Much of the recreational need is served by facilities outside the City and this situation is likely to continue in the future. A park and recreational need assessment has been developed, with a master park plan detailing park designs to be developed in subsequent years. The plan calls for heavy reliance on developers to dedicate land and adjust upward the allowable density on the balance of the developable parcel. There is also a provision in the subdivision ordinance which allows the City up to 18 months, following plat approval, to purchase land from owners of proposed development for park purpose. Developers are also encouraged to provide vest pocket parks in commercial developments. The Greenway Design Plan and Downtown Improvement Plan will address recreational needs as well.

Conclusion: The City complies.

Goal #9 Economy of the State

The City has initiated a number of studies to identify the economic opportunities and constraints. Policy is directed toward expansion of the employment base to serve Milwaukie area residents. The policies are implemented through the zoning ordinance and public facilities and services plans.

Conclusion: The City complies.

Goal #10 Housing

The city of Milwaukie's housing policies and implementing measures are commendable. Presently there are about 4,862 single family and 1,938 multi-family dwelling units within the City. Plan policies will allow a 44.3 percent single family and 55.7 percent multi-family housing mix on vacant buildable lands resulting in an overall net residential density at full development of 6.2 units per acre. This favorable mix may be further enhanced by density bonuses for developments of high quality. The plan allows for an array of housing types, including both detached and attached single family housing, townhouses, apartments, condominiums and mobile homes.

Apartments are permitted outright in the High Density Zones and permitted as a conditional use in other zones. The plan indicates that 53 percent of all new residential units will be developed within the High Density Zones. This proportion of apartments, in combination with the variety of other lower cost types of housing provided in other zones, would be adequate to meet the City's housing

needs, even where the conditional use standards are too vague and discretionary to pass the "St. Helens test."

An evaluation of the conditional use standards is essential, however, to a judgment on the adequacy of Milwaukie's provisions for mobile homes. Although the City is providing for adequate numbers of a sufficient variety of other types of lower-cost housing to meet its housing needs, the plan does include a policy that "manufactured housing is encouraged in the City as long as building codes, density standards and other applicable policies are met" (Plan, p. 32). As in our review of Beaverton's plan, Metro finds that the City must carry through on its commitment to encourage mobile homes with ordinance provisions which do not subject the use to vague and discretionary approval standards.

Mobile homes are permitted as a conditional use in the R-10, R-7, R-5, R-3, and R-2 zones. Metro finds that Milwaukie's ordinance provisions (unlike Beaverton's) are adequate for this purpose. The reasons for this finding, contrasted with those for Beaverton, are summarized in the following table.

	Milwaukie	Beaverton
zones permitted as a conditional use	includes zones with lot sizes appropriate to mobile homes (R-3, R-5 and R-7)	allowed only in zones with lot sizes too large to be appropriate (R20 and R40), too small for effective competition for land (R2), or, in R3.5, with insufficient land available for park development (2-9 total vacant acres)
nature of discretionary power	governs attachment of conditions only, not approval or denial	includes standards governing approval or denial
nature of standards guiding exercise of discretion	all standards listed (though not exhaustive) are clear, objective and reasonable	standards for approval are vague and discretionary

Conclusion: The City complies.

Goal #11 Public Facilities and Services

The Milwaukie plan has adequate inventories and policy addressing all criteria under Goal #11. More specifically, the City has received recent funding for a needed water storage facility which will relieve water shortage problems experienced in hot summer months. The Clackamas Water District, which serves the Milwaukie area, anticipates the need for expansion in approximately five years should the present population trend continue.

Clackamas County Sanitary District #1 shares the Kellogg Creek Sewerage Treatment Plant with Milwaukie. The plant is adequate to serve a population of 100,000. The Oak Lodge Sanitary District, which serves the area south of Milwaukie, may require expansion of facilities to serve the ultimate population for that area. Although the older section of Milwaukie's sewer system suffers some leakage, this would only be an immediate problem if the Kellogg Plant were at or approaching capacity, which is clearly not the case.

The City does have some problems with storm drainage. The problems were studied and proposed improvements submitted to the citizens for obligation bond financing. The 1975 bond program was defeated. The plan policy indicates the original 1970 Storm Drainage Study will be used as a guide in constructing that part of the storm drain system of highest priority. Additionally, drainage plans for new developments are reviewed by the planning director.

The City Council has adopted the Interim Guidelines for Storm Water Run-Off Management in the Johnson Creek Basin. The City has the responsibility to adopt adequate implementing measures to carry out the guidelines by July, 1980. With minor amendments to the Flood Hazard Zone requirements and the Environmental Protection Ordinance, implementing measures will be adequate.

The police and fire facilities in Milwaukie are identified as overcrowded and poorly located. Policy in the plan establishes a program to address these problems.

Conclusion: The City complies.

Goal #12 Transportation

The plan contains inventories and policy addressing all criteria items under Goal #12. Regional transit is well addressed with emphasis placed on supporting McLoughlin Boulevard improvements and transit options within the Oregon City Corridor. The plan encourages coordination with all transportation actors, including Metro, Tri-Met, ODOT, Clackamas and Multnomah Counties and neighboring cities.

Conclusion: The City complies.

Goal #13 Energy Conservation

The necessary background/inventory information is included within the plan. Policies for energy conservation are centered around land use, transportation, construction and design. The policies are implemented through the various implementing ordinances.

Conclusion: The City complies.

Goal #14 Urbanization

As stated previously under Goal #2 comments, Milwaukie has adopted an

Urban Planning Area Agreement with Clackamas County for the dual interest area outlying the City. The City and dual interest area are well within the Metro Urban Growth Boundary. The majority of land within the City and immediately outside is developed and therefore presumptively immediate urban. Of special concern to the City are the Overland Park, Clackamas Town Center and Kellogg Lake areas. The City has adopted special coordination policy urging Milwaukie's participation in planning and plan implementation for these areas. Annexation actions by the City will be based on a feasibility analysis which weighs the social and economic benefits of each annexation.

Conclusion: The City complies.

Goal #15 Willamette River Greenway

Milwaukie has adopted an amended Greenway Boundary to include Kellogg Lake. Land uses within the boundary are specified with development subject to Willamette Greenway conditional use approval. A Greenway Design Plan is proposed for development which will, upon completion, replace the conditional use provision. The Design Plan will designate areas for public acquisition. Residential uses are subject to natural resource and recreation policies within other elements of the plan and non-residential uses must be water-oriented.

Conclusion: The City complies.

MB:bk
6393/111

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: Charge to Budget Task Force

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approve proposed Charge to Budget Task Force.
- B. POLICY IMPACT: The Budget Task Force will have a role in making recommendations to the Executive Officer and the Council on major issues for shaping the FY 1981 budget.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: The recommendation to the Budget Task Force represents a continuing effort by Metro's Executive Officer and Council to establish the most effective process for including citizen input in the budget process and involving the Council in early deliberations on the budget.
- B. ALTERNATIVES CONSIDERED: The eight member committee was suggested by the Ways and Means Committee as being the most representative of the various interests while still maintaining a manageable size.
- C. CONCLUSION: The Budget Task Force proposal represents the most effective way to receive initial comment on the FY 1981 budget.

CS/gl
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3/13/80

PROPOSED
CHARGE TO BUDGET TASK FORCE

The Budget Task Force, consisting of four Councilors and four citizen members, is charged to review the budget proposal and alternatives prepared by the Executive Officer and make recommendations to the Council on the program priorities to be considered in approving a balanced FY 1981 budget. The work of the Task Force should be completed by March 31, 1980.

The work of the Task Force will involve a review of program objectives, funds available to meet those objectives and a consideration of alternative ways of allocating resources to achieve these objectives. *Council stated budget priorities will be*

The final report of the Task Force will include recommendations on preparing a balanced FY 1981 budget and a discussion of any other budget issues which the Council should consider.

The Task Force will report directly to the Executive Officer and Metro Council with the final policy decisions affecting the direction of the approved budget to be made by the entire Council.

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