



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 22, 1981
Day: Thursday
Time: 6:30 PM - Informal Discussion/Council Dinner
7:30 PM - Regular Council Meeting
Place: Council Chamber

CALL TO ORDER

ROLL CALL

1. Introductions.
2. Written Communications to Council.
3. Citizen Communications to Council on Non-Agenda Items.
4. Consent Agenda (Items 4.1 thru 4.6)

4.1 Minutes of Meetings - 9/24/81 and 10/1/81.

Services Committee Recommendations:

- 4.2 Appointment of Solid Waste Review Committee.
- 4.3 Approval of Financing of Rossman's Landfill Closure.

Coordinating Committee Recommendations:

- 4.4 Approval of Bid for Zoo Maintenance Building Construction Contract.
- 4.5 Resolution No. 81-285, For the Purpose of Changing the Designation of Registered Agent for Receipt of Legal Service.
- 4.6 Ratification of Labor Agreement with Municipal Employees Local #483.

5. Ordinances, Resolutions and Orders:

- 5.1 Order in Contested Case No. 81-3, In the Matter of a Petition for an Urban Growth Boundary Locational Adjustment by the City of Hillsboro. (7:40)*
- 5.2 Public Hearing on Ordinance No. 81-117, An Ordinance Amending the Metro Urban Growth Boundary in Washington County for Contested Case No. 81-3. (See Agenda Management Summary, Item No. 5.1) (First Reading) (7:45)*

5. Ordinances, Resolution and Orders (cont'd):

- 5.3 Resolution No. 81-284, For the Purpose of Declaring an Intent to Approve a Locational Adjustment for Tax Lots 1600 and 1700. (See Agenda Management Summary, Item No. 5.1) (7:45)*
- 5.4 Order in Contested Case No. 81-4, In the Matter of a Petition for an Urban Growth Boundary Locational Adjustment by Doug Seeley. (7:50)*
- 5.5 Public Hearing on Ordinance No. 81-118, An Ordinance Amending the Metro Urban Growth Boundary in Washington County for Contested Case No. 81-4. (See Agenda Management Summary, Item No. 5.4) (First Reading) (7:50)*
- 5.6 Order in Contested Case No. 81-5, In the Matter of a Petition for an Urban Growth Boundary Locational Adjustment by WGK Development Corporation. (See Agenda Management Summary, Item No. 5.4) (8:00)*
- 5.7 Public Hearing on Ordinance No. 81-119, An Ordinance Amending the Metro Urban Growth Boundary in Washington County for Contested Case No. 81-5. (See Agenda Management Summary, Item No. 5.4) (First Reading) (8:00)*
- 5.8 Public Hearing on Ordinance No. 81-120, An Ordinance for the Purpose of Excepting the Recycling Support Fund Program from Competitive Bidding. (First Reading) (8:15)*
- 5.9 Ordinance No. 81-114, An Ordinance Repealing Ordinance No. 80-91. (which established the Johnson Creek Basin Flood Control and Pollution Abatement Project Local Improvement District) (Second Reading) (8:25)*
- 5.10 Ordinance No. 81-115, For the Purpose of Providing for a Temporary Partial Waiver of Charges at the St. John's Landfill for Vegetative Yard Debris. (Second Reading) (8:45)*
- 5.11 Ordinance No. 81-116, An Ordinance Relating to Personnel, Adopting Personnel Rules and Repealing Metro Code Chapter 2.02 (Ordinance No. 79-73). (Second Reading) (9:00)*

6. Motions:

- 6.1 Penguinarium Design Contract: Approval of Bid. (9:15)*

7. Reports:

- 7.1 Executive Officer's Report. (9:25)*
- 7.2 Committee Reports. (9:40)*

ADJOURN (9:55)*

*Times listed are approximate.



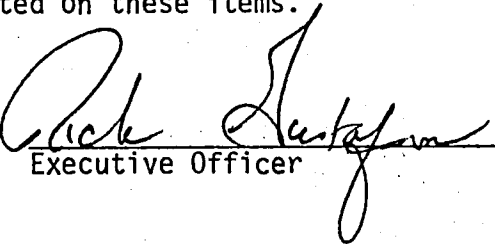
METROPOLITAN SERVICE DISTRICT
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A G E N D A -- REGULAR COUNCIL MEETING

Date: October 22, 1981
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Time: 6:30 PM - Informal Discussion/Council Dinner
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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 with the Consent List Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.


Executive Officer

- 4.1 Minutes of Meetings - 9/24/81 and 10/1/81.
- 4.2 Appointment of Solid Waste Review Committee.
- 4.3 Approval of Financing of Rossman's Landfill Closure.
- 4.4 Approval of Bid for Zoo - Maintenance Building Construction Contract Award.
- 4.5 Resolution No. 81-285, For the Purpose of Changing the Designation of Registered Agent for Receipt of Legal Service.
- 4.6 Ratification of Labor Agreement with Municipal Employees Local #483.

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT
SEPTEMBER 24, 1981

Councilors in Attendance

Presiding Officer Jack Deines
Vice Presiding Officer Betty Schedeen
Coun. Cindy Banzer
Coun. Craig Berkman
Coun. Ernie Bonner
Coun. Mike Burton
Coun. Bruce Etlinger
Coun. Marge Kafoury
Coun. Corky Kirkpatrick
Coun. Bob Oleson
Coun. Jane Rhodes
Coun. Charles Williamson

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Andy Cotugno
Sue Haynes
Marilyn Holstrom
Mike Holstun
Mel Huie
Merle Irvine
Andy Jordan
Dan LaGrande
Sonnie Russill
Caryl Waters

Visitors in Attendance

Bob & Beth Blunt, representing League of Women Voters
Doug Grandquist, St. John's Business District Manager
Mark Peterman, President, Portland Recycling Team
Susan Romanitas, St. John's Review
Steve Roso, N. Portland Citizens' Committee

The meeting was called to order by Chairman Deines at 7:30 PM.

1. Introductions

Coun. Burton introduced Susan Romanitas from the St. John's Review.

2. Written Communications to Council

The Council received an endorsement of the Bi-State Policy Advisory Committee from from T. Dan Bracken, Chairman, Portland Air Quality Advisory Committee.

3. Citizen Communications to Council on Non-Agenda Items

Mark Peterman, President of the Portland Recycling Center, thanked those Councilors who attended their recent open house and invited other Councilors to join them for a tour.

4. Consent Agenda

The following items were included in the consent agenda:

- 4.1 A-95 Review
- 4.2 Minutes of Meeting for September 3, 1981
- 4.3 Resolution No. 81-274 (Establishing a Bi-State Policy Advisory Committee)
- 4.4 Resolution No. 81-280 (Adopting the FY 1982-1985 Transportation Improvement Program and the FY 1981 Annual Element)
- 4.5 Resolution No. 81-281 (Ratifying an Agreement between Metro and Publishers' Paper Co. Concerning the Wildwood Landfill Site)

Motion that the Consent Agenda be adopted, excluding #10 of the A-95 Review (St. John's Post Office) and Item #4.3 (Res.#81-274); carried unanimously. (Kafoury/Kirkpatrick)

4.3 Resolution No. 81-274, For the Purpose of Establishing a Bi-State Policy Advisory Committee.

Coun. Burton explained the background of the decision to establish the Committee and stated that JPACT had recommended the addition of the following language to Section 2.(b) of the resolution:

"When dealing with transportation issues, the membership of the ad hoc committee will include representatives from ODOT, WDOT, C-Trans and Tri-Met. The charge to the Committee will be reviewed and approved by JPACT and the Regional Planning Council."

Motion to adopt Resolution No. 81-274 with the proposed amendment; carried unanimously. (Burton/Schedeen)

4.1 A-95 Review - #10 - St. John's Post Office.

Coun. Burton stated there had been some local objection to the proposed site of a new post office in St. John's and introduced Steve Roso and Doug Grandquist.

Doug Grandquist stated the post office's environmental impact study states

the new post office would be in compliance with the City's goals for land use. However, the postal authorities have ignored the local planning efforts to develop the property as a shopping mall. The area's new comprehensive plan shows little commercial land in the district and this parcel is the largest single tract of land for such a use. Several different businesses wish that parcel to remain commercial.

Coun. Burton suggested that Metro send a strong message to the postal service that this is contrary to the area's planning efforts, which were initiated in 1965. He also stated he felt the federal government has ignored a process that they have instituted.

Coun. Bonner stated he felt it was a clear case of one branch of government undermining another.

Doug Grandquist also stated the property owner had, in the recent past, petitioned the City to vacate a street that ran through the parcel, with the intention of developing the parcel for a shopping mall. Mr. Grandquist stated the records of the street vacation process were available.

Coun. Etlinger stated he concurred with the feelings expressed and was bothered by the City of Portland making no comment.

Motion that the Council forward to the postal service the proposed letter and to add any of those records applicable to the land use and street vacation in the parcel; carried unanimously. (Burton/Rhodes)

(Chairman Deines left the Council Chamber at this time.)

5.1 Public Hearing on Ordinance No. 81-113, An Ordinance Relating to the Council Rules and Amending Code Sections 2.01.030, 2.01.060, 2.01.070, and 2.01.140. (First Reading)

Motion that the ordinance be introduced. (Burton/Berkman)

Vice Chairman Schedeen opened the public hearing. There was no one present who wished to comment. The hearing was closed.

Motion to amend Section 2.01.140(g) of the ordinance to delete "but shall not vote" and add "and may vote" (Rhodes/Kirkpatrick); failed by the following vote:

Yeas: Etlinger, Rhodes, Kirkpatrick

Nays: Bonner, Banzer, Kafoury, Burton, Oleson, Williamson, Berkman, Schedeen

Absent: Deines

Coun. Williamson stated that JPACT has been overlooked in the committee rules and suggested that he and General Counsel Jordan meet to draw up rules and amend the ordinance next week.

(Chairman Deines returned at this time.)

6.1 Solid Waste Dept. Summary of Alden E. Stilson and Associates Contract.

General Counsel Jordan stated that the staff is required to inform Council, under the sole source regulations, when a contract has been awarded without com-

petitive bidding. The memo from Merl Irvine, therefore, was informational.

6.2 Co-sponsorship of OSU Energy Extension Programs in the Portland Metropolitan Area.

It was the consensus of the Council to endorse Metro's co-sponsorship of the program.

Resolution No. 81-283, For the Purpose of Providing a Cost of Living Adjustment for FY 1982.

Motion to adopt Resolution No. 81-283; carried unanimously. (Burton/Bonner)

6.3 Executive Officer's Report.

Executive Officer Gustafson reported he would be attending a Solid Waste Retreat next week.

6.4 Committee Reports.

Coun. Bonner stated he had an interesting trip to Minneapolis.

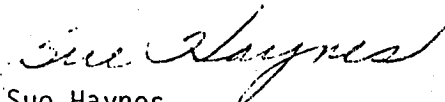
Coun. Deines stated he would like to have the Coordinating Committee consider recommending that the Council choose their officers in December and take office in January to enable the officers to prepare themselves for the upcoming year.

Coun. Etlinger stated he would like the Coordinating Committee to consider County library finances at their next meeting.

Adjournment

The meeting adjourned at 9:35 PM.

Respectfully submitted,



Sue Haynes
Clerk of the Council

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT
OCTOBER 1, 1981

Councilors in Attendance

Presiding Officer Jack Deines
Vice Presiding Officer Betty Schedeen
Coun. Cindy Banzer
Coun. Craig Berkman
Coun. Mike Burton
Coun. Bruce Etlinger
Coun. Marge Kafoury
Coun. Corky Kirkpatrick
Coun. Jane Rhodes

Councilors Absent

Coun. Bonner
Coun. Oleson
Coun. Williamson

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Jack Bails
Sue Haynes
Richard Hertzberg
Marilyn Holstrum
Mike Holstun
Mel Huie
Merle Irvine
Andy Jordan
Dan LaGrande
Sally Magnani
Gus Rivera
Sonnie Russill
Ethan Seltzer
Jennifer Sims
Tamara Stromquist
Caryl Waters
Sue Woodford

Visitors in Attendance

Beth Blunt, League of Women Voters
Tom Dennehey
Tom Finley
Jim Johnson, Oregon City Commissioner

Don McIntire, Up the Creek Committee
Nadine Reilly, League of Women Voters
Alex Yoder

The meeting was called to order by Chairman Deines at 7:30 PM.

1. Introductions.

Coun. Banzer introduced Alex Yoder and Tom Finley of Franklin High School's soccer team who had just won their game.

2. Written Communications to Council.

There were none.

3. Citizen Communications to Council on Non-Agenda Items.

Jim Johnson expressed his dissatisfaction with no Council action taken on the proposed resolution from Oregonians for Clean Air regarding Metro's non-involvement in the election process in Oregon City regarding the Resource Recovery facility. He also stated his opposition to Metro's conducting a survey in Oregon City, specifically the questions regarding the Resource Recovery Plant's approval by the Oregon City Commission.

Executive Officer Gustafson stated that a survey was being conducted in the Metro region, not only in Oregon City, and though he did not have a specific list of the questions being asked, he would check with Don Barney, who is conducting the survey and resolve the matter of inappropriate questions.

Coun. Berkman stated he would like to receive a list of the questions being asked to set to rest Mr. Johnson's concern.

Beth Blunt introduced herself and Nadine Reilly, representing the League of Women Voters.

4. Consent Agenda (Items 4.1 thru 4.3).

The following items were included in the Consent Agenda:

4.1 A-95 Review.

4.2 Minutes of Meeting of August 6, 1981.

4.3 Resolution No. 81-282, For the Purpose of Adopting a Policy of Promoting Curbside Collection of Source Separated Material in Southeast Portland.

Motion that Item #4.3 (Res.#81-282) be removed from the Consent Agenda and that the remainder be adopted; carried unanimously. (Schedeen/Kirkpatrick)

4.3 Resolution No. 81-282, For the Purpose of Adopting a Policy of Promoting Curbside Collection of Source Separated Material in Southeast Portland.

Coun. Kafoury stated that she did not agree with the choice of alternative #6 selected by the staff.

Coun. Banzer suggested that Richard Hertzberg explain why this alternative had been chosen.

Richard Hertzberg stated that since some individual haulers as well as two recycling services offer curbside collection of source separated materials, the staff recommends making funds available, basically for promotional and educational efforts, to all those offering the service rather than choosing only one recipient of funding.

General discussion.

Motion that Resolution No. 81-282 be adopted; carried. (Rhodes/Schedeen, Kafoury voting "no")

5.1 Public Hearing on Ordinance No. 81-114, An Ordinance Repealing Ordinance No. 80-91 (which established the Johnson Creek Basin Flood Control and Pollution Abatement Project Local Improvement District) (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Coun. Banzer stated that the Services Committee recommended approval of this ordinance since a program has been developed for a Metro staff person to work on the problem. She stated she hoped repealing the ordinance would enable the Council to start afresh and bring some correction to the perennial flooding problem in Johnson Creek.

Motion that Ordinance No. 81-114 be adopted. (Schedeen/Burton)

5.2 Public Hearing on Ordinance No. 81-115, For the Purpose of Providing for a Temporary Partial Waiver of Charges at the St. John's Landfill for Vegetative Yard Debris. (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Gus Rivera stated that the reason this ordinance had been brought to Council prior to Committee presentation was that DEQ required that the date for Phase II of the Yard Debris Program be moved up one month, from November 22 to October 23.

General discussion.

Motion that Ordinance No. 81-115 be adopted. (Banzer/Burton)

5.3 Public Hearing on Ordinance No. 81-116, An Ordinance Relating to Personnel, Adopting Personnel Rules and Repealing Metro Code Chapter 2.02 (Ordinance No. 79-73). (First Reading)

The public hearing was opened by Chairman Deines. There was no one present who wished to speak to the matter. The public hearing was closed.

Coun. Burton stated he appreciated all the work done by everyone on the Personnel Rules.

Coun. Rhodes concurred.

Motion that the ordinance be adopted. (Kafoury/Burton)

5.4 Ordinance No. 81-113, An Ordinance Relating to Procedures of the Council and Amending Code Sections 2.01.030, 2.01.060, 2.01.070, and 2.01.140. (Second Reading)

Coun. Etlinger introduced a proposed amendment to the Council Rules:

Delete from Section 2.01.140(b):

"Each Councilor shall serve on at least one committee."

Add"

"Any appointed committee member missing three (3) consecutive meetings without a written excuse from the Committee Chairman shall be removed from the Committee."

Motion to adopt the amendment; died for lack of a second. (Etlinger)

Coun. Rhodes stated she would be willing to support the first part of the amendment, but not the last part.

General discussion of deleting the requirement that each Councilor serve on a Committee.

Coun. Burton stated it is Councilors' responsibility to serve on Committees and deleting the requirement would allow the Presiding Officer of the Council not to appoint some Council members to Committees at his discretion.

Coun. Etlinger stated that Councilors will, from time to time, have a good reason not to attend their Committee meetings, but they should accept the responsibility when appointed.

Chairman Deines stated he would prefer to see that the Chairman assign all Councilors to Committees rather than not appoint some members for any reason. He also stated that with passage of this ordinance, Council is tying its hands..

Further general discussion:

Motion to delete all items in the ordinance except those under 4(c); died for lack of a second. (Schedeen)

A vote was called for on the motion at the previous meeting to adopt the ordinance. The ordinance failed to pass with only Coun. Rhodes and Etlinger voting "yes".

The Council recessed from 8:35 until 8:50 when reconvened.

6.1 Executive Officer's Report

Executive Officer Gustafson reported that his schedule for the following week would be interrupted for a few days since his wife was having a baby on Tuesday morning.

6.2 Committee Reports.

Coun. Berkman stated that someone should express the Council's displeasure with the editorial cartoon that appeared in the Oregon City newspaper.

Coun. Burton concurred, but stated that an official response would only draw more attention to it.

Chairman Deines stated he would like the Coordinating Committee to assign the Drainage Management Program to a committee at their next meeting.

Coun. Burton stated the meeting will be held on 10/12 since it is not a Metro holiday.

Discussion of the Elected Officials Day at the Zoo on 10/17 and the Chili Cook-off on 10/10.

Adjournment

The meeting adjourned at 9:50 PM.

Respectfully submitted,



Sue Haynes
Clerk of the Council

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: Regional Services Committee
SUBJECT: Confirmation of the Solid Waste Rate Review Committee
Members

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Confirm the candidates recommended by the Regional Services Committee for the two Certified Public Accountant positions, the Local Government Administrator position and the two public member positions of the Solid Waste Rate Review Committee.
- B. POLICY IMPACT: Establishment of the Solid Waste Rate Review Committee conforms with subsection 18(1) of the Disposal Franchise Ordinance. This subsection requires the Council to appoint a five-member rate review committee to gather information and to provide recommendations to the Council and Executive Officer on the establishment of rates charged at franchised solid waste facilities.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: On September 3, 1981, the Council repealed Chapters 4.02 and 4.04 of the Solid Waste Code and replaced the chapters with the Disposal Franchise Ordinance. Subsection 18(1) of the Disposal Franchise Ordinance requires a Solid Waste Rate Review Committee to be appointed by the Council consisting of the following members:
 - (1) One Certified Public Accountant with expertise in cost accounting and program auditing.
 - (2) One Certified Public Accountant with expertise in the solid waste industry or public utility regulation.
 - (3) One local government administrator with expertise in governmental financing, agency budgeting and/or rate regulation.
 - (4) Two members of the public.

Subsection 18(4) states that no representative or affiliate of the solid waste industry and no employee of the District may serve on the Rate Review Committee.

The Regional Services Committee recommends the appointment of Stephen Aanderud and Ruth Handlin to the two Certified Public Accountant positions, Mark Gardiner to the Local Government Administrator position and Edward Brunet and George Hubel to the two public member positions. Stephen Aanderud and Ruth Handlin are Certified Public Accountants with combined experience in public utility regulation and program auditing. Mark Gardiner is the Director of Financial Affairs for the City of Portland. Edward Brunet is an attorney with a Master's degree in Economics and is a Professor at Lewis and Clark Law School. Mr. Brunet teaches a course about economic regulation of energy and public utilities. George Hubel is an actuary employed by a local Portland firm. He has an academic degree in theoretical math plus one year's course work in economics. If appointed these candidates would bring a high level of expertise and practical experience to the Committee.

- B. ALTERNATIVES CONSIDERED: Other candidates for the two Certified Public Accountant positions and the Local Government Administrator position were considered. Mr. Aanderud, Mr. Gardiner, Ms. Handlin, Mr. Brunet and Mr. Hubel were determined to possess appropriate qualifications for the Committee and have indicated their willingness to serve.

- C. CONCLUSION: The Regional Services Committee recommends confirmation of Ms. Handlin and Mr. Aanderud to the two Certified Public Accountant positions, Mr. Gardiner to the Local Government Administrator position, and Mr. Brunet and Mr. Hubel to the two public number positions of the Solid Waste Rate Review Committee.

TA/gl
4188B/252
10/7/81

Revised: October 6, 1981

Outline: Proposal to Finance Costs of Closure
of Rossman's Landfill

Background: Rossman's is scheduled for closure in summer 1982. A trust fund exists, held by Clackamas County, to pay the costs of closure, but at current disposal rates, the fund is insufficient to cover long-term site maintenance and cost to operate a permanent leachate system. The estimated closure costs are \$2,745,000. The estimated trust fund balance on July 1, 1982 (at a rate of \$10.40 per ton) is about \$1,700,000. Needed additional revenue for closure is approximately \$1,000,000 (perhaps less \$271,000 per CH₂M revision to leachate control costs).

There are three identified proposals for financing the difference between the fund balance and estimated closure cost:

1. Raise disposal rates at Rossman's in October to \$13.50/ton.
2. Metro purchases landfill.
3. Metro underwrite closure costs with surcharge revenues from Clackamas Transfer Station. Surcharge to recover \$1,000,000 over 3.2 years would be about \$2.50 per ton (350 TPD at CTTC).

Proposal #1 has been approved by the County but is not a satisfactory approach. Proposal #2 will take several months to negotiate and may not preclude immediate implementation of Proposal #1. This outline details the elements of Proposal #3.

PROPOSAL #3

1. Landfill disposal rates remain unchanged until closure.
2. Metro agrees to assume financial responsibility for closure costs in excess of trust fund up to a maximum amount, such amount to be derived from revenues of the Clackamas Refuse & Recycling Center (CRRC). The maximum shall be the difference between the trust fund balance at closure and the total budgeted closure cost.
3. Any required closure costs in excess of the trust fund and Metro funds (para. 2) is the responsibility of Rossman's. In addition, all trust fund expenditures must be in accordance with the closure plan and budget (para. 6), by line item, unless approved in advance by Metro. If not, such expenditures shall be responsibility of Rossman's.
4. County franchise will continue in effect and will be administered by Metro until Metro is able to franchise the site at which time the County shall vacate its franchise. County and Rossman's agree to waive the Rossman's franchise exemption in ORS 268.317(5).
5. The County and Rossman's agree to transfer the trust fund and its administration to Metro. Payments into the fund will continue in accordance with the trust as long as Rossman's continues to accept waste at the site.
6. Metro, DEQ and Rossman's develop joint closure plan budget to be part of three or four party contract. Plan to be carried out by Rossman's and administered and enforced by Metro with appropriate inspections and recourse for non-performance.
7. The above terms shall be agreed to by contract among all parties.

AJ/gl
4206B/258

SURCHARGE RATE AT CTRC
for
ROSSMAN'S TRUST FUND
Control @350TPD

Assumptions

1. Solid Waste delivered to CTRC is 350 tons per day (nominal capacity) or 127,750 tons/yr.
2. Current rates at Rossman's (\$10.40/ton) at present waste flows will produce a trust fund balance in excess of estimated closure cost (CH2M HILL).
3. Trust fund balance plus surcharge funds will cover long-term site maintenance, hook-up of leachate system to Tri-Cities sewer treatment plant, cost to treat leachate (ten years) and liability insurance cost.

TRUST FUND RECOVERY PERIOD YEARS	CH2M HILL ESTIMATED TRUST FUND		CLACKAMAS CO. ADJUSTED TRUST FUND	
	\$989,840	RATE \$/TON	\$718,349	RATE \$/TON
1	\$989,840/yr	\$7.75	\$718,340/yr	\$5.62
4	312,265/yr	2.44	226,615/yr	1.77
5	261,117/yr	2.04	189,496/yr	1.48
6	227,274/yr	1.78	164,936/yr	1.29
8	185,539/yr	1.45	134,648/yr	1.05
10	161,091/yr	1.26	116,906/yr	0.92

SURCHARGE RATE AT CTRC
For
ROSSMAN'S TRUST FUND

Free Flow

Assumptions

1. Solid waste delivered to CTRC is 178,850 tons per year or 490 TPD. This flow is theoretical waste flow to CTRC based on hauling cost and an estimated rate differential between St. Johns and CTRC of \$1.00/ton.
2. Current rates at Rossman's (\$10.40/ton) at present waste flows, will produce a trust fund balance in excess of estimated closure cost (CH2M HILL).
3. Trust fund balance plus surcharge funds will cover long-term site maintenance, hook-up of leachate system to Tri-Cities sewer treatment plant, cost to treat leachate (ten years) and liability insurance cost.

TRUST FUND RECOVERY PERIOD YEARS	<u>CH2M HILL ESTIMATED</u>		<u>CLACKAMAS CO. ADJUSTED</u>	
	TRUST FUND \$989,840	RATE \$/TON	TRUST FUND \$718,349	RATE \$/TON
1	\$989,840/yr	\$5.53	\$718,340/yr	\$4.02
4	312,265/yr	1.75	226,615/yr	1.27
5	261,117/yr	1.46	189,496/yr	1.06
6	227,274/yr	1.27	164,936/yr	0.92
8	185,539/yr	1.04	134,648/yr	0.75
10	161,091/yr	0.90	116,906/yr	0.65

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: Coordinating Committee
SUBJECT: Zoo Maintenance Facility

I. RECOMMENDATION:

- A. ACTION REQUESTED: That the Council award the bid for the maintenance facility to Bishop Construction Company and authorize the Executive Officer to sign the contract for the project. The contractor's bid is for \$346,377.
- B. POLICY IMPACT: The maintenance facility is one of the improvements included in the Zoo Development Plan which has been approved by the Council and is a project funded by the 1981-1983 serial levy for capital improvements.
- C. BUDGET IMPACT: Nine contractors submitted bids for this project. The bids ranged from a low of \$373,900 to a high of \$441,241. The low bid has been further negotiated to the contract sum noted above. The 1981-1982 budget allocated \$338,505 for this project including the preparation for installing the emergency generator. To complete the project will require using \$7,872 from the construction contingency allocation.

II. ANALYSIS:

- A. BACKGROUND: The Washington Park Zoo Development Program has been approved by the Council. To date, the following projects included in the plan have been completed or are in progress: upgrade of the nursery, quarantine facility, remodel of the entry plaza, elephant enclosure, remodel of the primate facility and the Cascade stream and pond exhibit. As noted, the maintenance facility was included in the development program to assure the capability of maintaining the increasing assets at the Zoo. It is anticipated this facility will be completed in the spring of 1982.
- B. ALTERNATIVES CONSIDERED: To reject all bids and bid the project again.
- C. CONCLUSION: The Zoo received responses from nine general contractors. Analysis of the bids indicates a reasonable cost has been established and we have concluded the low bidder, Bishop Construction Company, should be awarded the contract.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CHANGING THE) RESOLUTION NO. 81-285
DESIGNATION OF REGISTERED AGENT)
FOR RECEIPT OF LEGAL SERVICE.)
)

WHEREAS, Metro is required to designate a registered office and a registered agent for service of any process, notice or demand required or permitted by law; and

WHEREAS, the designation on file with the Secretary of State is no longer accurate and needs to be corrected to designate a new agent; now, therefore,

BE IT RESOLVED,

1. That the registered agent for the Metropolitan Service District is Sue A. Haynes.
2. That notice of this designation be sent to the Secretary of State as required by ORS 198.340.
3. That Metro Resolution No. 80-171 is hereby repealed.

ADOPTED by the Council of the Metropolitan Service District
this ____ day of _____, 19__.

Presiding Officer

NOTICE OF DESIGNATION
OF
REGISTERED OFFICE AND REGISTERED AGENT

I, JACK DEINES, Presiding Officer of the Council of the METROPOLITAN SERVICE DISTRICT, a municipal corporation, organized under the provisions of ORS Chapter 198, certify that:

1. Pursuant to a resolution of the District Council, duly adopted, the registered office of this district is:

527 SW Hall Street, Portland, OR 97201
(Address of Registered Office)

2. The registered agent in Oregon at such registered office is:

Sue A. Haynes
(Name of Registered Agent)

IN WITNESS WHEREOF, this district has caused this instrument to be executed in its name by the Presiding Officer of the Council of the District this ____ day of _____, 19__.

METROPOLITAN SERVICE DISTRICT
(Name of District)

By: _____
Presiding Officer of the Council

STATE OF OREGON)
County of Multnomah) ss.
City of Portland)

I, _____, a Notary Public, do hereby certify that on the ____ day of _____, 19__, personally appeared before me, _____, who declares that he/she is the Presiding Officer of the METROPOLITAN SERVICE DISTRICT executing the foregoing document and declares that the statements contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

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: Contested Case No. 81-3, In the Matter of a Petition from the City of Hillsboro for Locational Adjustment of Metro's Urban Growth Boundary (UGB)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of attached Order, Ordinance, Resolution and Findings.
- B. POLICY IMPACT: The City's petition is one of eight petitions for locational adjustment of the UGB submitted pursuant to Metro Ordinance No. 81-105, which establishes procedures and standards for review of some amounts to the UGB. Approval of the City's petition is consistent with the standards of Ordinance No. 81-105.

The City has requested the addition of 50 acres to the urban area. Section 16 of Ordinance No. 81-105 provides that over the next three years, the average annual net addition of land should not exceed 100 acres. A summary of all petitions received and the total acreage requested for addition is attached as Appendix B.

Approval of the attached Resolution affecting land not included in the City's petition, but "islanded" by it, will establish an appropriate procedure for dealing with problems of this kind.

- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: The City is requesting this adjustment to remedy what it believes to have been an error made at the time the UGB was adopted by CRAG in 1976. Because all earlier review maps of the UGB had shown the affected property as "urban," Hillsboro was not aware of the alleged mistake excluding this property when the UGB was finally adopted until Metro completed its draft review of Hillsboro's plan in November 1979 and identified a discrepancy between the UGB as shown on Hillsboro's plan and the UGB as adopted by Metro. In a June 4, 1980 letter to Rick Gustafson, Hillsboro Planning Director, Dave Lawrence, requested that the UGB be revised to correct the apparent mistake. In response, Metro advised the City that Metro could not, under the current policy, act on the City's request until the affected property was annexed to Metro, but that rules for locational adjustments to the

UGB that would establish procedures and standards for action in such cases were scheduled for adoption later in the year.

The owners of the property proceeded with an annexation to Metro, but two properties for which the owners objected to annexation both to Metro and to the City were excluded from this action. As a result, these two lots could not be included in the City's petition for a UGB amendment, since Metro Ordinance No. 81-105 requires that petitions affecting land outside Metro must be accompanied by petition for annexation to Metro. The City has asked, however, that Metro express its intent to approve a UGB adjustment for these lots if so requested following city annexation, at which time the property would also automatically annex to Metro.

The City's petition originally included all land in common ownership in this area, including land in the floodplain to the south. Metro asked the City to revise its petition to propose a UGB that would better approximate the floodplain boundary in order to (1) limit the size of the addition to 50 acres or less, as required by Ordinance No. 81-105; and (2) include only those lands alleged to have been excluded from the UGB in error.

The City accordingly redefined its proposed boundary but some of the materials attached still refer to the larger area included in the original petition, some 100 acres. The Regional Development Committee conducted a public hearing on the petition at its October 5, 1981 meeting. Based on the staff review, the Committee found that the petition meets the appropriate standards and recommended that it be approved. The Committee also recommended that the Council approve a resolution of intent to amend the UGB to include the two islanded lots if and when annexed to the City.

In contested cases, only parties present at the hearing may submit exceptions to the Committee's Findings and the Council should limit public testimony to argument by the parties on written exceptions filed. No other parties besides the petitioners testified at the October 5 hearing and no written exceptions have been filed.

The following materials are attached for Council review:

1. Proposed Order for Contested Case 81-3;
2. Ordinance for the purpose of amending the Urban Growth Boundary as requested in Contested Case No. 81-3;

3. Resolution for the purpose of expressing Metro's intention to amend the Urban Growth Boundary to include Tax Lots 1600 and 1700 if and when annexed of the City;
4. Findings and Conclusions on Contested Case No. 81-3;
5. Appendix: Summary of disposition of all petitions for locational adjustment received to date.

The complete file for this case is available for review at the Metro office and will be entered into the record at the hearing.

- B. ALTERNATIVES CONSIDERED: The reasons for rejecting the alternative of denying the City's request are discussed in the Committee's Findings.
- C. CONCLUSION: The locational adjustment requested by the City will remedy a past error and place the UGB in a location superior to the existing one and should, consistent with the standards in Ordinance No. 81-105, be approved.

JH/srb
4073B/252
10/09/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

IN THE MATTER OF A PETITION)
FOR AN URBAN GROWTH BOUNDARY)
LOCATIONAL ADJUSTMENT BY)
THE CITY OF HILLSBORO)

CONTESTED CASE NO. 81-3
ORDER

WHEREAS, The city of Hillsboro has submitted a request for a locational adjustment to the Urban Growth Boundary (UGB) in Washington County; and

WHEREAS, Such request was given a contested case hearing before the Regional Development Committee on October 5, 1981; and

WHEREAS, The Regional Development Committee has submitted Findings, Conclusions and a Proposed Order; and

WHEREAS, The Council has reviewed and agrees with the Findings of Fact, Conclusions and Proposed Order as submitted by the Regional Development Committee; now, therefore,

IT IS HEREBY ORDERED:

1. That the Council accepts and adopts the Findings of Fact, Conclusions and Proposed Order submitted by the Regional Development Committee in Contested Case No. 81-3.
2. That the Council designates as the record in this case all documents and evidence submitted before or at the October 5, 1981 hearing on this matter.
3. That an ordinance be prepared for Council adoption in accordance with the Findings of

Fact, Conclusions and Proposed Order adopted by
paragraph 1 above.

SO ORDERED this _____ day of _____, 1981.

Presiding Officer

JH/srb
4189B/259

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING THE	)	ORDINANCE NO. 81-117
METRO URBAN GROWTH BOUNDARY)	
IN WASHINGTON COUNTY FOR	)	Introduced by the Regional
CONTESTED CASE NO. 81-3	)	Development Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The District Urban Growth Boundary (UGB), as adopted by Ordinance No. 79-77, is hereby amended as indicated in Attachment A of this ordinance which is incorporated by this reference.

Section 2. In support of the amendment in Section 1 of this ordinance, the Council hereby adopts findings of fact, conclusions and proposed order in Attachment B of this ordinance which is incorporated by this reference.

Section 3. In support of the findings of fact, conclusions and proposed order adopted in Section 2 of this Ordinance, the Council hereby designates as the record herein those documents and records submitted before or at the hearing in this matter on October 5, 1981.

Section 4. This Ordinance is the final order in Contested Case No. 81-3 for purposes of Metro Code Section 5.02.045.

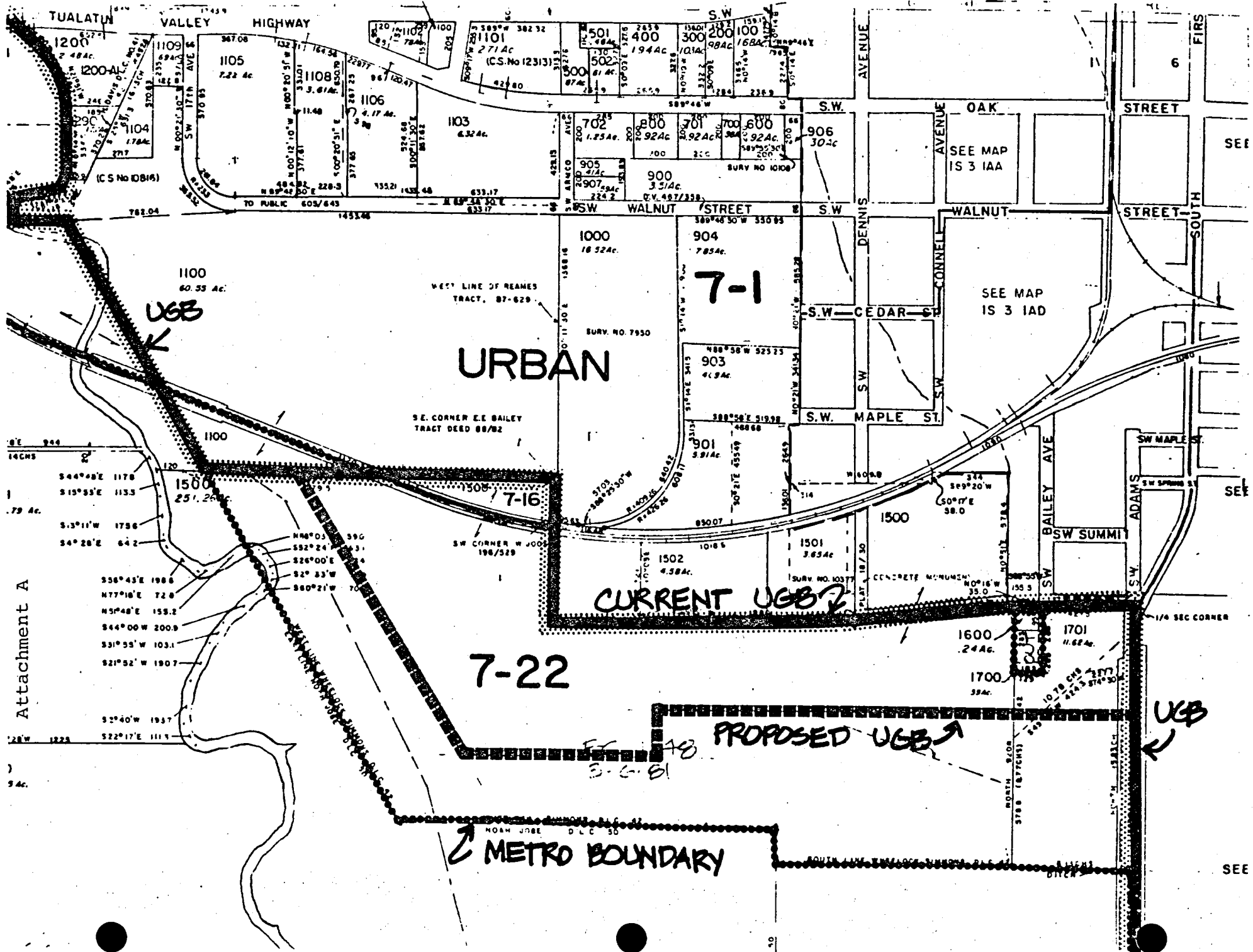
Section 5. Parties to Contested Contested Case No. 81-3 may appeal this Ordinance under 1979 Or. Laws ch. 772.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council



Attachment A

UGB

URBAN

7-1

7-22

CURRENT UGB

PROPOSED UGB

METRO BOUNDARY

- 544°48'E 1178
- 515°55'E 1133
- 513°11'W 1786
- 54°28'E 642
- 558°45'E 1988
- N77°16'E 728
- N5°48'E 153.2
- 544°00'W 200.9
- 531°55'W 103.1
- 521°52'W 1907
- 52°40'W 1937
- 522°17'E 1114

EC 48
3-6-81

SEE

METROPOLITAN SERVICE DISTRICT

IN THE MATTER OF A PETITION	)	CONTESTED CASE NO. 81-3
FOR LOCATIONAL ADJUSTMENT BY)	
THE CITY OF HILLSBORO	)	FINDINGS OF FACT, CONCLUSIONS
	)	AND PROPOSED ORDER

This petition for a locational adjustment to the Urban Growth Boundary (UGB) was presented at a hearing before the Regional Development Committee on October 5, 1981.

The city of Hillsboro is requesting the addition of 50 acres south of the City, as shown on the attached map. The City is requesting this adjustment to remedy what it believes to have been a mapping error made at the time CRAG adopted its UGB in 1976.

At that time, both Hillsboro and Washington County's plans showed the Tualatin River floodplain as the urban boundary, and all draft maps of the UGB prior to its adoption showed the proposed CRAG boundary following the floodplain. The map of the UGB as adopted, however, showed the Hillsboro city limits as the UGB for this area. The record of the adoption process does not include any discussion of an intentional change in this area and indicates, instead, that the change was made in order to provide a more specific description for the proposed boundary, without either the CRAG Board or the affected jurisdictions being aware that land which had always been proposed as urban was thereby excluded. As a result, both Hillsboro and Washington County continued to show the property as "urban" on their plans.

The City wishes to annex the site for industrial

1 development. A 36" sewer line runs through the property and it can
2 readily be provided with all other urban services.

3 In order to establish a clear, definable boundary, the UGB
4 requested is defined not by the floodplain itself but by a legal
5 description following straight lines which most closely approximate
6 the floodplain. The proposed boundary thus includes 13 acres that
7 lie within the floodplain and 37 buildable acres. One single family
8 dwelling is located on the property.

9 This property was annexed to Metro prior to adoption of
10 Metro Ordinance No. 81-105 in March of 1981. Because the property
11 owners objected to Metro annexation, two small tax lots adjacent to
12 the existing UGB were excluded, thereby creating an "island" in the
13 Metro district. Because Ordinance 81-105 requires that any petition
14 affecting land outside Metro be accompanied by a petition for Metro
15 annexation, the city of Hillsboro was not able to include these two
16 lots in its request. In a July 24, 1981 letter, however, the City
17 has asked Metro to indicate its intent to approve UGB adjustment for
18 these lots if and when they annex to the City, at which time they
19 would automatically be annexed to Metro as well.

20 The city of Hillsboro has submitted Findings of Fact and
21 Conclusions applying Metro's standards. The findings that follow
22 below represent the Regional Development Committee's conclusions
23 based upon the City's Findings and the Metro staff recommendation.

24 The Regional Development Committee has determined that the
25 standards which must be met for approval of this petition are
26 contained in Section 8, paragraph d of Metro Ordinance No. 81-105.

1 Therefore, the undersigned, being fully advised of the issues and
2 facts in this case, makes the following findings of fact under each
3 of the applicable standards for approval.
4

5 FINDINGS OF FACT

6 D (1): Not applicable.

7 D (2) THE PROPOSED UGB MUST BE SUPERIOR TO THE UGB AS
8 PRESENTLY LOCATED, BASED ON A CONSIDERATION OF THE FACTORS IN
9 SUBSECTION (a)....

10 A(1): Orderly and economic provision of
11 public facilities and services. A locational adjustment shall
12 result in a net improvement in the efficiency of public facilities
13 and services, including but not limited to water, sewerage, storm
14 drainage, transportation, fire protection and schools in the
15 adjoining area within the UGB; any area to be added must be capable
16 of being served in an orderly and economical fashion.

- 17 - All urban services can be efficiently
- 18 provided.
- 19 - The city of Hillsboro is responsible for
- 20 the provision of sewer and water service,
- 21 storm drainage and fire protection. Each
- 22 affected City department supports
- 23 approval. There will be no impact on the
- 24 school system since the property is
- 25 designated for industrial use.
- 26 - Since a 36" sewer line currently runs

1 through the property, allowing urban
2 development that would hook up to this line
3 constitutes a net improvement in the
4 efficiency of services for the existing
5 urban area.

6 A(2): Maximum efficiency of land uses.

7 Consideration shall include existing development densities on the
8 area included within the amendment, and whether the amendment would
9 facilitate needed development on adjacent existing urban land.

- 10 - The proposed UGB does not follow existing
11 property or ownership lines. However,
12 approval of this adjustment would bring the
13 UGB to the natural limit to development in
14 this area, the floodplain. This proposed
15 UGB would replace a boundary which follows
16 city limits, rather than any clear, fixed
17 physical demarcation.
- 18 - The advantages of placing the UGB in a
19 location which approximates a natural
20 barrier to development thus outweighs the
21 disadvantages of not following property
22 lines. The property should, however, be
23 partitioned along lines coterminus with the
24 UGB if this adjustment is approved.
- 25 - The density of development is too low to
26 either promote or preclude efficient

1 urbanization.

2 - Based upon the evidence available, there is
3 no apparent reason why approval of this
4 adjustment would facilitate development of
5 adjacent urban lands. A positive finding
6 for this consideration is not required for
7 approval, however.

8 A(3): Environmental, Energy, Economic, and
9 Social Consequences. Any impact on regional transit corridor
10 development must be positive, and any limitations imposed by the
11 presence of hazards or resource lands must be addressed.

12 - The proposed adjustment would have no
13 impact on regional transit corridor
14 development.

15 - Inclusion of land in the floodplain is
16 necessary to locate the UGB along straight
17 lines which can be legally described.

18 - The proposed adjustment would allow the
19 subject property to be developed for
20 industrial use. Metro makes no finding,
21 however, on whether the adjustment would
22 have positive economic consequences, since
23 no documentation has been submitted on the
24 need for additional industrial land, either
25 in the Hillsboro area or in the region as a
26 whole, nor would such evidence be relevant,

1 since the standards for locational
2 adjustment do not address issues relating
3 to the need for additional urban land.

- 4 - No negative environmental, energy, economic
5 or social consequences of the proposed
6 adjustment have been identified.

7 A(4): Retention of Agricultural Lands. When
8 a petition includes land with Class I through IV Soils that is not
9 irrevocably committed to nonfarm use, the petition shall not be
10 approved unless the existing location of the UGB is found to have
11 severe negative impacts on service or land use efficiency in the
12 adjacent urban area, and it is found to be impractical to ameliorate
13 those negative impacts except by means of the particular adjustment
14 requested.

- 15 - The presence of a 36" sewer line running
16 outside the UGB has a negative effect on
17 service efficiencies. Efficient use of
18 this line would be enhanced if properties
19 adjacent to it could hook up to it.

- 20 - The City's plan, which included this land
21 as urban, was designed to provide a 60/40
22 ratio of land for housing and economic
23 development. Failure to correct the error
24 that excluded this land from the regional
25 UGB would have the negative land use impact
26 of upsetting the balance of land uses

1 desired by the City.

2 - In general, neither the service or land use
3 inefficiencies resulting from the location
4 of the existing UGB constitute a "severe"
5 negative impact warranting the conversion
6 of agricultural land for urban use.

7 - However, the burden of proof in cases
8 involving the correction of a past mistake
9 is intended to be light, since if this land
10 had been included in the UGB as originally
11 intended, its urban designation would not
12 have been questioned.

13 - Where the burden of proof is light, the
14 severity of the negative impacts that must
15 be present to comply with this standard
16 should be relatively less than in cases
17 where the addition of more than an acre or
18 two of agricultural land is requested for
19 reasons other than to remedy a past mistake.

20 - Accordingly, the service and land use
21 inefficiencies created by the existing UGB
22 can be considered sufficiently severe to
23 warrant the conversion of agricultural land
24 in a case involving the correction of a
25 past error.

26 /////

1 A(5): Compatibility of Proposed Urban Uses
2 with Nearby Agricultural Activities. When a proposed adjustment
3 would allow an urban use in proximity to existing agricultural
4 activities, the justification in terms of factors (1) through (4) of
5 this subsection must clearly outweigh the adverse impact of any
6 incompatibility.

- 7 - Some of the land in the adjacent floodplain
8 is currently being farmed.
- 9 - The subject property is currently
10 designated for industrial use on
11 Hillsboro's comprehensive plan.
- 12 - Industrial uses are generally more
13 compatible with agricultural uses than are
14 residential uses, as many of the potential
15 land use conflicts (house dogs, complaints
16 about farm noise and spraying) are avoided.
- 17 - Nonetheless, any non-farm use not separated
18 from agricultural use by natural or manmade
19 buffering will be less compatible than a
20 farm use.
- 21 - Dairy Creek provides a natural buffer for
22 farm uses to the south and west of the
23 creek, but agricultural activity in the
24 floodplain north and east of the property
25 is not buffered from the subject site.
26 However, limitations on development in the

1 floodplain will ensure that any
2 incompatibility does not lead to further
3 urban encroachment.

4 - The justification for the proposed
5 adjustment is to make the UGB consistent
6 with legislative intent, at the time the
7 UGB was adopted, to include within the UGB
8 in this area all land outside the
9 floodplain, consistent with local plans;
10 and to provide for more efficient
11 utilization of the sewer line running
12 through the property.

13 - These reasons for adjustment are
14 sufficiently compelling to outweigh the
15 adverse impacts of any incompatibility with
16 adjacent agricultural uses.

17 ...THE MINOR ADDITION MUST INCLUDE ALL SIMILARLY SITUATED
18 CONTIGUOUS LAND WHICH COULD ALSO BE APPROPRIATELY INCLUDED WITHIN
19 THE UGB AS AN ADDITION, BASED ON THE FACTORS IN SUBSECTION (a).

20 - The adjustment is requested to remedy an alleged
21 "error" at the time the UGB was first adopted and
22 includes all property between the floodplain (the UGB
23 intended) and city limits (the UGB adopted), with the
24 exception of the two islanded Tax Lots (Nos. 1600 and
25 1700) totaling .83 acres.

26 - These two lots cannot be included in the UGB now

1 because they are not within Metro's jurisdiction.

2 - Their inclusion following annexation to Hillsboro, as
3 recommended, would bring the total addition to the
4 UGB in this area to 50.59 acres.

5 - Although this is slightly above the 50-acre limit for
6 additions, the amount of buildable land would be just
7 under 38 acres, as the remainder is located in the
8 floodplain and cannot be developed for urban use.

9 D (3): Not applicable

10 D (4): IF AN ADDITION IS REQUESTED IN ORDER TO REMEDY
11 AN ALLEGED MISTAKE MADE AT THE TIME THE UGB FOR THE AREA AFFECTED
12 WAS ADOPTED, THE ADDITION MAY BE APPROVED IF ALL OF THE FOLLOWING
13 CONDITIONS ARE MET.

14 A. There is clear evidence in the record of
15 specific legislative intent to place the UGB in the particular
16 location requested.

17 - All drafts of the UGB circulated for review
18 and comment, including the map proposed for
19 adoption in September, 1976, showed the UGB
20 in this area as a "Type II" boundary
21 following the 100-year floodplain. Type II
22 boundaries were generalized boundaries
23 requiring further definition to become site
24 specific. The Land Use Framework Element
25 specified that Type II boundaries "will be
26 specified by local jurisdiction plans as

1 those plans are determined to be in
2 compliance with Statewide Goals and the
3 regional plan."

4 - The September 1976 draft map of the UGB was
5 reviewed and amended at two special
6 meetings of the CRAG Board, December 16
7 and 22, 1976. The agenda for these
8 meetings did not identify this area as
9 under review for amendment. Staff has
10 listened to the tapes of both these
11 meetings and determined that no change to
12 the UGB in this area was moved or discussed.

13 - The map showing the UGB adopted on
14 December 22, 1976, showed the UGB in this
15 area as a Type I boundary following
16 Hillsboro city limits.

17 - A summary map of changes from the September
18 draft to the UGB as adopted, published in
19 "The Planning and Adoption Process of the
20 Land Use Framework Element," does not show
21 any change in this area.

22 - The record indicates a clear legislative
23 intent to use the floodplain in this area
24 as the UGB, consistent with local plans.

25 - The City's Findings mention that this area
26 was included as urban in the Interim

1 Immediate Growth Boundary (IIGB) approved
2 by LCDC in 1978. However, Metro's map of
3 the IIGB, and the Findings explaining its
4 basis, show that the IIGB in this area
5 followed the UGB.

6 B. The petition for an addition to remedy an
7 alleged mistake is filed by July 1, 1982 or within two years from
8 the time the UGB for the area affected was adopted, whichever is
9 later.

10 - The petition has been filed prior to
11 July 1, 1982.

12 C. The addition is superior to the existing UGB,
13 based on consideration of the factors in subsection (a) of this
14 section and does not add more than 50 acres of land.

15 - As discussed under D(2) above, the proposed
16 UGB is superior to the existing UGB because
17 it includes land through which a sewer
18 already runs and brings the UGB to a
19 natural boundary for development.

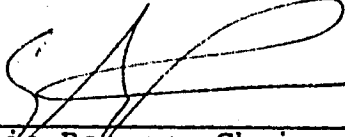
20 - The petition does not add more than 50
21 acres of land.

22
23 CONCLUSIONS AND RECOMMENDATION

24 The Regional Development Committee finds that this
25 petition for locational adjustment is justified and satisfies each
26 of the applicable standards as set out above. The Committee

1 recommends that the petition be approved and that an ordinance be
2 adopted to amend the UGB as requested in the petition.

3 Dated this 5th day of October, 1981.

4 
5 _____
6 Ernie Bonner, Chairman
Regional Development Committee

7 EB/JH/MAH/gl
8 4300B/259A
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BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF DECLARING AN)	RESOLUTION NO. 81-284
INTENT TO APPROVE A LOCATIONAL)	
ADJUSTMENT FOR TAX LOTS 1600	)	Introduced by the
AND 1700	)	Regional Development
	)	Committee

WHEREAS, Metro has received a petition for locational adjustment of the Urban Growth Boundary (UGB) from the city of Hillsboro; and

WHEREAS, Metro has held a hearing on this petition and found that it complies with the standards for locational adjustment established in Metro Ordinance No. 81-105; and

WHEREAS, Metro has accordingly adopted Ordinance No. 81-117 amending the UGB as petitioned; and

WHEREAS, This petition creates an "island" in the urban area that excludes Tax Lots 1600 and 1700 on Washington County Assessor's map 1S3-1; and

WHEREAS, These Tax Lots cannot now be included within the UGB since they are not within the Metro district; and

WHEREAS, All the locational factors which have been found to justify approval of the City's petition also apply to these two tax lots; and

WHEREAS, Non-urban "islands" inside the UGB establish an inefficient development pattern; and

WHEREAS, The property would be annexed to Metro if and when it is annexed to the city of Hillsboro; and

WHEREAS, the city of Hillsboro, in a July 24, 1981 letter from Kevin Martin, has asked that Metro express its intent to

approve a locational adjustment to designate these two lots as urban; now, therefore,

BE IT RESOLVED,

1. That the Council intends to approve a locational adjustment of the UGB to designate Tax Lots 1600 and 1700 in 1S3-1 as urban if and when annexed to the city of Hillsboro;
2. That this adjustment shall be made consistent with the standards and procedures of Metro Ordinance No. 81-105, and
3. That the Council hereby initiates consideration of this adjustment if and when the property is annexed to Hillsboro and waives the July 1 filing deadline.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

JH/srb
4204B/252
10/09/81

Appendix

STATUS OF PETITIONS RECEIVED FOR LOCATIONAL ADJUSTMENT OF THE UGB

<u>Petition</u>	<u>Net Change Acres</u>	<u>Local Recommendation</u>	<u>Metro Hearing</u>	<u>Regional Development Committee Review</u>	<u>Council Action on Proposed Order</u>	<u>Status of Metro Recommendation</u>
81-3 Hillsboro	50	City is opposed; County supports	10/5	10/5	10/22	Staff recommends approval
81-4 Seely	2	City & County support	9/1	10/5	10/22	Hearings Officer recommends approval
81-5 WGK	<u>30</u>	City & County support	9/1	10/5	10/22	Hearings Officer recommends approval
Subtotal	82					
81-6 Portland	5 (trade)	City is sponsor; County has no comment	10/8	11/9	11/26	Staff recommendation not completed
81-7 Foster	12	County has not acted	Not scheduled	Not scheduled		
81-8 Cerighino	11	City & County support	10/8	11/9	11/26	Staff finds insufficient evidence that standards are met
81-9 Corner Terrace	38	County opposes	10/8	11/9	11/26	Staff finds insufficient evidence that standards are met
81-10 Sharp	<u>30</u>	County has no comment	10/8	11/9	11/26	Staff finds insufficient evidence that standards are met .
TOTAL	178					

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: Petitions for Locational Adjustment of the Urban Growth Boundary (UGB) by Doug Seely (Contested Case No. 81-4) and WGK Corporation (Contested Case No. 81-5).

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of the attached Hearings Officer's Findings of Fact, Conclusions and Proposed Orders in the matters of petitions for locational adjustment of the UGB by Doug Seely (Contested Case No. 81-4) and WGK Corporation (Contested Case No. 81-5); and of the attached ordinances amending the UGB as ordered.
- B. POLICY IMPACT: These petitions for locational adjustment of the UGB have been submitted pursuant to Metro Ordinance No. 81-105, which establishes procedures and standards for review of some amounts to the UGB. Approval of the petitions is consistent with the standards in this Ordinance.

Approval of these two petitions would add 32 acres to the urban area. Section 16 of Ordinance No. 81-105 provides that over the next three years, the average annual net addition of land should not exceed 100 acres. A summary of all petitions received and the total acreage requested for addition is attached.

- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: The Hearings Officer heard both cases on September 1, 1981, and adopted the staff recommendations in each case. The Regional Development Committee, at their October 5, 1981 meeting, recommended adoption of the Hearings Officer's findings. In contested cases, only parties present at the hearing may submit exceptions to the Hearings Officer's Findings, and the Committee and the Council should limit public testimony to argument by the parties on written exceptions filed. No other parties besides the petitioners appeared at either hearing and no written exceptions have been filed.

A summary of each case is presented at the beginning of the attached reports, followed by findings addressing each of the applicable standards.

- B. ALTERNATIVES CONSIDERED: Staff concurs with the Hearings Officer's recommendation and finds no basis for the alternative of denial.
- C. CONCLUSION: Adoption of the attached Findings, Conclusions, Orders and Ordinances will approve adjustments of the UGB that increase its effectiveness and efficiency, consistent with the standards in Ordinance No. 81-105.

JH/srb
4177B/252
10/09/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

IN THE MATTER OF A PETITION)
FOR AN URBAN GROWTH BOUNDARY) CONTESTED CASE NO. 81-4
LOCATIONAL ADJUSTMENT BY) ORDER
DOUG SEELY)

WHEREAS, Doug Seely has submitted a request for a locational adjustment to the Urban Growth Boundary (UGB) in Washington County; and

WHEREAS, Such request was given a contested case hearing before a Metro Hearings Officer on September 1, 1981; and

WHEREAS, The Hearings Officer has submitted Findings of Fact, Conclusions and a Proposed Order; and

WHEREAS, The Council has reviewed and agrees with the Findings of Fact, Conclusions and Proposed Order as submitted by the Hearings Officer; now, therefore,

IT IS HEREBY ORDERED:

1. That the Council accepts and adopts the Findings of Fact, Conclusions and proposed Order submitted by the Hearings Officer in Contested Case No. 81-4.
2. That the Council designates as the record in this case all documents and evidence submitted before or at the September 1, 1981 hearing on this matter.
3. That an ordinance be prepared for Council adoption in accordance with the Findings of

Fact, Conclusions and Proposed Order adopted by
paragraph 1 above.

SO ORDERED this _____ day of _____, 1981.

Presiding Officer

MAH/gl
4145B/259

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING THE	)	ORDINANCE NO. 81-118
METRO URBAN GROWTH BOUNDARY)	
IN WASHINGTON COUNTY FOR	)	Introduced by the Regional
CONTESTED CASE NO. 81-4	)	Development Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The District Urban Growth Boundary (UGB), as adopted by Ordinance No. 79-77, is hereby amended as indicated in Attachment A of this ordinance which is incorporated by this reference.

Section 2. In support of the amendment in Section 1 of this ordinance, the Council hereby adopts findings of fact, conclusions and proposed order in Attachment B of this ordinance which is incorporated by this reference.

Section 3. In support of the findings of fact, conclusions and proposed order adopted in Section 2 of this Ordinance, the Council hereby designates as the record herein those documents and records submitted before or at the hearing in this matter on September 1, 1981.

Section 4. This Ordinance is the final order in Contested Case No. 81-4 for purposes of Metro Code Section 5.02.045.

Section 5. Parties to Contested Contested Case No. 81-4 may appeal this Ordinance under 1979 Or. Laws Chapter 772.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

JH/srb/4191B/252

RURAL

CURRENT UGB

501
4.00Ac

696.96

250
5.97

826.7

1829.7

ELLIGSEN RD

C. E. 12977

ELLIGSEN
10 CH

20 CH

30 CH

1200
19.60Ac

1100
58.18Ac

1500
39.24Ac

PROPOSED UGB ADDITION

1400
36.14Ac

1300
2.24Ac

(C.S. No 11849)

1401
6.102Ac

21475

CURRENT UGB

URBAN

101-3

BONNEVILLE

WILSONVILLE

POWER

10 CH

1305M/L

1601
6.85Ac

1600
6.85Ac

ADMINISTRATION

8173M/L

CLACKAMAS

COUNT

Attachment A

SECRET 25494

80
34 942

100.31

METROPOLITAN SERVICE DISTRICT

1
2
3 IN THE MATTER OF A PETITION) CONTESTED CASE NO. 81-4
4 FOR LOCATIONAL ADJUSTMENT BY)
5 DOUG SEELY) FINDINGS OF FACT, CONCLUSIONS
6) AND PROPOSED ORDER

7 This petition for a locational adjustment to the Urban
8 Growth Boundary (UGB) was presented at a hearing before the
9 undersigned Hearings Officer on September 1, 1981.

10 The petitioner requests a locational adjustment pursuant
11 to Metro Ordinance No. 81-105 to add 2.2 acres to the UGB along the
12 northeast edge of the Wilsonville UGB. The UGB in this area was
13 established to follow the city limits of Wilsonville and includes
14 all but the subject property south of Elligsen Road. The subject
15 property is surrounded by the City on three sides and Elligsen Road
16 on the fourth. Amendment would make the UGB in this area a straight
17 line and would place the entire right of way for Elligsen Road
18 within City jurisdiction.

19 The city of Wilsonville and Washington County both support
20 this adjustment, as do other service providers.

21 The undersigned Hearings Officer has determined that the
22 standards which must be met for approval of this petition are
23 contained in Section 8, paragraph d of Metro Ordinance No. 81-105.
24 Therefore, the undersigned, being fully advised of the issues and
25 facts in this case, makes the following findings of fact under each
26 of the applicable standards for approval.

//////

1 FINDINGS OF FACT

2 D(1): Not applicable.

3 D(2): THE PROPOSED UGB MUST BE SUPERIOR TO THE UGB AS
4 PRESENTLY LOCATED, BASED ON A CONSIDERATION OF
5 THE FACTORS IN SUBSECTION (a)....

6 A(1): Orderly and Economic Provision of Public
7 Facilities and Services. A locational
8 adjustment shall result in a net
9 improvement in the efficiency of public
10 facilities and services, including but not
11 limited to water, sewerage, storm drainage,
12 transportation, fire protection and schools
13 in the adjoining area within the UGB; any
14 area to be added must be capable of being
15 served in an orderly and economical fashion.

16 - All major public facilities and
17 services can be provided to the site
18 in an orderly and economical fashion.
19 The proposed locational adjustment
20 will result in an improvement in the
21 efficiency of water service for the
22 adjoining area, since an existing
23 14-inch water main runs along the far
24 (non-urban) side of the property.
25 Inclusion of the site within the UGB
26 will allow maximum utilization of this
line and will allow adjoining
properties to the south to connect to
this main in the most efficient manner.

- The proposed locational adjustment

1 will result in an improvement in the
2 efficiency of transportation service
3 to the adjoining area, since it will
4 bring the entire right-of-way along
5 Elligsen Road within city limits and
6 allow for more efficient road
7 maintenance and improvement than
8 possible when the road runs through
9 two jurisdictions.

10 A(2): Maximum Efficiency of Land Uses.
11 Consideration shall include existing
12 development densities on the area included
13 within the amendment, and whether the
14 amendment would facilitate needed
15 development on adjacent existing urban land.

- 16 - The locational adjustment would
17 enhance the effectiveness of the
18 boundary by making it co-terminus with
19 Elligsen Road, a straighter and
20 stronger boundary than the current
21 one.
- 22 - The property is surrounded by the city
23 of Wilsonville on three sides;
24 inclusion within the UGB now will
25 allow the City to coordinate
26 development and service extension with
the adjacent proposed development of

1 Parkway Center.

- 2 - Development of the property is
3 proposed for multi-family housing;
4 inclusion within the UGB would promote
5 provision of a needed housing type.

6 A(3): Environmental, Energy, Economic, and Social
7 Consequences. Any impact on regional
8 transit corridor development must be
9 positive, and any limitations imposed by
10 the presence of hazards or resource lands
11 must be addressed.

- 12 - The property does not include any
13 hazards or resource lands and has no
14 significant impact on regional transit
15 corridor development.
16 - The property can be served by transit
17 (existing Tri-Met Line No. 38).

18 A(4): Retention of Agricultural Lands. When a
19 petition includes land with Class I through
20 IV Soils that is not irrevocably committed
21 to nonfarm use, the petition shall not be
22 approved unless the existing location of
23 the UGB is found to have severe negative
24 impacts on service or land use efficiency
25 in the adjacent urban area, and it is found
26 to be impractical to ameliorate those
negative impacts except by means of the
particular adjustment requested.

- 27 - The property is irrevocably committed
28 to nonfarm use by virtue of its small
29 size (2.2 acres), and separation by
30 Elligsen Road from other nonurban
31 lands, and by virtue of the fact that

1 it is surrounded by a city on three
2 sides.

3 A(5): Compatability of Proposed Urban Uses with
4 Nearby Agricultural Activities. When a
5 proposed adjustment would allow an urban
6 use in proximity to existing agricultural
7 activities, the justification in terms of
8 factors (1) through (4) of this subsection
9 must clearly outweigh the adverse impact of
10 any incompatibility.

11 - No nearby agricultural activities are
12 present.

13 ...THE MINOR ADDITION MUST INCLUDE ALL SIMILARLY SITUATED
14 CONTIGUOUS LAND WHICH COULD ALSO BE APPROPRIATELY INCLUDED WITHIN
15 THE UGB AS AN ADDITION, BASED ON THE FACTORS IN SUBSECTION (a).

16 - The property is proposed for inclusion
17 because it is surrounded by a city on
18 three sides and a road on the fourth.
19 This is the only property in the area
20 so situated.

21 D(3): ADDITIONS SHALL NOT ADD MORE THAN 50 ACRES OF
22 LAND TO THE UGB AND GENERALLY SHOULD NOT ADD
23 MORE THAN TEN ACRES OF VACANT LAND TO THE
24 UGB.... THE LARGER THE PROPOSED ADDITION, THE
25 GREATER THE DIFFERENCE SHALL BE BETWEEN THE
26 SUITABILITY OF THE PROPOSED UGB AND THE
 SUITABILITY OF THE EXISTING UGB, BASED ON
 CONSIDERATION OF THE FACTORS IN SUBSECTION (a)
 OF THIS SECTION.

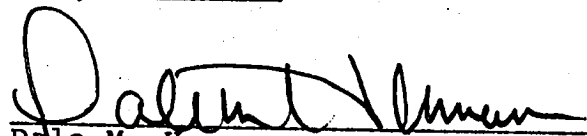
1 - The proposed adjustment adds only 2.2
2 acres. Because the size is small, the
3 degree of difference may be relatively
4 minor. The proposed UGB is clearly
5 more suitable than the existing UGB,
6 because it is a straight line,
7 co-terminus with the road.

8 D(4): Not applicable.
9

10 CONCLUSIONS AND RECOMMENDATION

11 The undersigned Hearings Officer finds that this petition
12 for locational adjustment is justified and satisfies each of the
13 applicable standards as set out above. The undersigned recommends
14 that the petition be approved and that an ordinance be adopted to
15 amend the UGB as requested in the petition.

16 Dated this 28 day of Sept, 1981.
17

18 
19 Dale M. Hermann
Hearings Officer

20 DMH/MAH/gl
21 4130B/259
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26

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

IN THE MATTER OF A PETITION) CONTESTED CASE NO. 81-5
FOR AN URBAN GROWTH BOUNDARY) ORDER
LOCATIONAL ADJUSTMENT BY)
WGK DEVELOPMENT CORPORATION)

WHEREAS, WGK Development Corporation has submitted a request for a locational adjustment to the Urban Growth Boundary (UGB) in Washington County; and

WHEREAS, Such request was given a contested case hearing before a Metro Hearings Officer on September 1, 1981; and

WHEREAS, The Hearings Officer has submitted Findings, Conclusions and a Proposed Order; and

WHEREAS, The Council has reviewed and agrees with the Findings of Fact, Conclusions and Proposed Order as submitted by the Hearings Officer; now, therefore,

IT IS HEREBY ORDERED:

1. That the Council accepts and adopts the Findings of Fact, Conclusions and Proposed Order submitted by the Hearings Officer in Contested Case No. 81-5.
2. That the Council designates as the record in this case all documents and evidence submitted before or at the September 1, 1981 hearing on this matter.
3. That an ordinance be prepared for Council adoption in accordance with the Findings of

Fact, Conclusions and Proposed Order adopted by
paragraph 1 above.

SO ORDERED this _____ day of _____, 1981.

Presiding Officer

MAH/gl
4145B/259

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING THE	)	ORDINANCE NO. 81-119
METRO URBAN GROWTH BOUNDARY)	
IN WASHINGTON COUNTY FOR	)	Introduced by the Regional
CONTESTED CASE NO. 81-5	)	Development Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The District Urban Growth Boundary (UGB), as adopted by Ordinance No. 79-77, is hereby amended as indicated in Attachment A of this ordinance which is incorporated by this reference.

Section 2. In support of the amendment in Section 1 of this ordinance, the Council hereby adopts findings of fact, conclusions and proposed order in Attachment B of this ordinance which is incorporated by this reference.

Section 3. In support of the findings of fact, conclusions and proposed order adopted in Section 2 of this Ordinance, the Council hereby designates as the record herein those documents and records submitted before or at the hearing in this matter on September 1, 1981.

Section 4. This Ordinance is the final order in Contested Case No. 81-5 for purposes of Metro Code Section 5.02.045.

Section 5. Parties to Contested Contested Case No. 81-5 may appeal this Ordinance under 1979 Or. Laws Chapter 772.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

SECTION 35 T1N R4W W.M.

WASHINGTON COUNTY OREGON

SCALE 1"=400'

CURRENT UGB

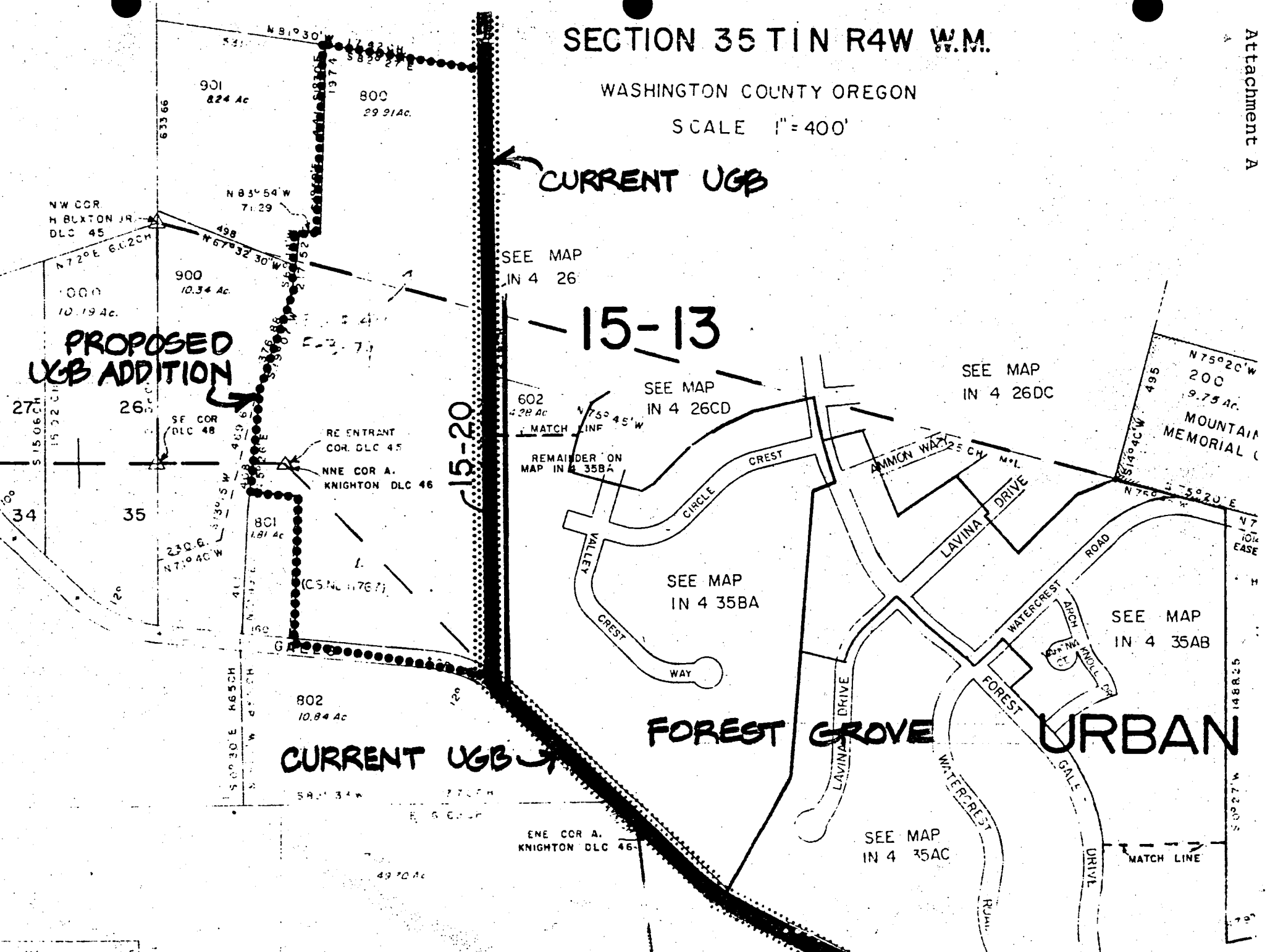
PROPOSED UGB ADDITION

15-13

15-20

FOREST GROVE URBAN

CURRENT UGB



SEE MAP
IN 4 26

SEE MAP
IN 4 26CD

SEE MAP
IN 4 26C

602
4.28 Ac
MATCH LINE
REMAINDER ON
MAP IN 4 35BA

SEE MAP
IN 4 35BA

SEE MAP
IN 4 35AB

SEE MAP
IN 4 35AC

ENE COR. A.
KNIGHTON DLC 46

MATCH LINE

N 75° 20' W
200
9.75 Ac.
MOUNTAIN
MEMORIAL C

NW COR
H BLIXTON JR.
DLC 45

SF COR
DLC 48

RE-ENTRANT
COR. DLC 45
NNE COR. A.
KNIGHTON DLC 46

(CS N 11767)

S 15° 30' E
150.30 E
R 655 CH

802
10.84 Ac

S 81° 34' W

49.70 Ac

27

34

35

1 METROPOLITAN SERVICE DISTRICT

2

3 IN THE MATTER OF A PETITION) CONTESTED CASE NO. 81-5
 4 FOR AN URBAN GROWTH BOUNDARY)
 5 LOCATIONAL ADJUSTMENT BY W GK) FINDINGS OF FACT, CONCLUSIONS
 6 DEVELOPMENT CORPORATION) AND PROPOSED ORDER

7 This petition for an Urban Growth Boundary (UGB)
 8 locational adjustment was presented at a hearing before the
 9 undersigned Hearings Officer on September 1, 1981. The petitioner
 10 requests a locational adjustment pursuant to Metro Ordinance
 11 No. 81-105 to include land at the western edge of Forest Grove
 12 within the UGB. The subject property has been considered for
 13 annexation by the city of Forest Grove for several years, but the
 14 inconsistencies between the City's position and the location of the
 15 UGB as identified by Washington County and Metro have precluded
 16 annexation to date. The proposed development would be adjacent to a
 17 large phased subdivision within the city of Forest Grove, and if the
 18 amendment were approved, would serve as the location for the sewer
 19 lines to serve these existing urban properties.

20 The city of Forest Grove and Washington County both
 21 recommend approval of this adjustment which is also supported by the
 22 service providers.

23 The undersigned Hearings Officer has determined that the
 24 standards which must be met for approval of this petition are
 25 contained in Section 8, paragraph D of Metro Ordinance No. 81-105.
 26 Therefore, the undersigned, being fully advised of the issues and
 facts in this case, makes the following findings of fact under each

1 of the applicable standards for approval.

2

3

FINDINGS OF FACT

4

D(1): Not applicable.

5

D(2): THE PROPOSED UGB MUST BE SUPERIOR TO THE UGB AS PRESENTLY LOCATED, BASED ON A CONSIDERATION OF THE FACTORS IN SUBSECTION (a)...

6

7

8

A(1): Orderly and economic provision of public facilities and services. A locational adjustment shall result in a net improvement in the efficiency of public facilities and services, including but not limited to, water, sewerage, storm drainage, transportation, fire protection and schools in the adjoining areas within the UGB; and any area to be added must be capable of being served in an orderly and economical fashion.

9

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- The area can be provided with services in an orderly and economical fashion.

15

16

- The proposed adjustment would improve the efficiency of storm drainage and sewerage service provision for adjacent lands within the UGB.

17

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- No negative effects on the efficiency of public facilities and services has been identified; the net effect of the adjustment would, therefore, be positive.

21

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A(2): Maximum efficiency of land uses. Considerations shall include existing development densities in the area included

26

1 within the amendment, and whether the
2 amendment would facilitate needed
3 development on adjacent existing urban land.

- 4 - A steep ravine runs through the
5 property, making it about two-thirds
6 undevelopable.
7 - Physical barriers to development make
8 an effective demarcation between urban
9 and nonurban land.
10 - Where, as commonly, property lines do
11 not follow physical barriers such as
12 ravines precisely, policy alternatives
13 are:

14 (i) to use the property line on
15 the near side of the ravine
16 as the urban growth
17 boundary, i.e., excluding
18 developable lands between
19 the property line and the
20 ravine;

21 (ii) to use the property line on
22 the far side of the ravine
23 as the urban growth
24 boundary, i.e., including
25 both developable and
26 undevelopable lands; or

1 (iii) place the UGB along the
2 ravine dividing the property
3 to include the developable
4 portion and exclude the
5 undevelopable portion.

6 - The third alternative serves no useful
7 purpose. A boundary which does not
8 follow property lines is difficult to
9 map and describe with precision, and
10 the inclusion of the unbuildable
11 portion of a lot allows the entire
12 site to be designed as a cluster
13 development which uses the area most
14 efficiently.

15 - Inclusion of the entire property, both
16 buildable and unbuildable, should be
17 preferred where, by so doing, all
18 adjacent buildable land is included
19 within the UGB, since exclusion would
20 leave a pocket between the urban and
21 nonurban area that is effectively
22 isolated from both and cannot be
23 efficiently utilized for either
24 purpose.

25 - Where, however, this is not the case,
26 the presence of a physical barrier

1 should be considered neutral: neither
2 inclusion nor exclusion of the
3 property in question would make the
4 UGB co-terminus with a physical
5 barrier at all points and the benefits
6 of bringing the UGB to its physical
7 limits at one point are
8 counterbalanced by the fact that all
9 similarly situated contiguous property
10 is not so treated.

- 11 - In the subject case, the ravine runs
12 out from the UGB to the north, and so
13 inclusion of the subject site includes
14 all developable land to the west of
15 the City. Approval of the proposed
16 adjustment would, therefore, promote a
17 more effective UGB and improve the
18 efficiency of land use in the area.

19 A(3): Environmental, Energy, Economic and Social
20 Consequences. Any impact on regional
21 transit corridor development must be
22 positive, and any limitations imposed by
23 the presence of hazards or resource lands
24 must be addressed.

- 25 - There are no resources protected by
26 Goal No. 5 in the area affected.
- The steep slopes are a hazard that
preclude development of a portion of

1 the land. Since development can be
2 clustered on the buildable portion of
3 this site, the presence of this hazard
4 does not have any negative
5 environmental consequences.

- 6 - No other environmental, energy,
7 economic or social consequences,
8 positive or negative, have been
9 identified.

10 A(4): Retention of Agricultural Land: When a
11 petition includes lands with Class I
12 through IV Soils that is not irrevocably
13 committed to nonfarm use, the petition
14 shall not be approved unless the existing
15 location of the UGB is found to have severe
16 negative impacts on service or land use
17 efficiencies in the adjacent urban area and
18 it is found to be impracticable to
19 ameliorate these negative impacts except by
20 means of the particular adjustment
21 requested.

- 22 - The applicant has not argued that the
23 site is entirely irrevocably committed
24 to nonfarm use--in fact, 15 percent of
25 the site is currently being farmed.

26 This standard does, therefore, apply.

- The existing UGB does, however, create
severe negative impacts on the
efficient provision of sewer and storm
drainage facilities that it would be
impractical to ameliorate except by

1 means of the adjustment requested.

2 A(5): Compatibility of proposed urban uses with
3 nearby agricultural activities. When a
4 proposed adjustment would allow an urban
5 use in proximity to existing agricultural
6 activities, the justification in terms of
7 factors (1) through (4) of this subsection
8 must clearly outweigh the adverse impact of
9 any incompatibility.

10 Because of the ravine running through the
11 property, the site is effectively separated
12 from adjoining agricultural uses, and urban
13 development would not be incompatible with
14 them.

15 ...THE MINOR ADDITION MUST INCLUDE ALL SIMILARLY SITUATED
16 CONTIGUOUS LANDS WHICH COULD ALSO BE APPROPRIATELY INCLUDED WITHIN
17 THE UGB AS AN ADDITION, BASED ON THE FACTORS IN SUBSECTION (a).

18 - The adjustment is requested in order
19 to provide more efficient sewer and
20 storm drainage facilities for adjacent
21 urban land and to include within the
22 UGB all buildable lands east of the
23 ravine that runs through the
24 property. There are no similarly
25 situated contiguous lands to which
26 these factors apply.

D(3): ADDITIONS SHALL NOT ADD MORE THAN 50 ACRES OF
LAND TO THE UGB AND GENERALLY SHOULD NOT ADD
MORE THAN TEN ACRES OF VACANT LAND TO THE

1 UGB.... THE LARGER THE PROPOSED ADDITION, THE
2 GREATER THE DIFFERENCE SHALL BE BETWEEN THE
3 SUITABILITY OF THE PROPOSED UGB AND THE
4 SUITABILITY OF THE EXISTING UGB, BASED ON
5 CONSIDERATION OF THE FACTORS IN SUBSECTION (a)
6 OF THIS SECTION.

- 7 - Although the addition adds more than
8 ten acres of vacant lands, only
9 approximately ten acres of the site
10 are buildable.
- 11 - The land use efficiencies of including
12 within the UGB all buildable lands
13 west of the City to the ravine that
14 runs through the subject site make the
15 UGB proposed more suitable than the
16 existing UGB.
- 17 - The service efficiencies alleged also
18 make a compelling case for the greater
19 suitability of the proposed UGB than
20 the existing UGB, but this allegation
21 requires more detailed documentation.

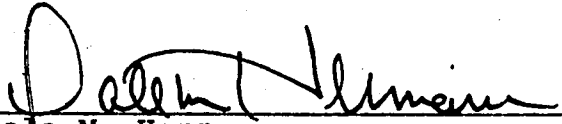
22 D(4): Not applicable.

23
24 CONCLUSIONS AND RECOMMENDATION

25 The undersigned Hearings Officer finds that this petition
26 for locational adjustment has been justified and satisfies each of
Page 8 - FINDINGS OF FACT, CONCLUSIONS AND PROPOSED ORDER

1 the applicable standards as set out above. The undersigned
2 recommends that the petition be approved and that an ordinance be
3 adopted to amend the UGB as requested in the petition.

4 Dated this 28 day of Sept, 1981.

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7 Dale M. Hermann
Hearings Officer

8 DMH/MAH/gl
9 4132B/259

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

TO: Regional Services Committee
FROM: Executive Officer
SUBJECT: Exempting Recycling Support Fund Program From Competitive
 Bidding

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approve and authorize Ordinance exempting Recycling Support Fund from competitive bidding.
- B. POLICY IMPACT: Approval of this Ordinance will allow Metro to implement part of the first phase of the Waste Reduction Plan as approved by the Council in adopting Resolution No. 81-212 on January 8, 1981.
- C. BUDGET IMPACT: No specific economic impacts; however, adoption of the Ordinance will allow Metro to evaluate proposals received under the Recycling Support Fund in an efficient and cost-effective manner.

II. ANALYSIS:

- A. BACKGROUND: Metro has issued a Request for Proposals under the \$75,000 Recycling Support Fund. The guidelines do not specify particular work tasks to be performed but instead are general in nature. This will allow a wide variety of proposals to be received and will give staff flexibility in evaluating the proposals. For these reasons, it is necessary to exempt the Recycling Support Fund from Metro's normal competitive bidding procedures.
- B. ALTERNATIVES CONSIDERED: The alternative considered was to use standard competitive bidding processes for the Recycling Support Fund. This alternative was rejected because it is inappropriate for the terms of the fund and would prove to be administratively cumbersome.
- C. CONCLUSION: Approve Ordinance No. __.

RH/srb
4104B/252
09/28/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE FOR THE PURPOSE	)	ORDINANCE NO. '81-120
OF EXEMPTING RECYCLING SUPPORT)	
FUND PROGRAM FROM COMPETITIVE	)	Introduced by the Regional
BIDDING	)	Services Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1: The Council wishes to improve recycling in the region by offering funds to support new or existing recycling projects. The Council has appropriated \$75,000 to be used for site improvements, capital purchases, and public awareness/education activities including supplies, equipment and construction and contractual services.

The need for supporting various and unidentified components of recycling prevents effective use of competitive bidding procedures.

Section 2: The Council finds that for reasons stated in Exhibit 1, which is attached and hereby made a part of this Ordinance, a subjective solicitation and contract award procedure may be substituted for competitive bidding and contract award procedures without encouraging favoritism or substantially diminishing competition for contracts.

Section 3: For the reasons stated in Exhibit 1, the Council finds that the subjective solicitation and contract award procedures will result in substantial cost savings to the District.

Section 4: The Metro Council, in its capacity as the Metro Contract Review Board, hereby exempts all of the contracts related to the Metro Recycling Support Fund Program from competitive bidding requirements and directs that any such contracts be let in

accordance with the procedures contained in Exhibit 1 of this Ordinance.

ADOPTED by the Metropolitan Service District Council
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/WC/srb
4104B/252

EXHIBIT 1

Exemption of Contracts for Metro Recycling Support Fund Program

The Metropolitan Service District (Metro) staff has requested an exemption from the public bidding requirements for helping to develop, encourage and expand residential and/or commercial recycling in the Metro region. This request is based on ORS 279.015.

Program Description

The purpose of the Metro Recycling Support Fund program is to help develop, encourage and expand residential and/or commercial recycling in the Metro region of Washington, Multnomah and Clackamas Counties. Metro intends to provide partial or full funding for new or existing projects which recycle diverse waste materials.

The minimum allocation of funds will be approximately \$500 while the maximum will be approximately \$25,000. The total amount available in the Recycling Support Fund is \$75,000. The money is intended to be used for site improvements, capital purchases, and public awareness/education activities. It can be used to cover the costs of supplies, equipment and construction as well as for contractual services in these categories. It is not intended to be used for wages, taxes, loan repayments or general operating costs.

Those eligible to receive money from the Recycling Support Fund include governmental agencies, municipalities, private organizations/businesses of a profit or nonprofit status and community groups.

Advantages of Subjective Solicitation and Contract Award Process

A subjective solicitation and contract award process will result in greater ease of implementation and cost savings for the following reasons:

1. The program goal is to provide funds for supporting various facets of recycling. Due to the diverse nature of the industry in terms of materials recovered and recycling operations, the proposals submitted will not be sufficiently similar to permit across-the-board comparison. Costs, type of recycling operation and materials recycled are three important factors that will vary for each proposal.
2. To improve as many different recycling operations as possible, Metro needs the flexibility to consider different proposals which may not lend themselves to across-the-board comparisons. For example, some proposals will request assistance for equipment while others may request assistance in terms of promotion and education.

3. To reduce the risk of non-performance, Metro requires reliable and financially strong organizations which can best be determined through this type of solicitation and contract award process.
4. To obtain the most beneficial funding support arrangements, Metro needs the flexibility to consider different proposals which may not lend themselves to across-the-board comparisons. For example, some proposals will include larger in-kind funding of projects while others may not; some may take advantage of State tax credits for the purchase of capital equipment, while others may not.

Selection Process

To ensure a fair selection of organizations a non-partial Evaluation Committee will review the proposals and make recommendations to the Executive Officer who will seek concurrence from the Council.

Proposals will be evaluated according to the following criteria:

- a. Expected immediate and long-term reduction/recycling of waste materials;
- b. Efficient use of money;
- c. Ability to increase public involvement and support of waste reduction/recycling;
- d. Contribution of matching funds or personal services, volunteer services or real/personal property to the project;
- e. Adaptability and usefulness of project methods or technology to other communities or locations in the Metro region and the State;
- f. Originality of approach;
- g. Potential to establish or strengthen markets for recovered materials in the region;
- h. Potential to establish a self-supporting operation; and
- i. The extent to which the proposed program/project involves or promotes cooperation among different groups, organizations and agencies.

Contract Award Process

Notices of award will be sent by mail.

Expenditures incurred before the effective date of the award* may

not be charged against the award. Expenditures after the scheduled expiration date of the funding award may be charged only to honor commitments made prior to the expiration date. Funding will occur after January 1, 1982 and prior to June 30, 1982.

Before Metro will disburse money under the Recycling Support Fund, a funded organization must submit to Metro a written acceptance of the funding award signed by the authorized agent of the organization or municipality.

*Effective date of award: The date the funding agreement is signed by the Metropolitan Service District and the party awarded the recycling support funds.

AJ/WC/srb
4104B/252

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE REPEALING
ORDINANCE NO. 80-91

) ORDINANCE NO. 81-114
)
) Submitted by the Regional
) Services Committee at the
) Request of Councilor Schedeen

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:
Ordinance No. 80-91, adopted June 27, 1980, for the purpose of
establishing the Johnson Creek Basin Flood Control and Pollution
Abatement Project Local Improvement District, is hereby repealed.

EXECUTED this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

MAH/gl
4133B/252

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: Establishing Temporary Partial Waiver of Disposal Charges to be Collected at the St. Johns Landfill

NOTE: A change in the starting date for Phase II of the Yard Debris Program has required this change of procedure. With this change, I request that a public hearing (first reading) be conducted on October 1, 1981. If you feel it is necessary, refer the Ordinance to the Regional Services Committee for their October 6 meeting and schedule a final hearing for October 22, 1981. This will allow us to meet our October 23, 1981 deadline.

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Conduct a public hearing on Ordinance No. 81-115. Recommend adoption of Ordinance No. 81-115 for the purpose of providing for a temporary partial waiver of charges at the St. Johns Landfill for the disposal of vegetative yard debris.
- B. POLICY IMPACT: Adoption of this ordinance will promote the implementation of Phase II of the Yard Debris Program. The ordinance will help fulfill short-term waste reduction goals through the recovery of yard debris. Economic incentives in the form of a partial waiver of disposal charges are consistent with the policies of the Waste Reduction Plan. The ordinance will expire on September 30, 1982, unless renewed by Council.
- C. BUDGET IMPACT: Adoption of this ordinance will not adversely affect the operation of the landfill. These reduced rates will apply during Metro's "clean-up," and to material that will not be disposed in the landfill. Cost differential between amount collected and cost of processing will be paid from budgeted federal grant funds.

II. ANALYSIS:

- A. BACKGROUND: In February of this year, Metro received a \$265,000 Environmental Protection Agency (EPA) grant to develop and implement alternatives for the disposal of yard debris. Metro has developed a three-part regionwide program that includes public education; special "clean-up;" and marketing of processed yard debris.

In April 1981, Council approved Ordinance No. 81-107 for the purpose of providing for a temporary partial waiver of charges at the St. Johns Landfill "for woody waste." After Metro's first clean-up evaluation, it has become

apparent that mixed vegetative yard debris is more of a problem than originally thought. Therefore, the next clean-up effort will concentrate on collection, processing and marketing of vegetative yard debris.

- B. ALTERNATIVES CONSIDERED: The success of the program demands a reduced rate. Other price alternatives were considered, but discarded as not offering enough incentive to promote the transportation of the material to the collection sites.
- C. CONCLUSION: This ordinance, if adopted, will provide a temporary incentive encouraging alternative disposal methods for vegetative yard debris. At the conclusion of the program, recommendations will be made for a long-term solution for the disposal of yard debris.

GR/srb
4120B/214
09/22/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING)
FOR A TEMPORARY PARTIAL WAIVER OF)
CHARGES AT THE ST. JOHNS LANDFILL)
FOR VEGETATIVE YARD DEBRIS)

ORDINANCE NO. 81-115

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1.

Metro Code Section 4.06.005 [Definitions] is hereby amended to read:

As used in this ordinance, unless the context requires otherwise:

(a) "Person" means any individual, partnership, association, corporation, trust, firm, estate, joint venture or any other private entity or any public agency.

(b) "Solid Waste" means all putrescible and nonputrescible wastes, including without limitation, garbage, rubbish, refuse, ashes, paper and cardboard; vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction waste; home and industrial appliances; and all other waste material permitted by ordinance to be disposed of at the St. Johns Landfill.

(c) "St. Johns Landfill" is that existing landfill owned by the City of Portland, Oregon, operated by Metro and located at 9363 N. Columbia Blvd., Portland, Oregon 97203.

(d) "Vegetative yard debris" means twigs, branches, grass clippings, leaves and tree limbs in a form appropriate for mechanical processing for reuse or sale. Vegetative yard debris

does not include yard or construction debris that is not appropriate for mechanical processing for reuse or sale. The operator or person in charge of accepting this waste shall make the final determination of what is vegetative yard debris based on the capacity of available machinery to process it. The Executive Officer may establish guidelines for determining what is vegetative yard debris within the meaning of this chapter.

Section 2.

Metro Code Section 4.06.030 [Waiver of Rates; St. Johns Landfill] is hereby amended to read:

(a) A waiver of charges may be made by the operator of the landfill for inert material, including but not limited to earth, sand, stone, crushed concrete and broken asphaltic concrete, if, at the discretion of the operator of the landfill, such inert material is needed for cover, road base or other internal use.

(b) The Executive Officer may, from time to time, direct that separated vegetative yard debris be accepted at no charge or at a rate not to exceed the following charges:

VEHICLE CATEGORY	TOTAL RATE
PRIVATE	
Cars, Station Wagons	\$1.00 ¹
Vans, Pick-ups, Trailers	2.00 ²
COMMERCIAL	
Compacted	1.00/CY
Uncompacted	.50/CY

The Executive Officer may direct that such vegetative yard debris be accepted under such conditions as may be convenient to facilitate its processing for reuse or sale. Before directing that vegetative yard debris be accepted at no charge or at a reduced charge under

¹Based on a minimum load of 2 cubic yards.

²For the first two and a half cubic yards, each additional cubic yard is \$1.00.

the terms of this subsection, the Executive Officer shall determine that a sufficient demand exists for processed vegetative yard debris to ensure that the vegetative yard debris accepted under the provisions of this subsection can be reused or sold and will not have to be disposed of with other solid waste in the landfill.

Section 3.

This ordinance is adopted as a temporary measure to encourage alternative disposal of woody waste. This ordinance shall cease to apply and shall be of no further effect after September 30, 1982.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

GR/gl
4121B/214

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: Council Coordinating Committee
SUBJECT: Repeal Existing Personnel Rules and Adoption of Attached
Revision to Chapter 2.02 of Metro Code

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Council repeal existing Personnel Rules and adoption of attached revision to Chapter 2.02 of the Metro Code relating to the Metro Personnel Rules.
- B. POLICY IMPACT: The proposed Rules have been developed to provide clarity, consistency and direction in the Metro personnel program.
- C. BUDGET IMPACT: Changes in the Personnel Rules which may have a budget impact at some future date include the allowance of unlimited sick leave accrual; one-half of which at the time of retirement (for Union members) can be converted to retirement benefits; the allowance for conversion of one day sick leave to vacation leave when an employee uses 24 hours or less sick leave in one year and the allowance of 200 hours maximum vacation accrual.

II. ANALYSIS:

- A. BACKGROUND: The existing Metro Personnel Rules were adopted in August of 1979 and experience with those Rules has pointed out the need for revision at this time. The proposed Rules attached hereto were developed by representatives of the Employees Association, Legal Counsel, the Personnel Manager and the Executive Officer.
- B. ALTERNATIVES CONSIDERED:
 - 1. Making no change in the Rules. This alternative was rejected because it was clear to management that changes were needed.
 - 2. Management change the Rules and present the changes to the Employees' Association. This alternative was rejected because the value of employee input was clearly recognized by management.
 - 3. Appoint a Rules Revision Committee composed of Management and Employees' Association Steering Committee representatives and revise the Rules to make them consistent with existing policy and prevailing practice. This alternative was adopted and the Rules were revised.

The proposed revisions were presented to the Council Coordinating Committee for consideration. The Committee raised questions which were resolved. The Rules which are being presented are the results of a year long, very thorough, review during which numerous issues and alternatives were considered, each issue was carefully and thoughtfully reviewed.

Several unresolved issues will be brought before the Council later this year. Those issues include: layoff criteria, outside work and the Zoo temporary employment program.

- C. CONCLUSION: Adoption of the attached Personnel Rules is recommended.

SW/srb
4141B/252
09/21/81



METRO

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

MEMORANDUM

Date: September 23, 1981
To: Recipients of Metro Council Agenda
From: E. Andrew Jordan, General Counsel
Regarding: Ordinance No. 81-116
Metro Personnel Rules

Due to the length of the ordinance, which incorporates the Personnel Rules, it has not been included in this packet for the Council meeting.

Copies of Ordinance No. 81-116, Metro Personnel Rules, will be available at the meeting.

EAJ:sh

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

TO: Coordinating Committee
FROM: Executive Officer
SUBJECT: Approval of Contract for Design of Penguinarium Remodel

I. RECOMMENDATION

- A. ACTION REQUESTED: Approval of contract with Jones & Jones for design of penguinarium remodel for the sum of \$112,500.
- B. POLICY IMPACT: The remodel of the penguinarium is called for in the Zoo Development Plan adopted by the Council. It is one of the projects included in the ordinance setting out the purposes of the current capital construction serial levy. Selection procedures adopted by the Council have been followed.
- C. BUDGET IMPACT: Funds for this project are included in the budget adopted for fiscal year 1981-1982.

II. ANALYSIS

- A. BACKGROUND: The present penguin facility was built to house Anarctic penguins. Because of health problems, the Zoo ceased to exhibit those animals and changed to Humboldt penguins, native to the Peruvian coast and offshore islands - thus the major problems with the mechanical aspects of the exhibit. Particularly displeasing to the public are problems relating to water clarity and extreme glare on the windows. The underwater viewing is not accessible to the handicapped and there is very little suitable space available for interpretation and education. The goals of the project are: 1) to transform the present Anarctic conditions to Humboldt conditions; 2) to provide a naturalistic looking exhibit; 3) to provide clear, neat and easier maintenance facilities; 4) to provide the means for better education and graphics; and 5) to breed and parent-raise offspring.

Several firms submitted proposals for the project. All seven firms were interviewed and scored. The firms of Travers/Johnston and Jones & Jones were the two top scoring firms with Travers/Johnston scoring 403 and Jones & Jones 395. However, no majority of the five-member selection committee had scored either firm as their first choice.

The committee agreed to present the above information to the Zoo Director for final resolution. The Director met with the committee and because no consensus was arrived at, it was determined to reinterview representatives of

the two firms. This was done with each committee member independently scoring the firms for a second time. Scoring that time was 424 for Jones & Jones and 392 for Travers/Johnston (not including the Director's score - with his score it was 504 for Jones & Jones and 455 for Travers/Johnston). Three of the five committee members had scored Jones & Jones as first choice, one had scored them even and one had scored Travers/Johnston first.

The decision regarding which architectural consultant to recommend was a difficult one. Fees and budget estimates were in the same general range and the Zoo has had previous, good experience with both firms. Jones & Jones is currently doing the beaver-otter project and Travers/Johnston have been involved in six Zoo projects. The latter was selected for the design of the quarantine building and has just completed the maintenance building design. Under an existing retainer contract they have overseen the design of our new bridge, a re-design of the gift shop/exit area, the front office remodel and the trestle terrace area. Both forms are basically local ones, albeit Jones & Jones headquarters are in Seattle and the major architectural and engineering consultants for Travers/Johnston are located in southern California.

The selection committee's and the Zoo Director's concerns with the Travers/Johnston proposal were:

1. The design solutions suggested seemed unnecessarily complex and potentially expensive with a sacrifice of the aesthetics of the animal and visitor areas.
2. Adding to the existing structure to accommodate a new keeper area would interfere with the building's very attractive lines and would be difficult to disguise from the adjacent, main visitor walkway.
3. The integration of the seating area was awkward with the visitor flow passing in front of it.
4. Handicap access to the underwater viewing area was not adequate.
5. As the lead architects, their role was substantially less than the southern Californian firm's and this could inhibit client/consultant, direct communications and possibly develop into project management problems.
6. The Travers/Johnston primary team members had not previously worked together so this critical management aspect was an unknown factor.
7. The project requires extensive rockwork and this aspect had only been dealt with in a very preliminary way, especially considering the firm's lack of previous experience in designing for such specialized exhibit work.

On the positive side, Travers/Johnston's water treatment consultants are very experienced and the designated project designer, as well as Mr. Travers, had spent a lot of time and money in research, travel, etc., in preparing the proposal. However, such an investment does not necessarily make their's better than others.

The Jones & Jones proposal had several elements that were superior and are as follows:

1. Their design concept was well thought out and made good use of the existing structure and facilities.
2. Their proposal did not interfere with the existing structure's lines and would not detract visually from the adjacent walkways.
3. The design was imaginative in that it included a wave machine, hid viewers from each other, provided excellent above and below water viewing simultaneously and provided for excellent integration of graphics, seating areas, close-up viewing of the penguins.
4. Keeper access and provisions for the handicapped were excellent.
5. The consultant team has worked together previously and the rockwork was well thought out as a result of extensive previous experience.
6. The consultant has had considerable and successful experience working on zoo/public exhibit projects at the zoos in Seattle, Tacoma and San Diego.

On the negative side, the water treatment engineers have not had extensive zoo experience and the graphics consultant has not had a proven record of working in other than two dimensional presentations.

- B. ALTERNATIVES CONSIDERED: The alternative considered was to maintain the exhibit in its present condition.
- C. CONCLUSION: It was concluded that because Humboldt penguins are on the endangered species list, that since we are having success in breeding this species and that because we have a substantial investment in the present facility, the most cost effective way to improve the exhibit is through a remodeling program. The design is the first step and Jones & Jones is the firm we are recommending to do the design.

DATE October 22/81

Council Meeting - Dinner at 6:30 pm
Regular " at 7:30 pm

TIME: 6:30 pm

MEETING - Call Sheet for Councilors - Reminder

		<u>YES</u>	<u>NO</u>
Bob Oleson	224-4280	<u>X</u>	—
Charlie Williamson	227-6784	<u>X</u>	—
Craig Berkman	228-0700	<u>X</u>	—
Corky Kirkpatrick	244-6111	—	<u>X</u>
Jack Deines	654-1449	<u>X</u>	—
Jane Rhodes	771-6461	<u>X</u>	—
Betty Schedeen	667-7153	<u>X</u>	—
Ernie Bonner	224-8437	<u>X</u>	—
Cindy Banzer	253-2915	—	— ?
Bruce Etlinger	249-0916	<u>X</u>	—
Marge Kafoury	248-3565	<u>X</u>	—
Mike Burton	636-8141	<u>X</u>	—

Rick Gustafson
 Gary Jackson
 Kevin Watkins
 Doug Drennen
 Norm Wietting
 Mike Holstrom
 Terry Anderson

Martinottis: Quiche for 18
 (2 dressings) Salad
 Cinnamons 12
 Milk 10

Terilyn Anderson 1
Richard Hertzberg
Sue Woodford
Mike Holstrom
Gonnie Russell
Diane Simon 2
Marilyn Holstrom
Richard Hertzberg
Jill Hinckley
Rick Gustafson
Doug Brenner 3
Norm Weitting
Ethan Seltzer
Caryl Waters

Kevin Martin
Planner - Hillsboro
Ryan O'Brien
Bancroft & Peterson
planner for W & K