



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

A G E N D A

REGULAR COUNCIL MEETING

Date: October 2, 1980
Day: Thursday
Time: 7:30 p.m.
Place: Council Chamber

CALL TO ORDER

1. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
2. CONSENT AGENDA
 - 2.1 A-95 Review
 - 2.2 Minutes of August 7, 1980
3. ORDINANCES
 - 3.1 Ordinance No. 80-102, For the Purpose of Adopting and Implementing a Regional Waste Treatment Management Plan and Amending Chapter 3.04 of the Metro Code (Second Reading) ("208" Waste Water Plan) (7:35)
 - 3.2 Ordinance No. 80-103, For the Purpose of Regulating the Execution of Public Contracts (Second Reading) (7:55)
 - 3.3 Ordinance No. 80-104, An Ordinance Amending Housing Goals and Objectives (Second Reading) (8:15)
4. GENERAL DISCUSSION
 - 4.1 Legislative Concerns (8:35)
 - 4.2 Regional Transportation Plan (9:00)
 - 4.3 Other Items of Council or Executive Officer Concern (9:25)

ADJOURN



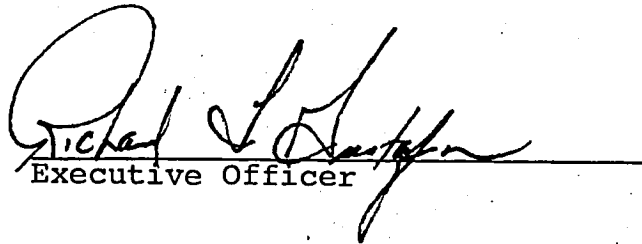
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C O N S E N T A G E N D A

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

2.1 A-95 Review, directly related to Metro

Action Requested: Concur in staff findings

2.2 Minutes of Meeting of August 7, 1980

Action Requested: Approve minutes as circulated

DIRÉCTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>1. <u>Project Title:</u> Police Facility Demonstration Project, Troutdale (#809-2)</p> <p><u>Applicant:</u> City of Troutdale Police Department</p> <p><u>Project Summary:</u> Proposal to construct police facility to serve projected population of 15,000-16,000, using active and passive solar energy and wind powered electrical generator. Facility will also serve as a Disaster Preparedness Center, will meet Federal Seismic Safety Standards and will be the depository for city records.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$699,338 (LEAA)</p>	<p>\$87,417</p>	<p>\$87,417</p>		<p>\$874,172</p>
<p>2. <u>Project Title:</u> Hollywood Village, Lake Oswego (#809-4)</p> <p><u>Applicant:</u> State of Oregon Housing Division</p> <p><u>Project Summary:</u> A multi-unit rental housing development to be newly constructed for the elderly. Project will be comprised of one building, three stories in height with 60 one and two bedroom apartments. Consistent with goals and objectives of the AHOP.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$274,248 (HUD, Sec. 8)</p>			<p>\$2,163,875 (loan/ owners equity)</p>	<p>\$2,438,123</p>

Agenda Item 2.1

DIRECTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>3. <u>Project Title:</u> Electric and Hybrid Vehicle Demonstration Project, Washington County (#809-9)</p> <p><u>Applicant:</u> Washington County, Department of Public Works</p> <p><u>Project Summary:</u> Project to test use of electric and hybrid vehicles and demonstrate their applicability to a wide variety of potential users in suburban, urban and rural areas in Washington County. Project will be carried out by Public Works Department who will place 10 vehicles in a variety of areas for service delivery. One of the project's goals is to increase public awareness of electric vehicles as alternative means of transportation.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$232,340 (DOE)</p>		<p>\$247,637</p>		<p>\$479,977</p>

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

August 7, 1980

Councilors in Attendance

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

Others in Attendance

Beth Blunt
Robert W. Blunt, Jr.
Mr. & Mrs. Allen Reitzensteins
David Tyler
Phil Adamsak
Jeanne MacColl
Stephen Kafoury
Bob Goldstein
Ken Bunker
George Hubel
Tom Dennehy

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Mr. Denton Kent
Mr. Andrew Jordan
Mr. Charles Shell
Ms. Leigh Zimmermann
Ms. Marilyn Holstrom
Mr. Warren Iliff
Ms. Jennifer Sims
Ms. Paula Godwin
Ms. Caryl Waters
Mr. Wayne Coppel
Mr. McKay Rich
Ms. Sonnie Russill
Ms. Cynthia Wichmann

CALL TO ORDER

After declaration of a quorum, the meeting was called to order by Presiding Officer Kafoury at 7:40 p.m. in the Council Chamber, 527 S.W. Hall Street, Portland, Oregon 97201.

1. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

There were no citizen communications to Council on non-agenda items at this meeting.

2. CONSENT AGENDA

Coun. Stuhr moved, seconded by Coun. Deines, that the Consent Agenda be approved as presented. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

3. ORDINANCES

3.1 Ordinance No. 80-99, An Ordinance for the Purpose of Submitting a Tax Base Measure to the People of the District (Second Reading)

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-99 for the second time by title only.

There being no objections from Council, the meeting was opened for public testimony.

Mr. Tom Dennehy, 16421 N.E. Holladay, Portland, objected to the inclusion of capital funds in the tax base as inappropriate, given the finite nature of the Zoo's capital program, the open-endedness of the financing that would be provided for capital projects, and his doubts regarding the intent of the Legislature. He questioned the arithmetic used in arriving at the dollar amounts involved, and proposed that any reference to providing tax relief be stricken from the ballot caption, since he felt the tax relief was actually provided by another measure passed in May.

Coun. Schedeen entered the meeting.

There was extensive discussion between Mr. Dennehy and members of the Council as to whether tax relief would in fact be provided by passage of the tax base measure.

Executive Officer Gustafson commented that the law clearly did not prohibit the inclusion of capital in a tax base, even though capital funding was ineligible for the tax relief program, and explained why the approach proposed in the ballot measure was selected. He pointed out that the capital funds were committed solely to the improvement of existing exhibits, and described the advantages of providing for a continuous program of addressing that need. He emphasized that

Metro Council
Minutes of August 7, 1980

the only expansions being contemplated would be supported by private funds, and concluded by explaining the arithmetical calculations which produced the figures used in the proposed ballot measure.

Members of the Council discussed with Mr. Dennehy the rationales behind including capital funds in the measure.

There being no other persons present who wished to testify on this matter, the public hearing was closed.

Presiding Officer Kafoury called attention to the amendment she was proposing per the pink sheet previously distributed, explaining the reasons for each change. She reported that with regard to the ballot caption proposed by Coun. Williamson, questions of legality had arisen which led to the rewriting of the caption as it appeared in the pink sheet. She reminded Council that the entire ordinance would appear in the voters' pamphlet.

Coun. Banzer suggested that on page two, under Findings, Section 5 be amended to read as follows:

"Metro will set aside budget priorities within the limits of the proposed tax base. All existing Zoo functions and those committed to in approved levies will be funded. In addition, existing Metro functions will continue to be funded. New Metro programs would be funded only when such programs can be funded by sources other than local property taxes, and ~~(a)~~ meet Metro Council priorities, ~~or (b)~~ and/or are compatible with Metro's Five Year Operational Plan."

Coun. Burton moved, seconded by Coun. Peterson, that the pink sheet be amended as proposed by Coun. Banzer. Coun. Berkman made the suggestion, accepted by Couns. Banzer, Burton and Peterson, that the second sentence of Section 5 be changed to refer to "Zoo programs" rather than "Zoo functions." A vote was taken on the motion as revised. All Councilors present voting aye, the motion carried.

Attention turned to the ballot caption. General Counsel Jordan explained the legal requirements affecting the writing of the caption, namely impartiality and a clear statement of the principal purpose of the measure. There was a lengthy discussion of alternative wordings for the ballot caption, with Mr. Jordan responding to questions from Councilors.

Coun. Williamson moved, seconded by Coun. Burton, that the ballot caption in the pink sheet be amended to read: "Replaces Zoo/Metro levies with tax base; provides homeowner tax relief." Following discussion, a vote was taken on the motion. Couns. Rhodes, Stuhr and Kafoury voted no; all other Councilors voting aye, the motion carried.

Coun. Burton moved, seconded by Coun. Peterson, that the first sentence of Section 2, on page 3, be amended to state that "...the

Council declares-its-intention-to will dedicate funds..." A vote was taken on the motion. All Councilors present voting aye, the motion carried.

There was discussion of the relationship between the ordinance and the Five Year Operational Plan, followed by discussion of the amount of flexibility and degree of commitment that would be provided by the ordinance.

Coun. Kirkpatrick moved, seconded by Coun. Stuhr, that Ord. No. 80-99 be amended as reflected in the pink sheet as amended. Following further discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

A vote was then taken on the motion to adopt Ord. No. 80-99. All Councilors present voting aye, the motion carried.

There was a brief recess.

4. GENERAL DISCUSSION

4.1 Presentation by Joan Smith re Conduct of Meetings

Presiding Officer Kafoury introduced Ms. Joan Smith, who had been observing Council meetings and prepared an overview of meeting procedures.

Ms. Smith's remarks focused primarily on procedures for holding public meetings and hearings. She described a number of resource materials that were available, and outlined a number of procedures she felt would facilitate the flow of information between the public and the group conducting the meeting. She discussed the handling of hostile crowds, ways to guide a discussion, and ways that persons not the chairman could help keep things running smoothly. Following her presentation, there was an extensive discussion, focusing primarily on Johnson Creek public hearings and ways in which that situation could have been better handled. Ms. Smith made a number of suggestions.

Coun. Kirkpatrick asked that the staff follow through with obtaining the video tape recommended by Ms. Smith, suggesting that it could serve as the basis for a regional forum.

4.2 Other Items of Concern

Coun. Stuhr announced that she was resigning her position as District 1 Councilor, effective immediately, in order to run for another office.

Presiding Officer Kafoury presented Coun. Stuhr with a letter of appreciation on behalf of the Council.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Cynthia M. Wichmann
Cynthia M. Wichmann, Clerk of the Council

TITLE For the Purpose of Adopting and
Implementing a Regional Waste Treatment
Management Plan and Amending Chapter 3.04
of the Metro Code

DATE INTRODUCED September 25, 1980

FIRST READING September 25, 1980

SECOND READING October 2, 1980

DATE ADOPTED _____

DATE EFFECTIVE _____

ROLLCALL

	Yes	No	Abst.
Burton			
Stuhr			
Williams			
Berkman			
Kirkpatrick			
Deines			
Rhodes			
Schedeen			
Miller			
Banzer			
Peterson			
Kafoury			

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING AND) ORDINANCE NO. 80-102
IMPLEMENTING THE REGIONAL WASTE)
TREATMENT MANAGEMENT PLAN; AND) Introduced by the Regional
AMENDING CHAPTER 3.04 OF THE) Planning Committee
METRO CODE.)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Section 3.04.01 of the Metro Code is hereby
amended to read as follows:

~~"SECTION 1.~~ 3.04.01 AUTHORITY AND PURPOSE

"(A) ~~These rules are~~ This chapter is adopted pursuant to
~~ORS 197.735(4) 268.390(1)(b) and 197.755(2) 268.390(2)~~ for the
purpose of adopting and implementing the Regional Waste
Treatment Management Component of the Public Facilities and
Services Element of the CRAG Regional Plan, hereinafter
referred to as the "Waste Treatment Component Regional Plan."
The ~~Waste Treatment Component Regional Plan~~ shall include the
Regional Waste Treatment Management Component Plan Text,
Treatment System Service Area Map and Collection System Service
Area Map.

"(B) These rules shall become effective forty-five (45)
days after the date of adoption. As a result of Metro's
continuing "208" Water Quality Program, the Council hereby
designates water quality and waste treatment management as an
activity having significant impact upon the orderly and
responsible development of the region."

Section 2. Section 3.04.02 of the Metro Code is hereby
amended to read as follows:

~~"SECTION 2.~~ 3.04.02. ADOPTION

~~"That document entitled the Public Facilities and Services
Element, Part 1, The Regional Waste Treatment Management
Component Plan, of the CRAG Regional Plan, dated July October,
1978 80, a copy copies of which is are on file at CRAG Metro
offices, is adopted and shall be implemented as required in
these rules this chapter and the Rules for Implementation of
the CRAG Regional Plan."~~

Section 3. Section 3.04.03 of the Metro Code is hereby amended to read as follows:

~~"SECTION 3-~~ 3.04.03 CONFORMITY TO THE PUBLIC FACILITIES ELEMENT.

~~"(A) Members~~ Management agencies shall not take any land use related action or any action related to development or ~~providing provision~~ of public facilities or services which are not in conformance with the ~~Waste Treatment Component or these Rules~~ Regional Plan.

~~"(B) For purposes of this chapter 'management agencies' shall mean all cities, counties and special districts involved with the treatment of liquid wastes within the Metro jurisdiction."~~

Section 4. Section 3.04.04 of the Metro Code is hereby amended to read as follows:

~~"SECTION 4,~~ 3.04.04 REVIEW OF VIOLATIONS OF THE ~~WASTE-TREATMENT-MANAGEMENT-COMPONENT-REGIONAL PLAN~~

~~"(A) Any member~~ management agency, interested person or group may petition the ~~Board of Directors Council~~ for review of any action, referred to in ~~Section 3 3.04.03 of these Rules, this chapter,~~ by any ~~member~~ management agency within ~~sixty thirty (60 30)~~ days after the date of such action.

~~"(B) Petitions filed pursuant to this section must allege and show that the subject action is of substantial regional significance and that the action violates the Waste Treatment Component~~ Regional Plan.

~~"(C) Upon receipt of a petition for review, the Board of Directors Council shall decide, without hearing, whether the petition alleges a violation of the Waste Treatment Component Regional Plan and whether such violation is of substantial regional significance and, if so, shall accept the petition for review. The Board Council shall reach a decision about whether to accept the petition within sixty thirty (60 30) days of the filing of such petition. If the Board Council decides not to accept the petition, it shall notify the petitioner in writing of the reasons for rejecting said petition. If the Council decides to accept the petition, it shall schedule a hearing to be held within thirty (30) days of its decision. A hearing on the petition shall be conducted in accordance with applicable procedural rules.~~

~~"(D) The decision on whether to accept a petition filed under this section may be by vote or by poll of the Board of Directors. Acceptance shall require either a simple majority~~

~~of the Board with each Director having one vote or a majority of the weighted votes of the Board.~~

~~"(E) Upon receipt by CRAC of any petition filed pursuant to this section, each member shall be notified of the petition and of the essential elements of the petition. Such notice will be sent within ten (10) days of filing."~~

Section 5. Section 3.04.05 of the Metro Code is amended to read as follows:

~~"SECTION 5. 3.04.05 CHANGE OF WASTE TREATMENT MANAGEMENT COMPONENT REGIONAL PLAN AMENDMENTS~~

~~"(A) Revisions in the Waste Treatment Component Regional Plan shall be in accordance with procedural rules adopted by the General Assembly Council pertaining to review and amendment of the Regional Plan functional plans.~~

~~"(B) Mistakes discovered in the Waste Treatment Component Text or Maps Regional Plan may be corrected administratively without petition, notice or hearing. Such corrections may be made by order of the Board Council upon determination of the existence of a mistake and of the nature of the correction to be made."~~

Section 6. Section 3.04.06 of the Metro Code is hereby amended to read as follows:

~~"SECTION 6. 3.04.06 STUDY AREAS~~

~~"(A) Treatment System Study Areas.~~

~~"(1) Certain areas are designated on the Treatment System Service Area Map as "Treatment System Study Areas." Such designations are temporary and indicate areas requiring designation of that land to which each ~~member and special district management agency~~ intends to provide wastewater treatment services, as identified in an acceptable Facilities Plan.~~

~~"(2) Wastewater treatment facilities within Treatment System Study Areas shall be allowed only if:~~

~~"(a) Required to alleviate a public health hazard or water pollution problem in an area officially designated by the appropriate state agency;~~

"(b) Needed for parks or recreation lands which are consistent with the protection of natural resources or for housing necessary for the conduct of resource-related activities; or

"(c) Facilities have received state approval of a Step 1 Facilities Plan, as defined by the U. S. Environmental Protection Agency regulations (Section 201, PL 92-500), prior to the effective date of ~~these Rules~~ this chapter.

"(3) Facilities planning for a designated Treatment System Study Area shall include investigation of the regional alternative recommended in the support documents accepted by the ~~Waste Treatment Management Component Regional Plan~~. Such investigations shall be conducted in accordance with Article V, Section 1, (A) (2) (a) (iv) of the ~~Waste Treatment Component Text Regional Plan Text~~.

"(4) No federal or state grants or loans for design or construction of any major expansion or modification of treatment facilities shall be made available to or used by agencies serving designated Treatment System Study Areas until such time as a state approved Facilities Plan has been completed.

"(5) Upon completion of a Facilities Plan and acknowledgment by ~~CRA~~ Metro of compliance with the Regional ~~Comprehensive Plan~~, a Treatment System Study Area shall become a designated Treatment System Service Area and shall be eligible to apply for Step 2 and Step 3 construction grants. The Treatment System Service Area shall be incorporated by amendment ~~to~~ into the ~~Waste Treatment Management Component Regional Plan~~ and all appropriate support documents pursuant to ~~Section 9-3.04.09~~ of ~~these Rules~~ this chapter.

"(B) Collection System Study Areas.

"(1) Certain areas are designated on the Collection System Service Area Map as 'Collection System Study Areas.' Such designations are temporary and exist only until such time as each member and special district designates that land to which it intends to provide sewage collection services ~~pursuant to Section 8(d) of the Rules for Adoption of the Land Use Framework Element~~. At the time of designation, Collection System Study Areas shall become designated Collection System Service Areas. The ~~Waste Treatment Management Component Regional Plan~~ and the appropriate support documents shall be amended to incorporate the Collection System Service Area pursuant to ~~Section 9-3.04.09~~ of ~~these Rules~~ this chapter.

"(2) Designation as a Collection System Study Area shall not be construed to interfere with any grants or loans for facility planning, design or construction."

Section 7. Section 3.04.07 of the Metro Code is hereby amended to read as follows:

~~"SECTION 7.~~ 3.04.07 CAPITAL IMPROVEMENT PROGRAMS AND NEEDS LIST

"(A) For the purpose of implementing Article I, Section 3(A) of ~~Part 1 of the Public Facilities and Services Element Regional Plan~~, all designated management agencies shall submit to ~~CRAG Metro~~ no later than March 30 annually a five-year Capital Improvement Program and a 20-year needs list by five-year increments.

"(B) Projects to be included on the five-year Capital Improvement Program and the 20-year needs list shall meet one or more of the following criteria:

"(1) Projects which are grant eligible under EPA "201" facilities planning guidelines pursuant to federal regulations 40 CFT 35.900-35.960;

"(2) Projects for which a management agency intends to apply for state or federal funds; or

"(3) Projects submitted for information purposes by the management agency.

"(C) Projects submitted in either the five-year Capital Improvement Program or the 20-year needs list shall be accompanied by the following information:

- (1) Project description;
- (2) Estimated completion date;
- (3) Project cost and proposed funding source;
- (4) Population serviced by project; and
- (5) Waste flows projected for the project.

"(D) Amendments and/or additions to the Capital Improvement Program and related 20-year needs list may be requested by the designated management agency from ~~CRAG Metro~~. Such requests must be submitted in writing and include information as noted in Section 7(C). Amendments or additions may be summarily approved if in compliance with ~~Section 7(B)-3.04.07(B)~~ of these Rules this chapter."

Section 8. Section 3.04.08 of the Metro Code is hereby amended to read as follows:

~~"SECTION 8.~~ 3.04.08 PROJECT PRIORITIZATION

"~~CRAG Metro~~ shall review each publication of the DEQ grant priorities list and shall comment thereon."

Section 9. Section 3.04.09 of the Metro Code is hereby amended to read as follows:

~~"SECTION 9.~~ 3.04.09 CONTINUING PLANNING PROCESS

"(A) For the purpose of implementing Article V, Section 1 (A) (2) (b) (i) of the ~~Waste Treatment Management Component~~ Regional Plan, the continuing planning process shall follow, but not be limited to, the procedure shown below.

"(1) Evaluation of new information with respect to its impact on the ~~Waste Treatment Management Component~~ Regional Plan. Component Regional Plan changes shall be based upon:

"(a) Changes in custody, maintenance and/or distribution of any portion of the Waste Treatment Component;

"(b) Changes in population forecasts and/or wasteload projections;

"(c) Changes in state goals or regional goals or objectives;

"(d) Changes in existing treatment requirements;

"(e) Implementation of new technology or completion of additional study efforts; development of more energy-efficient wastewater treatment facilities; or

"(f) Other circumstances which because of the impact on water quality are deemed to effect the Waste Treatment Component.

"(2) ~~CRAG Board of Directors~~ Metro Council review and release of ~~Component~~ Regional Plan changes for public comment.

"(3) Adequate public review and comment on the ~~Component~~ change.

"(4) Adoption of ~~Component~~ Regional Plan change by ~~CRAG Board of Directors~~ Metro Council.

"(5) Submittal of change to DEQ for approval and state certification.

"(6) EPA approval of change.

"(B) For the purpose of amending support documents referenced in Article I, Section 3(F) of the ~~Waste Treatment Management Component~~ Regional Plan, the process shall be as shown below:

" (1) Any proposed change to the support documents shall be presented to the ~~CRAG Board of Directors~~ Metro Council with the following information:

- (a) Reasons for proposed action;
- (b) Basis of data;
- (c) Method of obtaining data;
- (d) Period in which the data was obtained;
- (e) Source of the data;
- (f) Alternatives considered; and
- (g) Advantages and disadvantages of the proposed action.

" (2) Following approval by the ~~CRAG Board of Directors~~ Metro Council, amendments to the support documents shall be attached to appropriate documents with the following information:

- (a) Approved change and replacement text for the document;
- (b) Specific location of change within the document;
- (c) Reasons for the change; and
- (d) Date of Board Council action approving the change."

Section 10. Section 3.04.10 of the Metro Code is amended to read as follows:

~~"SECTION 10.~~ 3.04.10 APPLICATION OF RULES ORDINANCE

~~"These rules~~ This chapter shall apply to all portions of Clackamas, Washington and Multnomah County Counties within the jurisdiction of Metro."

Section 11. Section 3.04.11 of the Metro Code is hereby amended to read as follows:

~~"SECTION 11.~~ 3.04.11 SEVERABILITY

" (A) The sections ~~hereinabove~~ of this chapter shall be severable, and any action or judgment by any state agency or court of competent jurisdiction invalidating any section of ~~these rules~~ this chapter shall not affect the validity of any other section.

" (B) The sections of the ~~document adopted by these rules~~ Regional Plan shall also be severable and shall be subject to the provisions of subsection (A) of this section.

" (C) For purposes of this section, the maps included in the ~~Waste Treatment Component of the Public Facilities and~~

~~Services Element Regional Plan~~ shall be considered as severable sections, and any section or portion of the maps which may be invalidated as in subsection (A) above shall not affect the validity of any other section or portion of the maps."

Section 12. FINDINGS

This Ordinance incorporates the findings attached as Appendix A.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1980.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/JL/gl
205B/92

APPENDIX A

FINDINGS

(1) In 1975 CRAG was designated as the Areawide Waste Treatment Management Planning Agency for the Portland metropolitan area pursuant to Section 208 of the Federal Water Pollution Control Act Amendments (PL 92-500).

(2) CRAG conducted a \$1.8 million, two-year study to develop a "208" plan which resulted in a plan with 14 support documents which was adopted by CRAG Rule No. 78-4 dated June 22, 1978.

(3) Annual recertification of the "208" plan is required to maintain Metro's designation as Areawide Waste Treatment Planning Agency and eligibility for "208" grants.

(4) Annual recertification of the "208" plan is required to maintain the eligibility of local jurisdictions for "201" Sewerage Works Construction Grants.

(5) In order for the plan to be recertified, it must be submitted to DEQ for review and submission to the Governor by November 1, 1980. The Governor must then recertify the plan to the Environmental Protection Agency by December 1, 1980.

(6) In order that the recertification deadlines may be met, the Council finds that major revisions in the "208" plan are neither needed nor desirable at this time. The plan should be revised to reflect the assumption by Metro of CRAG's "208" responsibilities in January 1979. The revisions are needed to ensure that the plan accurately reflects the different operating procedures and statutory

authorities of Metro.

(7) Metro is in the process of making revised regional population estimates and undertaking the development of a regional capital improvement plan to support urban growth policies. Upon completion of these two projects a more substantive revision of the "208" plan will be appropriate.

(8) Metro, pursuant to ORS 268.390, is required to prepare and adopt a functional plan to control metropolitan area impacts on water quality.

(9) The CRAG "208" plan as revised herein is consistent with the Statewide Land Use Planning Goals as is indicated by the following paragraphs.

GOAL #1 CITIZEN PARTICIPATION. The Water Resources Policy Alternatives Committee was formed to advise Metro staff and Council on technical and policy matters related to water resources management. That Committee is made up of members as follows:

- 3 Citizens At-Large
- 3 Environmental Organizations
- 1 Water Recreation Organization
- 1 Construction Industry Member
- 1 Home Builders Association Member
- 1 Water Recreation Industry Member
- 1 Clackamas County (staff)
- 1 Multnomah County (staff)
- 1 Washington County (staff)
- 1 City of Portland (staff)
- 1 Port of Portland (staff)
- 1 Cities in Washington County
- 1 Cities in Multnomah County
- 1 Cities in Clackamas County
- 1 Sanitary Districts
- 1 Soil and Water Conservation Districts
- 1 Water Districts
- 1 Clark County Regional Planning Council
- 1 Portland General Electric
- 1 Oregon Department of Environmental Quality
- 1 Oregon Department of Water Resources
- 1 Oregon Department of Fish and Wildlife

- 1 U. S. Army Corps of Engineers
- 1 U. S. Environmental Protection Agency

The Water Resources Policy Alternatives Committee has regular monthly meetings and through its "208" subcommittee provides for substantial public input in all phases of the "208" planning process. All member jurisdictions of Metro were advised by mail of the proposed revisions, and the schedule of public review of the proposed revisions.

Goal #1 has been complied with by the substantial public involvement mechanism provided by the Water Resources Policy Alternatives Committee, and the opportunities for public comment before the Committee and the Council on September 10, September 25 and October 2.

GOAL #2 LAND USE PLANNING. The CRAG "208" plan was the product of a \$1.8 million two-year study which dealt extensively with the issues and problems of water quality in the region. The action taken by this ordinance carries that plan forward without substantive change. The present action is taken for two purposes: (1) to achieve the federally mandated "recertification" so that federal planning and facilities grants may continue, and (2) to reflect the succession of Metro to CRAG's "208" planning responsibilities and the differences between the enabling statutes of CRAG and Metro.

A more complete application of Goal #2 factors is not appropriate until the revised regional population estimates and the regional capital improvements plan are available for a substantive reevaluation of the 1978 plan.

This plan revision has been coordinated with citizens and

affected governments directly by mail and through the Water Resources Policy Alternatives Committee.

GOALS #3 and #4 AGRICULTURAL LANDS and FOREST LANDS.

This action is not inconsistent with Goals #3 and #4. Efficient provision of sewerage services within the Urban Growth Boundary (UGB) is essential to reduce premature pressures to develop rural agricultural and forest land.

GOAL #5 OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES. The 1978 plan was adopted in part to protect waterways and fish and wildlife habitats from the dangers that may result from improper sewerage treatment. The present action carries forward the effort begun by that plan without substantive change.

GOAL #6 AIR, LAND AND WATER RESOURCES QUALITY. The central purpose of the 1978 plan carried forward by this action is the maintenance and improvement of water quality. The federal goal under which "208" plans are adopted calls for "fishable and swimmable waters by 1983." During preparation of the 1978 CRAG plan the carrying capacity of water resources and the threat to water quality posed by expected sewerage effluent loading was directly addressed and incorporated into the plan provisions. There is no sufficient information to propose substantive changes in that plan in this action for recertification.

GOAL #8 RECREATIONAL NEEDS. The plan is consistent with Goal #8 in that achievement of federal water quality goals will increase the availability of water related recreational opportunities.

GOAL #9 ECONOMY OF THE STATE. Recertification of the "208" plan is required for continued "208" planning funds and "201"

construction funds. The continued receipt of those funds is essential to the achievement of water quality goals and the ability to service expected urban development.

GOAL #10 HOUSING. One of the key limiting factors in housing construction is the ability to collect and treat sewerage effluent. The continued planning and development of sewerage facilities will be possible if the plan is recertified.

GOAL #11 PUBLIC FACILITIES AND SERVICES. The 1978 plan was adopted to establish a framework whereby local jurisdictions, Metro and the State could plan and construct facilities for the collection and treatment of wastes. Federal statute requires the creation of such a framework so that the provision of federal funds for planning and construction of waste collection and disposal systems will be coordinated and in compliance with federal clean water mandates. This is consistent with the Goal #11 dictate "to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development." The present action to achieve recertification carries that effort forward without substantive change.

GOAL #14 URBANIZATION. Efficient provision of urban services is essential if the planned urbanization of land within the UGB is to occur in a timely manner. Planning and construction of sewerage treatment facilities will be hampered if the "208" plan is not recertified. Since the information required for a detailed substantive update is not available, the existing plan should be recertified with only the minor changes proposed so that the sewerage facilities needed to achieve Goal #14 urbanization goals will not be delayed.

TITLE For the Purpose of Regulating
the Execution of Public Contracts

DATE INTRODUCED September 25, 1980

FIRST READING September 25, 1980

SECOND READING October 2, 1980

DATE ADOPTED _____

DATE EFFECTIVE _____

ROLLCALL

	Yes	No	Abst.
Burton			
Stuhr			
Williams			
Berkman			
Kirkpatrick			
Deines			
Rhodes			
Schedeen			
Miller			
Banzer			
Peterson			
Kafoury			

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF REGULATING)	ORDINANCE NO. 80-103
THE EXECUTION OF PUBLIC CONTRACTS)	
)	Introduced by the Council
)	Coordinating Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Purpose

It is the purpose of this ordinance to allocate responsibility for the execution of contracts to which Metro is a party.

Section 2. Personal Services Contracts

The Executive Officer shall have authority to enter into and execute personal services contracts, as defined by State law, within the limits of the approved annual budget.

Section 3. Other Contracts

The Executive Officer shall have the authority to enter into and execute contracts for construction, materials and services, and contracts other than for personal services within the limits of the approved annual budget; provided however, that all contracts covered by this section which provide for monetary payments or reimbursements by Metro in excess of \$50,000 each during any one fiscal year must be approved by a majority vote of the Council prior to execution or acceptance of bids.

Section 4. Contracts Subject to Appropriation

Contracts extending into a fiscal year beyond the fiscal year in which execution occurs shall expressly provide that continuation of such contracts into subsequent fiscal years is subject to budget

appropriation therefor.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of October, 1980.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/gl
256/135

TITLE An Ordinance Amending Housing
Goals and Objectives

DATE INTRODUCED September 25, 1980

FIRST READING September 25, 1980

SECOND READING October 2, 1980

DATE ADOPTED _____

DATE EFFECTIVE _____

ROLLCALL

	Yes	No	Abst.
Burton			
Stuhr			
Williams			
Berkman			
Kirkpatrick			
Deines			
Rhodes			
Schedeen			
Miller			
Banzer			
Peterson			
Kafoury			

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING HOUSING) ORDINANCE NO. 80-104
GOALS AND OBJECTIVES)
) Introduced by
) Councilor Cindy Banzer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Goal #22 (Fair Housing) of the Metro Housing Goals and Objectives, as adopted on September 4, 1980, by Ordinance No. 80-98, is hereby amended to read as follows:

"Goal #22, ACCESS TO HOUSING

ASSURE FAIR AND EQUITABLE ACCESS TO HOUSING FOR ALL SEGMENTS OF SOCIETY."

Section 2. Goal #22, Objective b., as adopted on September 4, 1980, by Ordinance No. 80-98, is hereby amended to read as follows:

"To assist public or private agencies engaged in programs to secure fair and equitable access to housing so that all segments of society have fair opportunity to secure needed housing."

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1980.

Presiding Officer

ATTEST:

Clerk of the Council

HB:AJ:gl
340B/92

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

Roll Call

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 10</u> Gene Peterson	_____	_____ ✓
<u>DISTRICT 12</u> Mike Burton	_____ ✓	_____
<u>DISTRICT 1</u> Donna Stuhr OLESON	_____ ✓	_____
<u>DISTRICT 2</u> Charles Williamson	_____ ✓	_____ ✓
<u>DISTRICT 3</u> Craig Berkman	_____ ✓	_____ ✓
<u>DISTRICT 4</u> Corky Kirkpatrick	_____ ✓	_____
<u>DISTRICT 5</u> Jack Deines	_____ ✓	_____
<u>DISTRICT 6</u> Jane Rhodes	_____ ✓	_____
<u>DISTRICT 7</u> Betty Schedeen	_____ ✓	_____
<u>DISTRICT 8</u> Ernie Bonner	_____ ✓	_____
<u>DISTRICT 9</u> Cindy Banzer	_____ ✓	_____
<u>DISTRICT 11</u> Marge Kafoury	_____	_____ ✓
TOTAL	_____	_____

MEETING TITLE REGULAR COUNCIL MEETING

DATE OCTOBER 2, 1980

NAME

AFFILIATION/ADDRESS

Ken Buckles
Bob Weil
Jon Crewing

Citizen

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

3.1

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 12</u> Mike Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 1</u> Donna Stuhr <i>OLESON</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 2</u> Charles Williamson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 3</u> Craig Berkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 4</u> Corky Kirkpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 5</u> Jack Deines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 6</u> Jane Rhodes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 7</u> Betty Schedeen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 8</u> Ernie Bonner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 9</u> Cindy Banzer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 10</u> Gene Peterson	<input type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 11</u> Marge Kafoury	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<input type="checkbox"/>	<input type="checkbox"/>

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

3.2

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 1</u>		
Donna Stahr OLESON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 2</u>		
Charles Williamson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 3</u>		
Craig Berkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 4</u>		
Corky Kirkpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 5</u>		
Jack Deines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 6</u>		
Jane Rhodes	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 7</u>		
Betty Schedeen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 8</u>		
Ernie Bonner	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 9</u>		
Cindy Banzer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 10</u>		
Gene Peterson	<input type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 12</u>		
Mike Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 11</u>		
Marge Kafoury	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<input type="checkbox"/>	<input type="checkbox"/>

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

3.3

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 2</u> Charles Williamson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 3</u> Craig Berkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 4</u> Corky Kirkpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 5</u> Jack Deines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 6</u> Jane Rhodes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 7</u> Betty Schedeen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 8</u> Ernie Bonner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 9</u> Cindy Banzer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 10</u> Gene Peterson	<input type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 12</u> Mike Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 1</u> Donna Stahr OLESON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 11</u> Marge Kafoury	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<input type="checkbox"/>	<input type="checkbox"/>

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

*1 & BS
p.3 Withdrawn p. 61

10-2-80

AYE

NAY

DISTRICT 3

Craig Berkman

DISTRICT 4

Corky Kirkpatrick

DISTRICT 5

Jack Deines

DISTRICT 6

Jane Rhodes

DISTRICT 7

Betty Schedeen

DISTRICT 8

Ernie Bonner

DISTRICT 9

Cindy Banzer

DISTRICT 10

~~Gene Peterson~~

DISTRICT 12

Mike Burton

DISTRICT 1

~~Donna Stuhr~~ OLESON

DISTRICT 2

Charles Williamson

DISTRICT 11

~~Marge Kafoury~~

TOTAL

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

(2a) Amendment

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 5</u> Jack Deines	_____	_____
<u>DISTRICT 6</u> Jane Rhodes	_____	_____
<u>DISTRICT 7</u> Betty Schedeen	_____	_____
<u>DISTRICT 8</u> Ernie Bonner	_____	_____ ✓
<u>DISTRICT 9</u> Cindy Banzer	_____	_____
<u>DISTRICT 10</u> Gene Peterson	_____	_____
<u>DISTRICT 12</u> Mike Burton	_____	_____
<u>DISTRICT 1</u> Donna Stahr OLESON	_____	_____
<u>DISTRICT 2</u> Charles Williamson	_____	_____
<u>DISTRICT 3</u> Craig Berkman	_____	_____
<u>DISTRICT 4</u> Corky Kirkpatrick	_____	_____ ✓
<u>DISTRICT 11</u> Marge Kafoury -	_____	_____
TOTAL	_____	_____

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

* 2 p. 8

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 4</u> Corky Kirkpatrick	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 5</u> Jack Deines	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 6</u> Jane Rhodes	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 7</u> Betty Schedeen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 8</u> Ernie Bonner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 9</u> Cindy Banzer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 10</u> Gene Peterson	<input type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 12</u> Mike Burton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 1</u> Donna Stahr OLESON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>DISTRICT 2</u> Charles Williamson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 3</u> Craig Berkman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>DISTRICT 11</u> Marge Kafoury	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<input type="checkbox"/>	<input type="checkbox"/>

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

*3
p. 12

10-2-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 6</u> Jane Rhodes	✓	
<u>DISTRICT 7</u> Betty Schedeen		✓
<u>DISTRICT 8</u> Ernie Bonner		✓
<u>DISTRICT 9</u> Cindy Banzer		✓
<u>DISTRICT 10</u> Gene Peterson		
<u>DISTRICT 12</u> Mike Burton		✓
<u>DISTRICT 1</u> Donna Stuhr OLESON		
<u>DISTRICT 2</u> Charles Williamson		✓
<u>DISTRICT 3</u> Craig Berkman		✓
<u>DISTRICT 4</u> Corky Kirkpatrick	✓	
<u>DISTRICT 5</u> Jack Deines	✓	
<u>DISTRICT 11</u> Marge Kafoury		
TOTAL		

out