



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

# AGENDA --- REGULAR COUNCIL MEETING

Date: MARCH 24, 1983  
Day: THURSDAY  
Time: 7:30 P.M.  
Place: COUNCIL CHAMBER

Approx.  
Time

Presented By

- |      |  |                            |
|------|--|----------------------------|
| 7:30 | CALL TO ORDER<br>ROLL CALL<br>1. Introductions.<br>2. Councilor Communications.<br>3. Executive Officer Communications.<br>4. Written Communications to Council on Non-Agenda Items.<br>5. Citizen Communications to Council on Non-Agenda Items.  |                            |
| 8:00 | 6. CONSENT AGENDA<br>6.1 Minutes of the meetings of January 12, 18, 24, 27 and February 3, 1983.<br>6.2 A-95 Review<br><u>Coordinating Committee Recommendation:</u><br>6.3 <u>Resolution No. 83-391</u> , for the purpose of adopting policies for the investing of Metro's excess cash balances. | C. Chitty                  |
| 8:05 | 7. ORDINANCES<br>7.1 <u>Consideration of Ordinance No. 83-151</u> , amending the Metro Urban Growth Boundary in Multnomah County for Contested Case No. 82-2. (First Reading)  | J. Cortright               |
|      | 8. RESOLUTIONS   |                            |
| 8:15 | 8.1 <u>Consideration of Resolution No. 83-394</u> , for the purpose of supporting the East Multnomah County Sewer Consortium 205(j) Grant Application.   | S. Siegel                  |
| 8:25 | 8.2 <u>Consideration of Resolution No. 83-392</u> , for the purpose of aligning the Federal Aid Urban Boundary with the 1980 Census Boundary and Urban Growth Boundary.  | A. Cotugno                 |
| 8:35 | 8.3 <u>Consideration of Resolution No. 83-393</u> , for the purpose of authorizing the Residential Recycling Program.  | D. Mulvihill/<br>W. Coppel |

\* Res. 83-395, for the purpose of amending the TIP to incorporate a Downtown Improvements Project and the Vintage Trolley Project into the scope of the Banfield LRT Project.

Council Agenda  
March 24, 1983  
Page Two

Approx.  
Time

Presented By

9:00 9. Consideration of adjustment to Construction Contracts/  
MBE Policy.

K. Rich/  
D. Carlson

10. Legislative Report.

11. Committee Reports.

9:30 ADJOURN

# PORTLAND RECYCLING REFUSE OPERATORS, INC.

(formerly Southeast Recycling Service)

P.O. Box 66398 Portland, Oregon 97266

235-PRRO  
7776



RECYCLE WITH PRROS March 23, 1983

Bob Breihof,  
President — 235-PRRO

Adam & Adam R. Hahn  
Sanitary Service  
Adam & Marvel — 631-7350

Arrow Sanitary Service, Inc.  
Dennis & Barbara — 665-2451

Borgens' Disposal Service  
Steve & Alecia — 659-8217

Borgens' Disposal Service  
Wally & Naomi — 654-9854

Cancilla & Son Sanitary Service, Inc.  
Joe & Kathy — 658-5721

City Sanitary Service  
Joe & Sue — 760-2412

Daisy Sanitary Service, Inc.  
Mike & Karen — 246-6416

De Matteo Sanitary Service  
Greg — 659-5552

Garbage George, Inc.  
George & Sharon — 760-1132

Gaylen Kiltow Sanitary Service  
Gaylen & Bonnie — 281-4604

John Trout Sanitary Service, Inc.  
John & Sharon — 297-2983

L.L. Schnell, Inc.  
Larry & Mary — 659-6918

Moreland Sanitary Service, Inc.  
Dick & Phyllis — 665-2316

Portland Recycling  
Refuse Operators, Inc.  
Bob & Paula — 235-7776

Ralph Wooten Sanitary Service  
Ralph & Janice — 246-5391

Ray Salvi Sanitary Service, Inc.  
Ray & Jean — 774-9755

Ron Amato Sanitary Service, Inc.  
Ron & Alice — 775-3997

Southeast Refuse Service, Inc.  
Pete & Bonnie — 761-9373

Virell's Mt. Tabor Disposal, Inc.  
Wayne — 775-7330

Weitzel and Son Sanitary Service  
Dick & Marilyn — 244-6510

TO THE METRO COUNCIL:

PRROS would like to request a deduction in the user fees paid by our members in recognition of the fine recycling service we offer in Portland.

As we requested last year, we would also like to have our color books printed by Metro to use in our school education program.

PRROS offers recycling service to over 50,000 households in Portland, generating approximately 800,000 pounds of recyclables per month.

We are gaining new members rapidly which not only increases the number of households served, but also the tonnage figures.

Sincerely,

PORTLAND RECYCLING REFUSE OPERATORS, INC.

  
Robert T. Breihof, Jr.  
President

RTBJ:s

*A Cooperative Effort*

**P**ORTLAND **R**ECYCLING **R**EFUSE **O**PERATORS, INC.  
(formerly Southeast Recycling Service)

P.O. Box 66398 Portland, Oregon 97266

235-PRRO  
7 7 7 6



NEW MEMBERS --

Elmer's Sanitary Service  
287-3068 or 282-8410

Charles Mantia Sanitary Service  
653-6514

Rose City Sanitary Service  
287-4700

Dollowitch Disposal Service  
659-2081

Dan Walker's Disposal Service  
630-4242

# PASSO

PO BOX 66193

PORTLAND, OR 97266

THE METRO COUNCIL  
527 SW Hall St  
Portland, Or 97201

March 23, 1983

TO THE COUNCIL:

The issue of Wash Racks sighted on the CTRC sight for the use of commercial hauling vehicles is once again being pushed aside and ignored by the council, executive officer and staff.

These wash racks are imperative to the cleanliness and health standards of each and every refuse hauling truck scheduled to use the CTRC. To explain the use of such wash racks:

After a garbage truck empties it's load, there is still a certain amount of wet, decaying, waste left on the floor, sides, hopper, and blade of the dump box. This waste must be washed out daily or you have growing, crawling, smelly, activities occurring in your truck. This creates a public nuisance; a health hazard to employees, mechanics, any maintenance and service personnel - virtually anyone coming into contact with the truck. Many shops refuse to work on equipment that is not up to certain health standards. The stench is unbearable during off hours. Little critters, "maggots", find an unclean garbage truck paradise and a breeding haven.

It is estimated that an average of 2 yards per day has to be scooped up from the wash rack area at Rossman's Landfill. This is a low average, and does not include any mud or dirt accumulation in the area. Computed monthly, that figure represents 56 cubic yards of waste, or 2 large garbage trucks filled to capacity and definitely overweight.

This is not an amount of waste that a local service station would be willing or equipped to deal with, (in reference to the staff's comment).

Some drop boxes are required by the Board of Health and by customers to be rinsed out after each dumping before being returned to customers, (food services, etc.).

This problem was first addressed in the spring of 1982. Members of the industry were assured the problems would be looked into. Now, a year later, nothing has been done and the industry is once again told to "ask the council".

In closing, we feel this issue is one that needs to be addressed immediately and a solution found! This issue should have been addressed in the planning stages of CTRC and in any future transfer sites. Unfortunately, common sense issues are often over-looked in planning sessions because their importance is not realized. Just ask yourself, "Would I like to have a smelly, maggot-infested, garbage truck being washed out in front of my house?" Seems like approximately the same issue as the burning plant. However, this situation could be solved with a lot less cost and create harmony among many business associates of METRO.



Sincerely,

*Joe W. Conciliaf,*

Portland Association of Sanitary Service Operators, PRESIDENT

CONSIDERATION OF RESOLUTION NO. \_\_\_\_\_ FOR THE  
PURPOSE OF AMENDING THE TRANSPORTATION IMPROVE-  
MENT PROGRAM (TIP) TO INCORPORATE A DOWNTOWN  
PORTLAND IMPROVEMENTS PROJECT AND THE VINTAGE  
TROLLEY PROJECT INTO THE SCOPE OF THE BANFIELD  
LRT PROJECT

Date: April 2, 1983

Presented by: Andy Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Tri-Met is preparing a grant application to cover additional projects which will complement the Banfield Light Rail Transit (LRT) system. These projects will utilize Urban Mass Transportation Administration (UMTA) Section 3 Capital Assistance funds earmarked for these purposes in the FY 83 Appropriations Bill and consist of:

1. Downtown Proposed Improvements

Proposed improvements on Morrison Street and Yamhill Street will provide the downtown segment of the Banfield LRT project with amenities which will greatly enhance the pedestrian environment through the downtown portion of the LRT line. These amenities, i.e., sidewalk improvements, benches, planters, etc., will facilitate pedestrian movement to and from the LRT station areas.

In addition, the downtown Portland rail improvements will aid in the mitigation of adverse impacts resulting from at-grade rail operation. Rather than pursuing a far more costly below-grade solution, the downtown Portland business community agreed to an alternative that provides greater amenities than the existing LRT design.

The establishment of a downtown local improvement district will provide a significant local match contribution for this federal grant.

Preliminary Engineering	\$ 336,432
Construction	3,663,568
Total	<u>\$4,000,000</u>

2. Vintage Trolley Project

The Banfield LRT project was approved by the City of Portland in 1979. Prior to the endorsement by the Portland City

Council, Tri-Met made presentations to and received endorsements from a number of neighborhood associations and historical societies. Specifically, the alignment ran through two nationally endorsed historic districts: the Skidmore Historic District and the Yamhill Historic District. Due to the impact of the modern light rail project in the historic district, a request was made by the districts that Tri-Met mitigate these impacts by examining the feasibility of Vintage Trolley operation.

Last year Tri-Met initiated a feasibility analysis. The analysis concluded that the Vintage Trolley project is a feasible operation in conjunction with the Banfield LRT system if trolley frequency is held low and restricted to midday, weekend and holiday service. Further, the feasibility analysis recommended that the construction of the Vintage Trolley would contain three components:

- Renovated vehicles,
- Additional track and wire work, and
- A service building.

The Vintage Trolley project will operate only west of Holladay Park. With the exception of the eastern terminus station, the Vintage Trolley project will utilize Banfield LRT stations. The eastern terminus station and stub end track will be located on N.E. 11th Avenue, across from the Lloyd Center Shopping Mall; the proposed service building will be located near the eastern terminus.

This current grant application will cover the preliminary engineering costs of the Vintage Trolley project only with the remaining acquisition and construction costs of \$884,000, once firmed, being applied for at a later date.

Preliminary Engineering	\$ 116,000
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Approval of this TIP amendment is being sought as an emergency because of the time schedule for completion of the Banfield LRT project. In order to fully integrate the downtown and trolley elements into the LRT project, UMTA and Tri-Met would like to award the \$4,116,000 Section 3 Grant on April 1, 1983. This TIP amendment is a prerequisite to grant award. TPAC and JPACT were telephone polled for approval of this resolution and recommend adoption.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adopting the attached Resolution.

#### COMMITTEE CONSIDERATION AND RECOMMENDATION

None.

BP/gl/8121B/283  
03/24/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE ) RESOLUTION NO. 83-395  
TRANSPORTATION IMPROVEMENT PROGRAM )  
(TIP) TO INCORPORATE A DOWNTOWN ) Introduced by the Joint  
PORTLAND IMPROVEMENTS PROJECT AND ) Policy Advisory Committee on  
THE VINTAGE TROLLEY PROJECT INTO ) Transportation  
THE SCOPE OF THE BANFIELD LRT )  
PROJECT. )

WHEREAS, Through Resolution No. 82-353, the Metro Council adopted the TIP and its FY 1983 Annual Element; and

WHEREAS, From time to time changes in availability of federal funds and in project needs arise requiring amendments to the TIP; and

WHEREAS, Tri-Met is proposing, through a supplemental Section 3 grant, a Downtown Improvements project and Preliminary Engineering for the Vintage Trolley project; and

WHEREAS, It is necessary that projects utilizing federal funds be included in the TIP in order to be federally obligated; now, therefore,

BE IT RESOLVED,

1. That the Metro Council endorses the following projects and their use of the noted federal funding sources:

a.	Downtown Portland Improvements Section 3 Funds	\$4,000,000
b.	Vintage Trolley Preliminary Engineering-Section 3 Funds	<u>116,000</u>
	TOTAL	<u>\$4,116,000</u>

2. That the TIP and its Annual Element be amended to reflect these authorizations.



3. That the Metro Council finds the projects in accordance with the region's continuing cooperative, comprehensive planning process, and, thereby, gives Affirmative A-95 Review approval.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

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Presiding Officer

BP/gl  
8121B/283  
03/24/83

TABLE 4  
PROPOSED BUDGET

Metro Staff

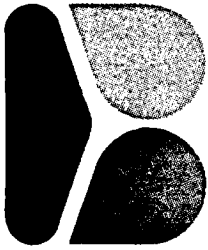
	<u>Hourly Rate</u>	<u>Hours</u>	FY 1982-83 March- <u>June</u>	<u>Hours</u>	FY <u>1983-84</u>
Solid Waste					
• Engineer	\$12.39	100	\$1,239	968	\$11,993.52
• Public Info. Spec.	9.56	-		100	956
• Secretary	6.34	50	317	100	634
Subtotal (Staff)			\$1,556		\$13,583
-----					
<u>Contractual Services</u>			FY 82-83		FY 83-84
			\$58,000.		\$100,000.
• Formats for Reporting Information			\$500		
• Four Projects (promotion/education)			2,083		32,917
• Project Coordinators 3 x \$10,000 if requested by jurisdiction (At least half-time)			2,500		27,500
Subtotal (contractual services)			<u>\$5,083</u>		<u>\$60,417</u>
			\$52,917 <sup>2</sup>		\$39,583. <sup>1</sup>

<sup>1</sup>Monies set aside for funding new projects in FY 1983-84, more support of three existing projects or other waste reduction activities as a result of system planning efforts.

<sup>2</sup>The difference between the FY 1982-83 budget (\$58,000) and the amount to be spent in FY 1982-83

WC:bb  
7783B/340  
3/14/83

March 24, 1983



**BEAVERTON**

HAND DELIVERED

METRO

527 S.W. Hall

Portland, Oregon 97201

**RE: Residential Recycling Collection**

Dear Metro Councillors:

We support your efforts to provide funding for recycling programs in various communities within the Metropolitan area as a prelude to an area wide system. Approval of our grant request will implement a program developed with a significant amount of volunteer time and effort.

As your committee has indicated, adequate promotion and public education is critical to the success of any recycling effort, particularly in the case of curbside recycling.

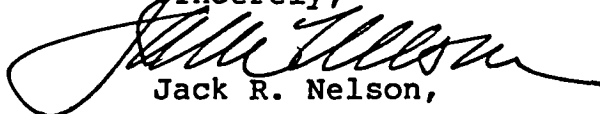
On March 14th, the Beaverton City Council appropriated \$600 for the promotion of a curbside pick-up recycling pilot project in two Beaverton neighborhoods. This is expected to pay for a very limited and focused promotional campaign utilizing volunteer help. The \$4,319 the City has requested will allow us to expand our publicity and to give promotional booster shots to the pilot project. This will develop an increased awareness of the City's recycling efforts throughout the City. We also requested additional promotional funds for the gradual expansion of the

project to other Beaverton neighborhoods, which request is not addressed in the report. An amount similar to the \$12,000 coverage requested by the other cities may be the amount necessary for publicity for the whole City.

We contemplate needing to monitor the effectiveness of our project in the Royal Woodland-Pinehurst pilot area before we expand the program City-wide. Metro funding to carry out this monitoring is essential. However, because the project is planned for only two neighborhoods at this time, and expansion will be gradual, we do not need a full or part time coordinator at this time. Therefore, we do not want a requirement that to receive promotional funds we must also hire a full or part time position at a particular salary. Instead, we would like a requirement that the City monitor its program which would be funded by Metro at a level negotiated by the City and Metro staff. Then as our needs increase, we could apply to Metro for additional funds for the additional functions proposed in the committee report.

We believe Metro's funding assistance would enable us to expand our promotional effort, gather data as the project progresses and facilitate expansion of the services into other areas of the City. We appreciate Metro's recognition of the City's program and urge your approval of the committee's report.

Sincerely,



Jack R. Nelson,

Mayor

cc: Dennis Mulvihill  
Ann Schmidt

# CITY OF MILWAUKIE



TO: METRO  
FROM: CITY OF MILWAUKIE  
SUBJECT: RESIDENTIAL RECYLING PROGRAM  
DATE: MARCH 24, 1983

The City of Milwaukie would like to commend Metro for providing funds to cities to help promote residential recycling. The City of Milwaukie is concluding the efforts of its Solid Waste Task Force and expects a Final Report by May 1st. Please be assured that the City of Milwaukie anticipates that publicity and promotion will be a key element of an effective recycling program in our city. With that in mind, the City would very likely want to submit a proposal for "Residential Recycling Funds" within the next six months.




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

## MEMORANDUM

DATE: March 24, 1983

TO: Corky Kirkpatrick, Chairperson, Council  
Coordinating Committee

FROM: Donald E. Carlson, Deputy Executive Officer, and Kay Rich, Assistant Zoo Director 

RE: Possible Council Actions Regarding Revision to Current Prohibition on New Construction Contracts

As a result of the Council Coordinating Committee meeting of March 14, 1983, you asked that we specifically suggest courses of action to revise the Council motion which prohibits award of new construction contracts prior to the review of our MBE Policy. It appears to us that there are three courses of action the Council could take:

1. The Council could rescind the earlier motion adopted February 3, 1983. This would mean that all construction contracts would be subject to current procedures when applying our MBE Policy. It also may appear to the minority community that Metro is going back on its word when awarding contracts prior to the review.
2. A second course of action would be to amend the motion to allow minor or less significant contracts to be processed and awarded prior to the review and not award major construction contracts until after the review is complete. To accomplish this, the Council might amend the motion of February 3rd for the prohibition to apply only to contracts over \$50,000. The impact of this revision would allow the minor Zoo contracts listed in the Staff Report dated March 7, 1983 to be awarded this Spring but still require the application of the MBE policies and procedures. This course of action, while pulling back from the original motion, would still make the point that the Council desires a rigorous and timely review of the Policy.
3. A third course of action would be to do nothing and instruct the staff to live by the motion adopted February 3rd. This would require the cessation of the minor construction work at the Zoo pending completion of the policy

Corky Kirkpatrick  
March 24, 1983  
Page 2

review. It appears to staff that the MBE policy review will take two to three months, thus the impact of this course of action would be that the Zoo would lose the current construction season to do some necessary work--some of which is related to earlier contract awards, i.e., moving the Prairie Dog and Eagle Exhibits for the start up of the Alaska Tundra Exhibit.

As we indicated at the Council Coordinating Committee meeting, staff would recommend that the Council approve Option 2 (apply prohibition of new construction contract awards to contracts above \$50,000) so we can continue to do necessary and planned work at the Zoo, and yet be moved to proceed with the review of our MBE Policy.

DEC/KR/ef  
8124B/D4



METRO

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

## MEMORANDUM

Date: March 24, 1983

To: Metro Council

From: Donald E. Carlson, Deputy Executive Officer,  
and Ray Barker, Council Assistant *RB*

Regarding: Suggested Approach for Review of MBE Policy

Recognizing the need to review Metro's Minority Business Enterprise (MBE) Policy and the Council's concerns that this work begin as soon as possible, we recommend the following approach:

1. Proceed immediately. Request Andy Jordan to draft a recommended MBE policy to present to a Council-appointed committee for review and consideration. Having General Counsel prepare the initial draft would give the committee a "rolling start." Andy is already familiar with the problems we have encountered with the existing MBE policy and is aware of some potential problems. He can draft the policy to avoid these problems and provide some excellent direction for the committee.
2. Council to appoint an ad hoc committee to review MBE policy and make recommendations to Council. The committee should include the following: a Metro Councilor to serve as chairperson; a representative from the National Business League (NBL), the Hispanic Community (COSSPO), Associated General Contractors (AGC), the head of another public body's MBE program (Portland or Multnomah County), and a member of the Metro staff (Kay Rich). Sue Klobertanz would be assigned to be primary staff for the Committee.
3. The MBE committee to meet in April as soon as the policy draft is completed by General Counsel.
4. The MBE committee take whatever time is necessary to recommend a good policy and submit its recommendations to the Council Coordinating Committee for initial review at the regular meeting on May 16. Drafts of the recommend policy should be widely distributed to the minority and construction community for possible input.
5. The Council Coordinating Committee to conduct a public hearing on the proposed MBE policy on June 13 (regular



Memorandum  
March 24, 1983  
Page 2

- meeting date). Should additional work need to be done or revisions made the Coordinating Committee might take whatever time and actions are necessary to incorporate changes.
6. The Council Coordinating Committee submits its recommendations to the Metro Council in time for the June 23 Council meeting or the next possible Council meeting as the case may be.

DC/RB/srb  
8127B/D4

cc: Andy Jordan



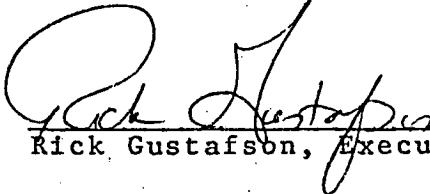
# A G E N D A --- REGULAR COUNCIL MEETING

Date: MARCH 24, 1983  
Day: THURSDAY  
Time: 7:30 P.M.  
Place: COUNCIL CHAMBER

## C O N S E N T    A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet 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.

- 6.1 Minutes of the meetings of January 12, 18, 24, 27, and February 3, 1983.
- 6.2 A-95 Review
- 6.3 Resolution No. 83-391, for the purpose of adopting policies for the investing of Metro's excess cash balances.

  
Rick Gustafson, Executive Officer

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

JANUARY 12, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, and  
Williamson.

Councilors Absent: None.

Also Present: Rick Gustafson, Executive Officer.

Staff: Don Carlson, Andrew Jordan, Ray Barker, and  
Dan LaGrande.

A recessed meeting of the Council of the Metropolitan Service District was called to order at 5:10 P.M. by Presiding Officer Banzer.

1. Resignation of Councilor Craig Berkman.

Presiding Officer Banzer stated that the Council had received the resignation of Councilor Berkman from District 3.

Motion: Councilor Oleson moved that the Council accept the resignation of Councilor Berkman. Councilor Kafoury seconded the motion.

Vote: By voice vote, the motion was carried unanimously.

2. Declaration of Vacancy in District 3

Presiding Officer Banzer declared a vacancy in the District 3 position. She asked if there were any motions to fill the vacancy.

Councilor Van Bergen stated that he had written a letter to the Council regarding his feelings about filling the vacancy. He said since the Council had set a procedure before he became a

member of the Council, he did not feel bound by that procedure. He said the appointment to the vacancy left in District 3 should be generally advertised to the public for a period of time, instead of outright appointment of Councilor Williamson to the position.

Motion: Councilor Van Bergen moved that there be a general announcement to the public of a vacancy in District 3; that for a period of twenty days candidates be given the opportunity to come forward and make written application; and that following that period of time, Council would develop a process for reviewing the applicants and make a selection. Councilor Deines seconded the motion.

There was then discussion of the motion and whether Councilor Williamson should be appointed to the District 3 vacancy.

Vote: The vote on the motion resulted in the following:

Ayes: Councilors Deines, Etlinger, and Van Bergen.

Nays: Councilors Banzer, Bonner, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, and Williamson.

Motion failed.

### 3. Election of Presiding Officer. (Continued)

Vote: The vote, by ballot, for Presiding Officer resulted in:

For Councilor Williamson: Councilors Deines, Kafoury, Kirkpatrick, Van Bergen, and Williamson.

For Councilor Banzer: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, and Oleson.

Majority vote of seven not achieved.

Councilors Kafoury, Kirkpatrick, and Etlinger made statements regarding the need to resolve the deadlock.

Presiding Officer Banzer continued the issue to Tuesday, January 18, 1983 at 5:30.

4. Resignation of Councilor Williamson from District 2 and ap-  
pointment to District 3

Motion and Vote: Councilor Bonner moved to accept the resignation of Councilor Williamson from District 2. Councilor Kirkpatrick seconded the motion. By voice vote, the motion was carried unanimously.

Motion and Vote: Councilor Kafoury moved appointment of Charlie Williamson as Councilor representing District 3. Councilor Kirkpatrick seconded the motion.

The vote on the motion resulted in the following:

Ayes: Councilors Banzer, Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, and Van Bergen.

Nays: None.

Motion carried.

At this time, Councilor Williamson was sworn in as Metropolitan Service District Councilor of District 3 by General Counsel Jordan.

Presiding Officer Banzer declared a vacancy in the District 2 position.

5. Resolution No. 83-385, for the purpose of authorizing citizen committees to assist in appointments to Council vacancies.

Councilor Kelley stated she was introducing the resolution to aid the Council in the selection of a Councilor for the District 2 vacancy, as well as for any vacancies that came up in the future. She outlined the intent of the resolution: appointment of eight citizens from the district where the vacancy existed to participate in the interview process, evaluate candidates, and advise the Council on the relative qualifications of each candidate.

Motion: Councilor Kelley moved adoption of Resolution No. 83-385. Councilor Williamson seconded the motion.

There was then discussion regarding the merits of establishing a citizens committee.

Vote: The vote on the motion to adopt the resolution resulted in:

Ayes: Councilors Banzer, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, and Williamson

Nays: Councilors Deines, Oleson, Van Bergen.

Absent: Councilor Bonner.

Motion carried, Resolution adopted.

6. R.W. Beck Report.

Presiding Officer Banzer distributed to the Council members the report of R.W. Beck and Associates regarding the Energy Recovery Facility.

There being no further business, the meeting was recessed at 5:45 P.M. until January 18, 1983 at 5:30 P.M.

Respectfully submitted,

  
Everlee Flanigan  
Council Clerk

7818B/313  
2/28/83

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING OF  
JANUARY 18, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, and  
Williamson.

Councilors Absent: None.

Staff: Donald Carlson, Andrew Jordan, Ray Barker,  
Tom O'Connor, and Dan Durig.

A special meeting of the Council of the Metropolitan Service District was called to order by Presiding Officer Banzer at 5:48 P.M.

1. Consideration of recommendation from the Council Coordinating Committee regarding the Big Fir Landfill.

Councilor Deines, Chairman of the Council Coordinating Committee, presented the recommendation of the Committee regarding the Big Fir Landfill. He said a letter to Mr. MacPhee was recommended for Council approval and Presiding Officer signature (a copy of the letter is attached to the agenda of the meeting).

There was no Council discussion or public testimony.

Motion and Councilor Deines moved that the letter to Mr.  
Vote: Angus MacPhee be approved and signed by the  
Presiding Officer. Councilor Kirkpatrick  
seconded the motion.

By voice vote, the motion carried unanimously.

2. Confirmation of appointments to citizens advisory committee to assist Council in selection of Councilor for District 2.

Mr. Ray Barker, Council Assistant, distributed to the Council a list of suggested names to the citizens advisory committee. (A copy of the list is attached to the agenda of the meeting.)

Councilor Oleson and Presiding Officer Banzer outlined the backgrounds of the citizens on the list, and said they did not yet have confirmation from all the people whether they could serve or not.

Councilor Kirkpatrick suggested that someone from the Tualatin Hills Park & Recreation District or from the Beaverton School Board serve on the committee.

There was then discussion by the Council of the suggested names.

Motion and  
Vote:

Councilor Bonner moved that the first six names on the list, plus a representative of the Tualatin Hills Park & Recreation District and the Beaverton School District be appointed to the Citizens Advisory Committee. Councilor Kelley seconded the motion.

By voice vote, the motion carried unanimously.

3. Review of applications for District 2 Vacancy.

Mr. Barker stated a list of candidates and a packet of applications had been distributed to the Council earlier. (A copy of the applications are attached to the agenda of the meeting.) He said there were nine names shown on the list, however, staff had determined that one of the candidates, Mr. Art Widder, lived out of the district.

He said there were several items to consider regarding the selection process--whether all eight candidates would be interviewed, how much time for each interview, what questions were to be asked, etc.

It was determined by the Council that all eight candidates would be interviewed, the order of interviews selected randomly. In addition, it was decided that each candidate would have twelve minutes--five minutes for an opening presentation which would include response to the questions included in a confirmation letter to them, five minutes for response to Council questions, and two minutes for closing remarks. Mr. Barker was requested to develop several voting scenarios which were to be submitted to the Council members for comment by January 24th. It was also agreed that the citizens advisory committee would use an evaluation form suggested by

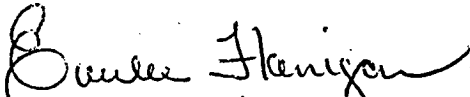


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Councilor Kelley (a copy of the evaluation form and questions to the candidates are attached to the agenda of the meeting), with tabulation completed by Mr. Barker and submitted to the Council prior to the January 27th meeting.

There being no further business, the meeting was adjourned at 6:30 P.M.

Respectfully submitted,

  
Everlee Flanigan  
Council Clerk

7872B/313  
2/24/83

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING  
JANUARY 24, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, and  
Williamson.

Councilors Absent: None.

Staff: Donald Carlson, Ray Barker, and Sonnie  
Russill.

A special meeting of the Council of the Metropolitan Service District was called to order by Presiding Officer Banzer at 5:20 P.M.

Presiding Officer Banzer stated that the purpose of the special meeting was to interview the eight candidates for the District 2 vacancy.

Councilor Kelley introduced the members of the Citizens Advisory Committee who would be assisting the Council in evaluating the candidates. The members of the committee were: Bob Crumpton, Pam Baker, Larry Cole, Lee Frease, Chris Rasmussen, Vicky Rocker, Judi Tarlow, and Folkert Menger.

Presiding Officer Banzer described the process which would be used to interview the candidates. She stated that each candidate would receive the opportunity to make a five minute opening statement, five minutes would then be allowed for Councilors to ask questions of the candidates, and then a two minute closing statement by the candidates.

She stated actual selection would occur at a special meeting of the Council on Thursday, January 27, 1983 at 5:30 P.M.

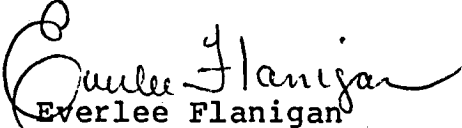
The candidates were then interviewed in the following order:

1. Charles J. Benard, 5800 S.W. Arrowwood Lane, Portland, 97225.
2. Paul Herman, 7025 S.W. 84th Avenue, Portland, 97223.
3. David G. Bishop, 6905 S.W. King Boulevard, Beaverton, 97005.
4. Henry Kane, P.O. Box 518, Beaverton, 97075.
5. Gary Blackburn, 8517 S.W. Crystal Street, Portland, 97223.
6. Robert Tenner, 7695 S.W. Wilson Avenue, Beaverton, 97005.
7. Richard C. Waker, 8390 S.W. Cashmur Lane, Portland, 97225.
8. David McBride, P.O. Box 128, Beaverton, 97075.

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There being no further business, the meeting was adjourned at 7:04  
P.M.

Respectfully submitted,

  
Everlee Flanigan  
Council Clerk

7899B/313  
3/1/83

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING  
JANUARY 27, 1983

Councilors Present: Councilors Banzer, Bonner, Etlinger,  
Hansen, Kafoury, Kelley, Kirkpatrick,  
Oleson, Van Bergen, and Williamson.

Councilors Absent: Councilor Deines.

Staff: Andrew Jordan and Ray Barker.

A special meeting of the Council of the Metropolitan Service District was called to order by Presiding Officer Banzer at 5:46 P.M. for the purpose of selecting a new Councilor to represent District 2.

Motion: Councilor Bonner moved that the Council select the new Councilor by written ballot; with the candidate with the least number of votes, or those receiving no votes, being eliminated from consideration; and that balloting continue until one person receives six votes. Councilor Hansen seconded the motion.

Vote: By voice vote, the motion carried unanimously.

Councilor Kelley reviewed with the Council her memorandum of January 27, 1983 regarding the Citizens' Committee Rating of Candidates for District 2. (A copy of the memorandum is attached to the agenda of the meeting.) Presiding Officer Banzer stated that several letters of recommendation had been received and that copies had been distributed to the Councilors. (Copies of the letters are attached to the agenda of the meeting.)

Vote: The Councilors then cast their ballots, with the following results:

For Charles Tenner: Councilor Kafoury.

For Richard Waker: Councilors Banzer, Bonner, Etlinger,  
Hansen, Kelley, and Oleson.

For David McBride: Councilors Kirkpatrick, Van Bergen,  
and Williamson.

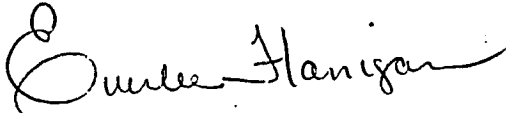
Presiding Officer Banzer declared that as a result of the balloting, Mr. Richard Waker was the new District 2 Councilor.

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Mr. Waker was then sworn in as District 2 Councilor of the Metropolitan Service District by General Counsel Andrew Jordan.

There being no further business, the special meeting was adjourned at 6:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Everlee Flanigan". The signature is written in dark ink and is positioned above the typed name.

Everlee Flanigan  
Council Clerk

7901B/313  
3/2/83

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

RECESSED MEETING  
JANUARY 27, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, Waker,  
and Williamson.

Councilors Absent: None.

Staff: Andrew Jordan and Ray Barker.

A recessed meeting of the January 6, 1983 regular meeting was called to order by Presiding Officer Banzer at 6:30 P.M. for the purpose of selecting a Presiding Officer.

Presiding Officer Banzer stated the candidates for Presiding Officer were Councilors Williamson and herself.

Councilor Williamson withdrew his name from consideration.

Councilor Van Bergen nominated himself for the position of Presiding Officer. Councilor Kirkpatrick seconded the nomination.

Councilor Van Bergen commented that he had not intended to run for the position but was dissatisfied with being left with only one candidate to choose from for the position. He said he was rather disenchanted with what had been occurring regarding the election.

At this time, the Council recessed until 7:24 P.M.

Vote: The vote, by ballot, for Presiding Officer, resulted in the following:

For Councilor Van Bergen: Councilors Deines,  
Kafoury, and Van Bergen.

For Councilor Banzer: Councilors Banzer, Hansen,  
Kelley, Kirkpatrick, Oleson, Waker, and Williamson.

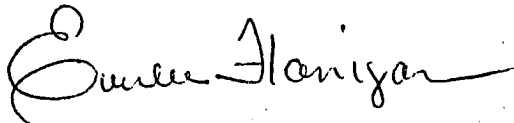
Councilor Banzer was elected Presiding Officer,  
receiving the necessary seven votes.

(Councilors Bonner and Etlinger were absent from the room at the time of the balloting, but later stated for the record that if they had been present, they would have cast their ballots for Councilor Banzer.)

Council Minutes  
January 27, 1983  
Page 2

There being no further business, the recessed meeting was adjourned  
at 7:28 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Everlee Flanigan". The signature is written in dark ink and is positioned above the typed name.

Everlee Flanigan  
Council Clerk

7905B/313  
3/2/83

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

REGULAR MEETING  
JANUARY 27, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, Waker,  
and Williamson.

Councilors Absent: None.

Also Present: Rick Gustafson, Executive Officer.

Staff: Andrew Jordan, Ray Barker, Richard  
Brandman, and Andy Cotugno.

Testifiers: Robert Briehof, Portland Recycling Refuse  
Operators, Inc.  
Mike Durbin, Portland Association of Sani-  
tary Service Operators.

A Regular Meeting of the Council of Metropolitan Service District  
was called to order by Presiding Officer Banzer at 7:30 P.M.

Election of Deputy Presiding Officer and Committee Appointments.

Presiding Officer Banzer stated the chairs of the Committees  
had been tentatively decided: Councilor Kirkpatrick, Coordi-  
nating Committee; Councilor Kafoury, Development Committee;  
Councilor Williamson, JPACT; with the Services Committee chair  
undecided. She asked Councilors to submit to her their prefer-  
ences for the committees they would like to serve on by January  
31st.

Motion: Councilor Etlinger moved the nomination of Councilor  
Oleson as Deputy Presiding Officer. Councilor Bonner  
seconded the nomination.

There were no other nominations.

Motion: Councilor Hansen moved that Councilor Oleson be  
elected Deputy Presiding Officer by unanimous con-  
sent. Councilor Bonner seconded the motion.

Vote: By voice vote, the motion to elect Councilor Oleson  
as Deputy Presiding Officer carried, with one dis-  
senting vote (Councilor Deines).



1. Appointment to District 2 Vacancy/Oath of Office.

See minutes of the Special Meeting of January 27, 1983.

2. Introductions.

There were no introductions at this time.

3. Councilor Communications.

Councilor Etlinger commented regarding the process used to select the Councilor for District 2. He said the appointment process inherently worked to the disadvantage of people who might otherwise have applied and if the Council was going to be a people's government and cut across some of the barriers that have kept citizens from working with cities and counties, federal and state government, that it needed to do a better job.

4. Executive Officer Communications.

Executive Officer Rick Gustafson distributed to the Council copies of his Report to the Council on Management Objectives for 1983. (A copy of the Report is attached to the agenda of the meeting.)

He began his comments by congratulating Councilor Banzer on her re-election as Presiding Officer and pledged the support of the staff and himself in working with her to continue to build a consensus on the Council for Metro's work program for 1983.

He stated the purpose of his presentation was to share with the Council some management objectives for 1983. He said his principal objective for 1983 was to restore credibility to the organization and proposed four major goals to attain that principal objective: 1) Maintain and enhance the professional competency of Metro; 2) Exhibit patience in dealing with issues and problems; 3) Establish a good, clear working relationship with the Council; and 4) Improve interdepartmental working relationships. He then elaborated on his four goals. Mr. Gustafson asked that the Council provide feedback and comment after they had had a chance to read the report.

5. Written Communications to Council on Non-Agenda Items.

There were no written communications to Council on non-agenda items.

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

Mr. Robert Breihof, Jr., representing the Portland Recycling Refuse Operations, Inc., P.O. Box 66398, Portland, 97266, submitted a letter to the Council regarding a newspaper box placed at the St. John's Landfill for the use of PRROS. (A copy of the letter is attached to the agenda of the meeting.) He stated that they appreciated the work that the Metro Solid Waste staff did in working with PRROS and Genstar to get the box located for the members of PRROS to use for dumping paper for recycling prior to entering the landfill.

Mr. Mike Durbin, 10022 S.W. Balmer Circle, representing the Portland Association of Sanitary Service Operators (PASSO) submitted and read a letter from the Association regarding the paper drop box at the St. Johns Landfill. (A copy of the letter is attached to the agenda of the meeting.) He said the Association was very much in favor of the work done by the Metro staff in getting the newspaper box located at the St. Johns Landfill for use by the Metro recycling haulers.

7. Consent Agenda.

The Consent Agenda consisted of the following:

- 7.1 Minutes of the meeting of December 2, 1982.
- 7.2 Resolution No. 83-381, for the purpose of amending the Functional Classification System and the Federal Aid Urban System (FAUS).
- 7.3 Resolution No. 83-387, for the purpose of granting to Marine Drop Box Company a variance from the minimum bond requirement of Resolution No. 81-281.
- 7.4 Citizen appointees to serve with Coordinating Committee during FY 1983-84 budget process.

Motion Councilor Oleson moved adoption of the Consent Agenda. Councilor Kafoury seconded the motion.

Councilor Oleson noted that Mr. John Danielson, the alternate to the budget committee, was present in the audience.

Vote: The vote on the motion to adopt the Consent Agenda resulted in:

Ayes: Councilors Banzer, Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, and Williamson.

Nays: None.

Abstention: Councilor Waker.

Motion carried, Consent Agenda adopted.

8.1 Consideration of Resolution No. 83-380, for the purpose of establishing a task force to evaluate the findings of the Diesel Exhaust Study.

Richard Brandman, Air Quality Program Manager, presented the staff report, as contained in the agenda of the meeting.

Motion: Councilor Bonner moved adoption of Resolution No. 83-380. Councilor Kafoury seconded the motion.

Councilor Bonner, Chairman of the Development Committee, stated that the Committee had recommended approval of the Resolution with the amendment that the Diesel Car Club of Oregon be represented on the Task Force.

Councilor Bonner asked if the Resolution spoke to the Diesel Car Club's representation. Mr. Brandman responded that in the staff report it was noted that the Development Committee had included the organization on the Task Force.

Motion to Amend: Councilor Kirkpatrick moved to amend the main motion to delete from the Resolution the following wording in the third Resolve: "...as described in the attached Staff Report." and in lieu thereof to insert the words: "...as described by the Regional Development Committee." Councilor Kelley seconded the motion.

By voice vote, the motion to amend carried unanimously.

Councilor Deines commented that he thought it was going to be very difficult to project what the diesel fleet in 1987 and the

year 2000 would be. He asked where the funds were coming from to pay for the study. Mr. Brandman responded that the funding was coming from EPA.

Councilor Van Bergen inquired if buses and trucks were included in the study. Mr. Brandman responded that they were.

There was no public testimony on the Resolution.

Vote: The vote on the main motion, as amended, resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Waker, and Williamson.

Nays: Councilor Van Bergen.

Absent: Councilor Deines.

Motion Carried, Resolution adopted as amended.

8.2 Consideration of Resolution No. 83-382, for the purpose of reserving the McLoughlin Boulevard Interstate Transfer funding and establishing a decision process.

Councilor Bonner, Chairman of the Regional Development Committee, stated that the Committee recommended adoption of the Resolution. He said the McLoughlin Corridor was in his district and wanted to make a few comments about it. He said at the conclusion of the State Highway Department's studies on McLoughlin, they came up with a proposed program for improvements and took it to the local governments involved. He said there were disagreements and no consistent Resolutions had been passed by the jurisdictions involved. He said the staff's proposal would establish a decision process for the local jurisdictions.

There was no public testimony on the resolution.

Motion and Vote: Councilor Bonner moved adoption of Resolution No. 83-382. Councilor Kirkpatrick seconded the motion.

The vote on the motion to adopt Resolution No. 83-382 resulted in the following:

Ayes: Councilors Banzer, Bonner,  
Etlinger, Hansen, Kafoury,  
Kelley, Kirkpatrick, Oleson, and  
Williamson.

Nays: None.

Abstention: Councilor Waker.

Absent: Councilor Deines and Van Bergen.

Motion carried, Resolution adopted.

(Councilor Van Bergen who was absent from the room during the vote, later requested that the record reflect that had he been present he would have voted in support of the resolution.)

Councilor Bonner stated that the matter was a good example of how Metro staff could work in a positive way to effect resolution of a complicated issue.

8.3 Consideration of Resolution No. 83-383, for the purpose of endorsing the Regional Light Rail Transit (LRT) System Plan scope of work and authorizing funds for related consulting engineering services.

Motion: Councilor Williamson moved adoption of Resolution No. 83-383. Councilor Etlinger seconded the motion.

Andy Cotugno, Transportation Director, presented the staff report, as contained in the agenda of the meeting.

Councilor Kafoury asked if voting for the Resolution would commit some of the Transportation staff to a two or three year work program, subject to annual budget review. Mr. Cotugno responded that the work program did commit staff until completion and would be included in the budget every year until it was completed. Councilor Kafoury asked how much it would cost each year in Metro staff. Mr. Cotugno responded that during 83-84 it would cost approximately \$120,000 in wages, fringe and overhead. She asked what percentage of his total budget that represented. Mr. Cotugno responded that a guess would be approximately 35%. She then asked what the contracting procedures would be for the consulting engineering expenses. Mr. Cotugno responded that TPAC had expressed a concern to carefully define how selection would occur from a technical,

content standpoint, and that Metro's Contract Review Board would also be involved. Councilor Kafoury commented that there was a lot about light rail that she liked, however she had some concerns with the fact that it's a fixed system with little flexibility. She cautioned against becoming so enamored with light rail that any other options for moving people were forgotten.

Councilor Deines expressed concern about spending the money without knowing what the trade-offs were.

Councilor Waker stated that he had a great interest in the issue and had some real concerns about the cross-country concepts in some of the alignments shown. He said he thought it was much easier if traditional transportation corridors were adhered to and consideration had to be given to the fact that population density was going to occur first and light rail second as a matter of course. He said there was going to be a long term problem of preserving rights-of-way without any knowledge of whether they were going to be able to build or not.

Councilor Oleson remarked that he was concerned with the kind of capital expenditure involved with light rail and said that things like planned communities could be looked at to minimize the need for light rail facilities down the line.

Councilor Van Bergen said his concern was not knowing what the trade-offs were by committing to the work program. He asked what was being given up in order to do it. He said as a new Councilor he wasn't knowledgeable of Metro's funding capabilities. Mr. Cotugno stated that the funding for 1982-83 was the only irrevocable funding being spent on the work program and that next year's budget, FY 83-84, would be presented to the Council with the proposal that a certain amount of the scope of work be completed during that period. Councilor Van Bergen commented that once the work was begun it would be difficult to drop it in a year or so. He said he looked on the issue as a commitment to complete the entire scope of work and was concerned about not knowing what was not going to be funded because of it and not knowing where the funds came from.

Councilor Williamson suggested that Mr. Cotugno set up a meeting with the new Councilors to provide them with information regarding transportation funding.

There was no public testimony on the Resolution.

Vote: The vote on the motion to adopt Resolution No. 83-383 resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger,  
Hansen, Kafoury, Kelley, Kirkpatrick,  
Waker, and Williamson.

Nays: Councilors Deines, Oleson, and Van Bergen.

Motion carried, Resolution adopted.

8.4 Consideration of Resolution No. 83-386, for the purpose of  
setting terms of service for citizen appointees on the Metro  
Investment Committee.

Motion: Councilor Williamson moved adoption of Resolution No.  
83-386. Councilor Etlinger seconded the motion.

There was no Council discussion or public testimony on the  
Resolution.

Vote: The vote on the motion to adopt Resolution No. 83-386  
resulted in:

Ayes: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Oleson, Van Bergen, Waker, and  
Williamson.

Nays: None.

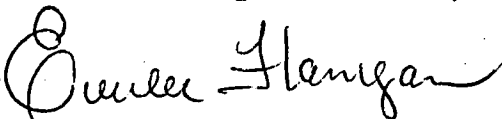
Motion carried, Resolution adopted.

9. Committee Reports.

There were no Committee Reports.

There being no further business, the meeting was adjourned at 8:54  
P.M.

Respectfully submitted,



Everlee Flanigan  
Council Clerk

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

REGULAR MEETING  
FEBRUARY 3, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,  
Etlinger, Hansen, Kafoury, Kelley,  
Kirkpatrick, Van Bergen, Waker, and  
Williamson.

Councilors Absent: Councilor Oleson (excused).

Also Present: Rick Gustafson, Executive Officer.

Staff: Donald Carlson, Andrew Jordan, Ray Barker,  
Tom O'Connor, Dan LaGrande, Steven Siegel,  
Dennis Mulvihill, and Diane Dimon.

Testifiers: Charles Crews, National Business League  
James Mayes, National Business League  
O.B. Hill, National Business League

A regular meeting of the Council of the Metropolitan Service District was called to order at 6:40 P.M. by Presiding Officer Banzer.

1. Introductions.

There were no introductions.

2. Councilor Communications.

Councilor Etlinger reported on the Region 8 meeting of the Associated Oregon Counties which he and Councilor Oleson attended. He said the AOC was going to pursue a change in Metro's enabling legislation to allow Metro to issue revenue bonds for the construction of a regional jail, as well as pursuing the Counties' ability to issue bonds for jails.

Councilor Hansen stated that he had been contacted by members of the National Business League who had expressed concern about Executive Order Nos. 15 and 16 which affected minority business enterprise rules, and specifically how they would apply to the contract for the Alaska Tundra Exhibit. He said they had expressed interest in making a short presentation to the Council and that he would appreciate the Council hearing the group at 7:30 p.m.



Presiding Officer Banzer noted that the Services Committee meeting which was originally scheduled for February 8th and then postponed to February 9th would not be held either of those dates and that the Council Secretary would be contacting the Councilors to arrange a convenient date to hear from Jeff Clunie regarding the Energy Recovery Facility.

3. Executive Officer Communications.

There were no Executive Officer Communications.

4. Written Communications to Council on Non-Agenda Items.

Presiding Officer Banzer noted that she had received a letter from Henry Kane which contained suggestions on how to improve the process for filling Council vacancies.

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

There were no citizen communications at this time. (See No. 8 for presentation by the National Business League.)

6. Committee Appointments.

Presiding Officer Banzer presented the Council Committee appointments for 1983, as follows:

Regional Services

Gary Hansen, Chair  
Cindy Banzer  
Ernie Bonner  
Jack Deines  
Corky Kirkpatrick  
Bob Oleson

Regional Development

Marge Kafoury, Chair  
Sharron Kelley, Vice Chair  
Bruce Etlinger  
George Van Bergen  
Dick Waker  
Charlie Williamson

Council Coordinating

Corky Kirkpatrick, Chair  
Cindy Banzer, Vice Chair  
Ernie Bonner  
Gary Hansen  
Marge Kafoury  
Bob Oleson

Contract Review Board

Bruce Etlinger, Chair  
Sharron Kelley  
Jack Deines

Friends of the Zoo

Bruce Etlinger  
Corky Kirkpatrick  
Jack Deines, alternate

Audit/Investment Committee

Charlie Williamson, Chair  
Cindy Banzer  
George Van Bergen

Joint Policy Advisory  
Committee on Transportation

Charlie Williamson, Chair  
Bruce Etlinger, Vice Chair  
Dick Waker  
Corky Kirkpatrick, alternate

Bi-State Task Force Committee

Gary Hansen, Chair  
Dick Waker, alternate

Motion: Councilor Etlinger moved confirmation of the 1983 Metro Council Committee appointments. Councilor Kafoury seconded the motion

Councilor Etlinger stated he hoped that the Committees would come up with clear work plans for the organization. Presiding Officer Banzer stated she had asked the Committee chairs to prepare a work plan for the year. Councilor Kafoury stated that she would like to see the Council look at their purpose and organizational functions and proposed that a reorganization committee be established. Councilor Van Bergen asked if such a reorganization committee could be set up immediately. Presiding Officer Banzer responded that she would first like to have the opportunity to set up an organizational structure for such a committee.

Vote: By voice vote, the motion to confirm the 1983 Metro Council Committee appointments was carried, with one dissenting vote (Deines).

7. Work Session on Legislative Program.

Donald Carlson, Deputy Executive Officer, stated that the staff was prepared, as a result of discussions with the Council Coordinating Committee, to go into a more in-depth discussion of legislative matters relating to the solid waste program and the zoo. He said as far as the areas of economic development, infrastructure financing, land use simplification, and general Metro matters, a report would be prepared and presented to the Council in the near future.

Mr. Carlson said it was hoped the Council would come to some conclusions in terms of direction to Mr. O'Connor regarding the zoo and solid waste matters.

Mr. Tom O'Connor, Legislative Assistant, presented his memorandum regarding Legislative Issues and Guidelines for the Zoo and Solid Waste. (A copy of the memorandum is attached to the agenda of the meeting.) He said he would go through each of the areas contained in the memorandum, discuss them, exact from the Council a set of guidelines he could use in analyzing upcoming legislation, and work with the Coordinating Committee on Metro's positions.

Presiding Officer Banzer stated that it would be assumed that the recommendations presented by Mr. O'Connor in his memorandum would stand unless there was objection to them.

Councilor Deines asked what happened if a bill came out in final form that had provisions in it that the Council didn't like even though they may have initially supported the recommendation of Mr. O'Connor. Mr. O'Connor said there would be the opportunity to work with the Coordinating Committee to devise amendments to legislation to meet the concerns, solicit testimony by appropriate Councilors at the formal Committee hearing, and then if it went into a work session, they would have the opportunity to participate and seek amendment of the language.

Mr. O'Connor then proceeded with the review of the memorandum.

#### Recycling

HB 2244: Recommendation supported.

Oregon Environmental Council Bill: Recommendation supported. Councilor Kelley commented that while the bill may have negative effect on the Metro region, it might be something of value statewide and suggested that where that happened Metro should pursue being declared an exception.

Collection Franchise Requirements: Recommendation supported. There was considerable Council discussion regarding the Waste Reduction Plan and how it related to proposed legislation. Councilor Hansen commented that on the question of franchising requirements, it was his personal feeling that they should try to be as supportive towards that type of legislation as possible.

Bottle Bill Legislation: Recommendation supported.

Packaging Legislation: Recommendation supported.

Alternative Recycling Financing Legislation: Recommendation supported.

Incentives for Recycling Industries: Recommendation supported. Councilor Etlinger commented that he had inquired if Metro could use pollution control funds, or the tax credit that was going to be used for the garbage burner for supporting recycling.

#### Solid Waste Facility Permitting

HB 2236: Recommendation supported.

HB 2241: Recommendation supported.

At this time, the Council deferred the legislative guidelines to the end of the agenda and took up the presentation by the National Business League regarding Metro's MBE Policy.

#### 8. MBE Policy.

Councilor Hansen introduced Charles Crews from the National Business League.

Mr. Charles Crews, President, National Business League, Oregon Chapter, 6939 N.E. Grand Avenue, Suite 4, Portland, 97211, submitted to the Council a letter regarding Metro's MBE Policy. He outlined five points the League wanted the Council to address as soon as possible: 1) Rescind Executive Order No. 15 enacted December 7, 1982 because MBE's and MBE organizations were not allowed input; 2) that the previous MBE program of Metro be reinstated; 3) that no contracts, now or in the future, be awarded until a clear and concise MBE program from Metro was established; 4) that Metro set up a contractors input committee made up of minorities and non-minorities and business organizations (must only be from the business community); and, 5) that a liaison person be hired, carrying out the duties outlined in the MBE program submitted to the Department of Transportation. (A copy of the letter is attached to the agenda of the meeting.)

Councilor Kafoury asked Mr. Crews exactly what the problems were with Executive Order 15. Mr. Crews responded that the

minority businesses and organizations had not had a chance to participate in the formulation of the Executive Order, and felt that that was unfair.

Councilor Hansen stated that he had no problem with any of the five points outlined by Mr. Crews. He said Executive Order 15 was a temporary situation until a long term MBE program was determined. He said Metro should have a model MBE program and supported the point that no contract be awarded until such a program was in place. He said the bids on the Alaska Tundra Exhibit, were going to be received February 9th and discussion needed to occur before that time to determine what to do about that contract.

Donald Carlson, Deputy Executive Officer, distributed to the Council copies of a letter to Mr. James Berry of the National Business League which responded to an inquiry of the League. (A copy of the letter is attached to the agenda of the meeting.) Mr. Carlson then outlined the history behind the issuance of Executive Order 15. He said Executive Order 15 was intended to clarify the application of the MBE program and the administration of it. He said it was staff's recommendation that the bidding process for the Alaska Tundra Exhibit continue, with the MBE policies as contained in Executive Order 15 applied to the bids. He said the Council would determine on February 24th whether the bid should be awarded and whether the MBE policy requirements had been met.

Mr. Gustafson, Executive Officer, clarified that Executive Order 15 allowed for bidders to submit documentation that they had made a good faith effort to involve minority contractors. He said bidders could choose between the good faith effort or 10% minority business participation.

Mr. Crews reiterated that the League was not contacted and a majority of the MBE's affected had no input into the Executive Order. He said they were asking that the bids for the contract be set over until there was a clearer understanding of what the MBE participation should be. He said there was a great deal of confusion regarding the bidding process, and that prime contractors were not advertising or were late in advertising for minority business bids to fulfill the best effort criteria. He said a delay of a week or two shouldn't affect the construction of the project.

Councilor Kafoury stated that partial solution to the problem might be to request the staff to prepare an addendum delaying the opening of the bids to assure that there was sufficient

time for the minority contractors to respond to advertising for bids. She said the black community and other minorities in the community needed assurance that there would be an adequate review of the bid documents when submitted that minority business goals were being obtained.

Mr. James Mayes, Secretary, National Business League, testified that the Minority Business Program Metro had at one time was the best program in the region because it contained a mandatory incentive for all contractors to seek out MBE's and provide them with at least 10% of the work. He said the addition of the good faith effort by Executive Order 15 did not provide adequate minority participation, and said he was upset that he was not involved in the meetings regarding Executive Order 15. He said the Alaska Tundra contract was a big contract and minorities should have been guaranteed a portion of it and that was why they wanted it held up until the issue was resolved.

Presiding Officer Banzer questioned whether the 10% requirement met the intent of providing for minority participation when prime contractors sometimes always went to the same minority contractors to achieve the 10% goal.

Councilor Etlinger requested that staff provide him with Metro's MBE performance record in dollars and percentages prior to Executive Order 15. He said he thought the request the League had made was reasonable if it did not have a massive impact on the construction deadline for the Alaska Tundra Exhibit.

Presiding Officer Banzer asked what the impact would be on the project if the matter was referred to the Coordinating Committee. Mr. Kay Rich, Assistant Zoo Director, responded that if the Council did not approve contract award on February 24th there would be a serious impact on completing the Exhibit by May 1984. Presiding Officer Banzer suggested that the issue be sent to the Coordinating Committee for review and discussion, with the hope that resolution could be attained by February 24th and no later than March 3rd.

Mr. Rich clarified that the last addendum sent out specifically stated a 10% goal and that there was a very good possibility that the goal would be achieved.

Councilor Williamson commented that no matter what the Coordinating Committee did, the rules shouldn't be changed before February 24th, because bidders were working with one set of rules and to change them in the middle of the process would cause problems.

Councilor Kafoury said she was concerned that sufficient advertising for minorities was not occurring. She said along with sending the issue to the Coordinating Committee they should consider requesting an additional addendum to be published which would delay the opening of the bids and require the general contractors to provide for the full twenty days of advertising.

Mr. Carlson explained that the bid document stated that bidders had to have a fourteen day publication period and the Executive Order stated twenty days. He said they put out an addendum that delayed the bid opening seven days to allow contractors the opportunity under the good faith effort criteria the full twenty days to advertise.

Mr. Gustafson stated that there was no requirement for publication if it was a contractor's intent to provide the 10% and the publication requirement was only necessary if the contractor could not provide for minority participation and therefore had to submit documentation that he had advertised twenty days in advance.

Councilor Waker said that it seemed what was being contended was that Executive Order 15 was not going to achieve the results that the previous policy achieved. He said the bid process would produce the evidence as to whether Executive Order 15 was going to get the job done or not and recommended that the Council go ahead with the bidding process.

Councilor Hansen said if the matter was referred to the Coordinating Committee on the 14th that the decision regarding the Alaska Tundra Exhibit would be made because the bid opening date was February 9th. He said it would be very difficult to reject all the bids on February 24th at the Council meeting if they judged that the MBE policies had not been met. He said the bottom line on the question of the fairness of Executive Order 15 was that the people most directly effected by it were not involved in the process. He said it was easy to cast blame on staff or the minority community that did have input, but the fact was that the Council had received a copy of the Executive Order and didn't question it at that time.

Mr. Crews stated that the addendum only indicated that proof was needed to show a good faith effort and did not state the 10% minority participation requirement. General Counsel Jordan stated that the 10% was in the bid document.

Councilor Bonner stated that the policy issue for the Council seemed to be to determine if the Executive Order was consistent with the Council's policy on MBE participation.

Councilor Waker said his position was that minority contractors were entitled the best possible opportunity to bid on work within the framework of the fact that the public was entitled to the lowest possible cost. He said he thought Executive Order 15 was a reasonable attempt to deal with both principles, and thought the Council should not continue to debate the issue.

Mr. O.B. Hill, Vice President, National Business League, and minority businessman, stated there were discrepancies in the documentation provided to the National Business League by Mr. Gustafson and the addendums to the bid documents. He said Executive Order 15 required twenty days of advertising in newspapers, however, the addendum required proof of advertising, which was not in the Executive Order. He said Executive Order 15 made null and void the document submitted to the Department of Transportation regarding Metro's MBE program.

Motion: Councilor Kirkpatrick moved that the issue be referred to the Coordinating Committee for the meeting of February 14th in order to adequately address the requests of the National Business League; with the understanding that should it be decided that the bids received February 9th for the Alaska Tundra Exhibit did not meet MBE objectives, it was possible for the Council to reject all bids at the meeting of the Council on February 24th. Councilor Waker seconded the motion.

Councilor Kafoury asked if there was going to be an evaluation committee to review all the bid documents. Mr. Carlson responded that staff would be evaluating the bid documents and then they would be submitted to the Coordinating Committee.

Councilor Kafoury said that it seemed they were trying to change policy while a process was going it. She said they either ought to stop the process and determine just exactly what they intended or notify people who intend to bid of the Council's interpretation of what they meant when they said "good faith".

Vote: The vote on the motion resulted in:

Ayes: Councilors Kirkpatrick, Waker, and Williamson.

Nays: Councilors Banzer, Bonner, Etlinger, Hansen, Kafoury; and Kelley

Absent: Councilors Deines, Oleson, and Van Bergen.

Motion failed.



Motion: Councilor Williamson moved to terminate the bid for the Alaska Tundra Exhibit and reissue the RFP after the Coordinating Committee and Council had deliberated on the issue. Councilor Kirkpatrick seconded the motion.

Councilor Hansen said the motion wouldn't be necessary if a meeting and hearing before the 9th could be held to discuss the options available. Councilor Kirkpatrick stated she was not in favor of making a major policy change without adequate time to let people know they were considering it and without staff time to prepare. Councilor Kafoury suggested that in order to assure that the MBE process worked, they proceed with the process for the Alaska Exhibit, with the stipulation that a panel of citizens selected from the minority community participate in reviewing the bids.

Vote: The vote on the motion to terminate the bid process for the Alaska Tundra Exhibit resulted in:

Ayes: Councilor Kirkpatrick.

Nays: Councilors Banzer, Bonner, Etlinger, Hansen, Kafoury, Kelley, and Williamson.

Absent: Councilors Deines, Oleson, Van Bergen, and Waker.

Motion Failed.

At this time, the Council recessed to 9:25 p.m.

Motion Councilor Bonner moved that the bid opening date be extended to February 18th, that the matter be referred to the Services Committee for a hearing on possible rescission of Executive Order 15. Councilor Etlinger seconded the motion.

Councilor Bonner stated he did not like the options to either cancel the bids and start over or accept the process already in place. He said if there was a question about Executive Order 15 as to whether or not it was consistent with Council policy, they needed to resolve that issue first. He said it should go to the Services Committee because they had a meeting on Tuesday and it could be decided before the Council meeting on the 24th.

Councilor Hansen stated he wanted to make two amendments to Councilor Bonner's motion: Extend the bid opening one week to

the 16th, which would allow more time; and allow the Coordinating Committee to hear it instead of the Services Committee. Councilor Bonner accepted the suggestions as friendly amendments.

Councilor Waker spoke in opposition to the motion. He said the bid should be opened on the 9th with award on the 24th. He said the opportunity was available on the 24th to reject all the bids if they so desired. He said they could decide whether to rescind Executive Order 15 at the same time they would be reviewing the bids for consistency with the MBE policy and Executive Order 15.

Councilor Kafoury said she was also opposed to the motion. She agreed that they should proceed with the bid opening and reiterated that a review panel should participate with the staff in evaluating the bids.

Vote: The vote on the motion to delay bid opening to February 16 and refer the issue to the Coordinating Committee meeting on February 14th for possible rescission of Executive Order 15 resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, and Hansen.

Nays: Councilors Kafoury, Kelley, Kirkpatrick, and Waker.

Absent: Councilors Deines, Oleson, Van Bergen, and Williamson.

Motion failed.

Motion: Councilor Kafoury moved: Establishment of a review panel which would evaluate the bids received for the Alaska Tundra Exhibit, the review panel to consist of representatives of the minority community, including members of the National Business League, to evaluate whether or not the 10% MBE level was attained; 2) that the Council undertake a major review of the MBE program, a major component to be public participation, with the end result to develop fair and equitable procedures regarding minority business enterprises, and 3) that the review of the MBE policy occur and be completed prior to any contracts being awarded.

Presiding Officer Banzer asked if the intent of the motion was to address major contracts or any contracts awarded before the MBE review was complete.

Councilor Kafoury stated she meant construction contracts and wasn't sure how to define major.

Mr. Gustafson stated that it would be appropriate that it apply to any contract for which the MBE program would be applicable.

Councilor Etlinger suggested that affirmative action be added to the motion. Councilor Kafoury said she would rather deal with the MBE/FBE program first but agreed that affirmative action should be looked at some time in the future.

Councilor Hansen stated he felt there was agreement on the Council that they wanted to improve their MBE program and that they wanted more input from the minority community. He said the bottom line was that there was an estimated \$1.6 million job, which was the biggest contract they would let for the year, and ten percent of that for minority contractors would keep four to six small contractors afloat during the current economic crisis. He said he was probably going to vote against the motion because it still didn't address the five issues that were raised by the National Business League.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Kafoury, Kelley, Kirkpatrick, and Waker.

Nays: Councilor Bonner, Etlinger, and Hansen.

Absent: Councilors Deines, Oleson, Van Bergen, and Williamson.

Motion carried.

Councilor Hansen asked how the review would be implemented. Presiding Officer Banzer responded that she would send out a memo setting up a procedure for the review of the bids to be opened on February 9th.

7. Work Session on Legislative Program (Continued).

Mr. O'Connor continued with the presentation of his memorandum.

Hazardous Waste Legislation: Recommendation supported.

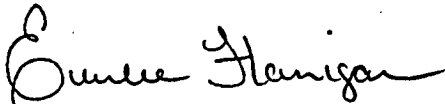
Pollution Control Tax Credits Legislation: Recommendation supported.

Councilor Waker stated that since there were only five Councilors left to hear the legislative package that perhaps it would be more productive to continue it to another time when there would be a chance for better attendance.

Mr. O'Connor stated that he had one item which he needed direction on before the meeting adjourned, and that was proposed Public Contracting Legislation. He distributed a memorandum regarding the legislation (a copy of the memorandum is attached to the agenda of the meeting), and described the proposed legislation. He said his recommendation was that Metro should support the position of the League of Oregon Cities and Associated Oregon Counties and seek to maintain local control over contracting as currently in State law. Recommendation supported by the Councilors present (Waker, Kirkpatrick, Etlinger, Kelley and Hansen)

There being no further business, the meeting was adjourned at 10:00 P.M.

Respectfully submitted,



Everlee Flanigan  
Council Clerk

7942B/313  
3/9/82



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

## MEMORANDUM

Date: March 24, 1983  
To: Metro Council  
From: Executive Officer  
Regarding: A-95 Review Report

The following is a summary of staff responses regarding grant applications for federal assistance.

1. Project Title: BPA Transmission Facilities #8210-1  
Applicant: Bonneville Power Administration  
Project Summary: Draft Environmental Impact Statement (DEIS) for a plan to control vegetation along transmission facilities in the BPA system.  
Federal Funds Requested: NA  
Staff Response: Favorable action.
2. Project Title: Mulino Airport #8211-1  
Applicant: Port of Portland  
Project Summary: Land acquisition for building of Clackamas County Reliever Airport at Mulino. Development of the airport will require purchase of the existing Mulino airport and surrounding privately owned property. Approximately 243 acres will be purchased, requiring the relocation of landowners and their families. Acquisition will begin this year, subject to Clackamas County approval of the Port's application for land use permits.  
Federal Funds Requested: \$3,062,472 - Airport Improvement Program - Department of Transportation (DOT)  
Staff Response: Favorable action.
3. Project Title: Gaarde/Beef Bend Road #8211-2  
Applicant: Oregon Department of Transportation (ODOT)  
Project Summary: Funds will be used to relocate the Gaarde/Beef Bend Road intersection to allow improved and safer access to Highway 99W from Bull Mountain Road. Project location is Tigard.  
Federal Funds Requested: \$95,000 FHWA-DOT  
Staff Response: Favorable action.
4. Project Title: Clackamas County CETA #8211-3  
Applicant: Clackamas County Employment & Training Agency  
Project Summary: Funds will be used to operate the CETA program in Clackamas County. Activities include classroom

training, on-the-job training, work experience and job placement services.

Federal Funds Requested: \$2,700,720 - Department of Labor  
Staff Response: Favorable action.

5. Project Title: Multnomah/Washington CETA #8212-1  
Applicant: Multnomah/Washington Employment & Training Agency  
Project Summary: Funds will be used to operate the CETA program in Multnomah/Washington Counties outside the City of Portland. Activities include classroom training, on-the-job training, work experience and job placement services.  
Federal Funds Requested: \$3,657,985 - Department of Labor  
Staff Response: Favorable action.
6. Project Title: Herbicide Spraying #8212-2  
Applicant: Bureau of Land Management (BLM)  
Project Summary: Spraying of herbicides on 216 acres of BLM administered land in Clackamas County.  
Federal Funds Requested: NA  
Staff Response: Favorable action.
7. Project Title: Garcia Memorial Health Center #8212-4  
Applicant: Garcia Memorial Health Center, Inc.  
Project Summary: Funds will be used for a primary out-patient medical and mental health clinic for migrant farmworkers in Washington County.  
Federal Funds Requested: \$241,000 - Department of Health and Human Services (HHS)  
Staff Response: Favorable action.
8. Project Title: Elderly Congregate Housing #8212-5  
Applicant: Stanley Park Residential Center, Ltd.  
Project Summary: Funds will be used to finance construction of a 70-unit congregate housing facility for low-income elderly in Sherwood. Loan terms are one percent over 50 years.  
Federal Funds Requested: \$2,536,785 - Farmers Home Administration  
Staff Response: Favorable action.
9. Project Title: Program Management Improvement #831-1  
Applicant: Northwest Regional Educational Laboratory  
Project Summary: Funds will be used to develop micro-computer information and management software systems to assist human services agencies throughout the nation.  
Federal Funds Requested: \$195,000 (HHS)  
Staff Response: Favorable action.

10. Project Title: North Scholls Section #831-2  
Applicant: Oregon Department of Transportation (ODOT)  
Project Summary: Funds will be used for preliminary engineering, acquisition of right-of-way, grading and paving to widen and improve site distances on one bend of North Scholls Road in Washington County.  
Federal Funds Requested: \$13,500 - Department of Transportation  
Staff Response: Favorable action.
11. Project Title: Headstart #832-1  
Applicant: Mt. Hood Community College  
Project Summary: Funds will operate a full-day Headstart Program for 159 low-income children in Multnomah County east of 82nd Avenue.  
Federal Funds Requested: \$405,385 (HHS)  
Staff Response: Favorable action.
12. Project Title: Care Needs for Elderly and Disabled #832-5  
Applicant: Clackamas County Department of Human Resources  
Project Summary: Funds will design a service model which provides education and information to individuals, families and service and health care providers describing options and services available for the person no longer able to maintain independent living.  
Federal Funds Requested: \$58,600 (HHS)  
Staff Response: Favorable action.
13. Project Title: Self-help Groups #832-6  
Applicant: Portland State University - Regional Research Institute  
Project Summary: Funds will be used to establish self-help groups to prevent the breakdown of step-families. Program activities include investigation, counseling, workshops, networking and volunteer training.  
Federal Funds Requested: \$105,000 (HHS)  
Staff Response: Favorable action.
14. Project Title: Gerontology Training #832-7  
Applicant:  
Project Summary: Development of an expanded gerontology-related physical therapy program for students at Pacific University in Forest Grove.  
Federal Funds Requested: \$51,049 (HHS)  
Staff Response: Favorable action.
15. Project Title: Volunteer Training #832-8  
Applicant: Oregon Health Sciences University- Crippled Children's Division

Project Summary: Volunteers will be trained to teach parenting skills to high-risk mothers and fathers or parents of handicapped children. The program will also include training adolescent babysitters in the care of handicapped children and establishing parent support networks.

Federal Funds Requested: \$107,637 (HHS)

Staff Response: Favorable action.

16. Project Title: Youth Services #832-9  
Applicant: State Juvenile Services Commission  
Project Summary: Funds will be used to create one unified information and data system related to county juvenile commissions and youth services programs statewide.  
Federal Funds Requested: \$112,500 (HHS)  
Staff Response: Favorable action.
17. Project Title: Nursing Homes #832-10  
Applicant: Portland/Multnomah County Area Agency on Aging  
Project Summary: Project will identify key factors, other than mental and physical condition of elderly, to improve efficiency and effectiveness of statewide efforts to move elderly from nursing homes to community-based care.  
Federal Funds Requested: \$33,000 (HHS)  
Staff Response: Favorable action.
18. Project Title: Energy Audit # 832-11  
Applicant: Portland Memorial Coliseum Complex  
Project Summary: Funds will be used for a technical study which will outline options to conserve energy at the Memorial Coliseum.  
Federal Funds Requested: \$51,926 (BPA)  
Staff Response: Favorable action.
19. Project Title: Multicare Health Services #832-12  
Applicant: Multnomah County Department of Human Services  
Project Summary: Funds will be used to provide primary medical and dental care to low-income residents of Multnomah County. An estimated 25,000 persons benefit from this program.  
Federal Funds Request: \$2,621,000 (HHS)  
Staff Response: Favorable action.



CONSIDERATION OF RESOLUTION NO. 83-391 FOR  
THE PURPOSE OF ADOPTING THE INVESTMENT POLICIES  
AS RECOMMENDED BY THE INVESTMENT ADVISORY  
COMMITTEE

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Date: March 8, 1983

Presented by: Leon N. Chitty/  
Don Carlson

FACTUAL BACKGROUND AND ANALYSIS

By adopting Resolution Nos. 82-378, 83-379 and 83-386 the Metro Council formed an Investment Advisory Committee composed of the members of the Metro Audit Committee and three citizens from the community expert in fiscal and investment matters.

It is the purpose of the Metro Investment Advisory Committee to review existing investment practices and make policy recommendations from time to time.

On January 10, 24, and February 28, 1983, the Committee met to review, discuss and formulate specific policies for the investing of Metro's excess cash balances. During the process to formulate investment policies the Committee reviewed the existing policies of the City of Portland, Marion County and the State of Oregon's Short-Term Fund Board. After careful consideration of existing investment guidelines, it is the recommendation of this Committee that the policies presented in Exhibit "A" be forwarded to the Metro Council for their approval.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the policies in Exhibit "A" be adopted.

COMMITTEE CONSIDERATION AND RECOMMENDATION

On March 14, 1983, the Council Coordinating Committee unanimously recommended Council adoption of Resolution No. 83-391.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING	)	RESOLUTION NO. 83-391
POLICIES FOR THE INVESTING OF	)	
METRO'S EXCESS CASH BALANCES	)	Introduced by the Investment
	)	Committee

WHEREAS, The Metro Council adopted Resolution No. 82-378  
creating an Investment Committee; and

WHEREAS, It is the purpose of this Committee to recommend  
policy and monitor the investment activities of Metro; now,  
therefore,

BE IT RESOLVED,

The specific policies recommended by the Committee and  
attached hereto as Exhibit "A" shall govern the investment  
activities of the Metropolitan Service District.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

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

CC/gl  
7940B/283  
03/08/83



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

METRO INVESTMENT ADVISORY COMMITTEE  
INVESTMENT POLICIES

It shall be the purpose of the Metro Investment Advisory Committee to provide a definite course or method of action, selected from among alternatives and in light of given conditions, to guide and determine present and future decisions concerning the investment of the District's cash balances. These policies shall be:

- I. Compliance with existing legal requirements;
- II. Provide a statement of investment objectives;
- III. Establish a criteria for diversification of investments;
- IV. Establish a term for which investments are held;
- V. To specifically exclude or limit certain investments;
- VI. Provide for accurate, meaningful and timely reporting;
- VII. Agree to a regular meeting time to review and discuss investment policies and results; and
- VIII. Assignment of responsibility to carry out these policies.

I. Compliance with Existing Legal Requirements

- A. Comply with the provisions of ORS Sections 294.035 to 294.048 and other applicable provision as mandated by the State of Oregon.
- B. Comply with Resolutions adopted by the governing Council.

II. Statement of Investment Objectives

The investment objectives of this Committee shall be in order of importance:

- A. To minimize the risk of funds invested and to maximize the safety of principal sums;
- B. To provide for convenience and simplicity of investing and accounting activities;
- C. Maintain sufficient liquidity to meet cash demands;
- D. Provide for prudent diversification among acceptable financial institutions; and
- E. Provide for an adequate rate of return from investment activities.

III. Establish Criteria for Diversification

Diversification of investments shall not exceed:

A.	U.S. Treasury Bills, Notes and Bonds	100% Maximum
B.	U.S. Government Agencies (Highly Liquid)	100% Maximum
C.	Time Certificates of Deposit	100% Maximum*
D.	Repurchase Agreements Over 30 Days	25% Maximum
E.	State of Oregon Investment Pool	100% Maximum

IV. Term of Investments

Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity.

Except for special situations (when directed by the majority of the Investment Advisory Committee) investments shall be limited to maturities of six months or less.

V. Exclusion of Certain Investments

- A. Purchase of standby or forward commitments of any sort are specifically prohibited.
- B. A listing of approved financial institutions and investment alternatives will be maintained by the Committee. Any financial institution is eligible to

\*Investments with commercial financial institutions shall be placed so that no single institution has more than the lesser of 30 percent of the total available funds or 10 percent of the equity of the institution.

make an application to the Committee and upon due consideration and approval hold available funds. A listing of those eligible institutions will be held by the Manager of Accounting.

VI. Provide Accurate, Meaningful and Timely Reporting

Reports will be prepared by the 15th day of the month following the investment activity. These reports will include at a minimum:

- A. Type of Investment;
- B. Issuer of Instrument;
- C. Date of Issue;
- D. Date of Maturity; and
- E. Stated Interest Rate.

In addition, a report will be prepared for each regular meeting to present historical investment information for the past 12-month period.

VII. Regular Meeting Time

The Committee shall meet at 4:00 p.m. on April 25, July 25 and October 24, 1983, to review, discuss and advise the Manager of Accounting on investment policies and practices.

VIII. Assignment of Responsibility

These policies shall be officially adopted by the Investment Advisory Committee and the Metro Council. The Manager of Accounting using his/her own professional knowledge and judgment, within the bounds of the "Prudent Person Rule," shall govern the management of all investments.

CC/srb  
7599B/192  
03/02/83

STAFF REPORT

Agenda Item No. 7.1

Meeting Date March 24, 1983

CONSIDERATION OF ORDINANCE NO. 83-151, AMENDING  
THE URBAN GROWTH BOUNDARY IN MULTNOMAH COUNTY  
AS ORDERED BY THE COUNCIL IN CONTESTED CASE NO. 82-2.

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Date: March 8, 1983

Presented by: Joseph Cortright

FACTUAL BACKGROUND AND ANALYSIS

On February 24, 1983, the Council decided Contested Case No. 82-2, and approved a proposal to add western Hayden Island to the UGB.

The attached Ordinance No. 83-151, implements that order, formally amending the regional UGB to include western Hayden Island.

EXECUTIVE OFFICER'S RECOMMENDATION

Approval. This Ordinance implements the Council's Order on Contested Case 82-2.

COMMITTEE CONSIDERATION AND RECOMMENDATION

Not applicable. Metro's Contested Case procedures provide for UGB amendments to be heard directly by Council.

JC/gl  
7950B/283  
3/8/83



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING THE )      ORDINANCE NO. 83-151  
METRO URBAN GROWTH BOUNDARY IN )  
MULTNOMAH COUNTY FOR CONTESTED )  
CASE NO. 82-2 )

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 Exhibit 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, Conclusions and Recommendation in Exhibit B of this ordinance which is incorporated by this reference.

Section 3. In support of the Findings, Conclusions and Recommendation 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 January 5, 1983.

Section 4. This ordinance is the final order in Contested Case No. 82-2 for purposes of Metro Code Section 5.02.045.

Section 5. Parties to Contested Case No. 82-2 may appeal this ordinance under 1979 Or. Laws, ch. 772.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

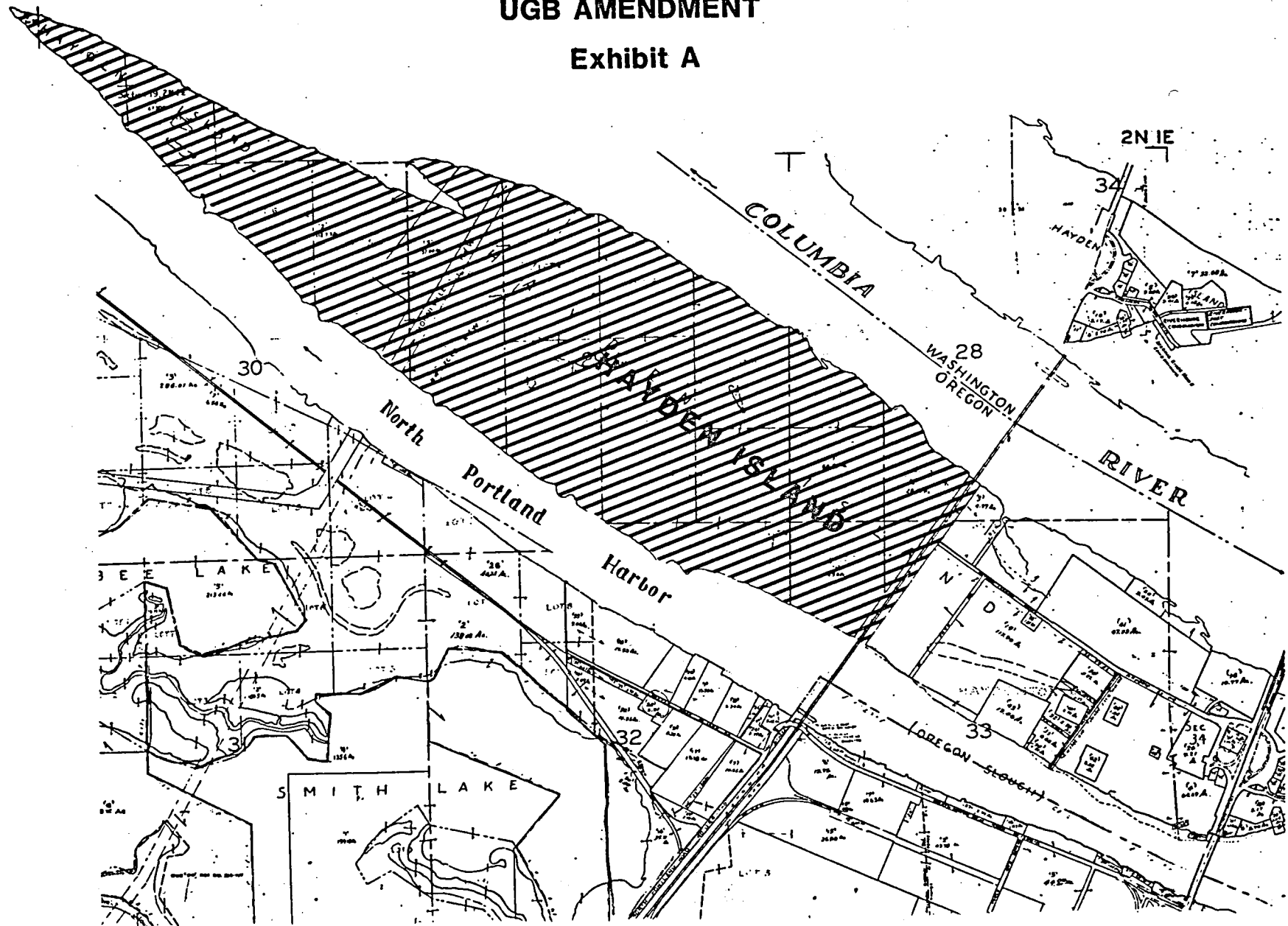
\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Council

JC/g1/7952B/327

**UGB AMENDMENT**  
**Exhibit A**



**Exhibit B**

BEFORE THE METROPOLITAN SERVICE DISTRICT

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In the matter of a petition of )  
Portland General Electric Company, )  
Western Transportation Company, )  
Hayden Island, Inc., and ) FINDINGS, CONCLUSIONS  
Burlington Northern, Inc. for an ) AND RECOMMENDATION OF  
amendment to the regional urban ) HEARINGS OFFICER  
growth boundary. )

I. Nature Of The Case.

This cause is before the Council on an application by four landowners for an expansion of the metropolitan area urban growth boundary to include their lands, which are located on, and constitute, the entire western portion of Hayden Island. Applicants own approximately 748 acres on the west side of the Burlington Northern Railroad Bridge which crosses Hayden Island and the Columbia River. The applicants and their ownerships are as follows:

<u>Applicant</u>	<u>Approximate Acreage</u>
Burlington Northern, Inc.	33 acres
Hayden Island, Inc.	37 acres
Portland General Electric Company	496 acres
Western Transportation Company	182 acres

The Bonneville Power Administration, not an applicant, owns an additional thirteen acres of property on west Hayden Island, consisting of a 200-foot wide transmission line corridor. That land is included in the application. Bonneville has no objection to its inclusion.

Applicants propose that the property be included in the UGB to satisfy the long term regional need for water-dependent, marine terminal and industrial facilities.

1           II. The Hearing And Administrative Record.

2           On January 5, 1983, following the mailing and newspaper  
3 publication of a public notice, an evidentiary hearing on the  
4 application was held before me at the offices of the Metropolitan  
5 Service District. Following the evidentiary hearing, the record  
6 was held open until January 14, 1983 for the admission of additional  
7 written testimony.

8           The administrative record in this matter consists of the  
9 tape recordings of the January 5, 1983 proceedings, and the documents  
10 identified in Exhibit "A" to this report.

11                       III. Findings Of Fact.

12           The testimony and evidence in this case was substantially  
13 uncontroverted. Only one witness, Mr. Michael Houck of the Audubon  
14 Society of Portland, testified in opposition. (Exhibit 27).  
15 Multnomah County testified in support of the application, but had  
16 certain concerns. (Exhibits 23 and 25). Mr. Houck's and Multnomah  
17 County's testimony are discussed in my conclusions, below.

18           At the close of the hearing, applicants submitted 52  
19 pages of proposed findings of fact which appear to have been taken,  
20 in some cases, directly from the application or supporting documents.  
21 Because the facts of this proceeding are not in material dispute,  
22 and applicants' findings fairly and accurately set them forth, I  
23 adopt those findings as my own. The findings appear in Exhibit "B"  
24 attached hereto and incorporated herein.

25           The Council should note that at page 5, the findings  
26 refer to Multnomah County Ordinance Nos. 333, 334, and 335, and a

1 Multnomah County Planning Commission Resolution PC/PR5-82a, and  
2 state that they are "attached." They are not attached but do appear  
3 elsewhere in the record. See Exhibit 23.

4 IV. Conclusions

5 The legal standards applicable, as the findings correctly  
6 state, are statewide Goals 2 (exceptions) and 14 (urbanization).

7 Goal 2 states:

8 PART II - EXCEPTIONS: When, during the  
9 application of the statewide goals to plans,  
10 it appears that it is not possible to apply  
11 the appropriate goal to specific properties  
12 or situations, then each proposed exception  
13 to a goal shall be set forth during the plan  
14 preparation phases and also specifically  
15 noted in the notices of public hearing. The  
16 notices of hearing shall summarize the issues  
17 in an understandable and meaningful manner.

18 If the exception to the goal is adopted, then  
19 the compelling reasons and facts for that  
20 conclusion shall be completely set forth in  
21 the plan and shall include:

- 22 (a) Why these other uses should be  
23 provided for;
- 24 (b) What alternative locations within  
25 the area could be used for the  
26 proposed uses;
- 27 (c) What are the long term environ-  
28 mental, economic, social and  
29 energy consequences to the locali-  
30 ty, the region or the state from  
31 not applying the goal or permitting  
32 the alternative use;
- 33 (d) A finding that the proposed uses  
34 will be compatible with other  
35 adjacent uses.

36 Goal 14 states:

37 GOAL: To provide for an orderly and efficient  
38 transition from rural to urban land use.

1 Urban growth boundaries shall be established to  
2 identify and separate urbanizable land from  
rural land.

3 Establishment and change of the boundaries  
4 shall be based upon consideration of the  
following factors:

- 5 (1) Demonstrated need to accom-  
6 modate long-range urban popula-  
7 tion growth requirements consis-  
8 tent with LCDC goals;
- 9 (2) Need for housing, employment  
10 opportunities, and livability;
- 11 (3) Orderly and economic provision for  
12 public facilities and services;
- 13 (4) Maximum efficiency of land uses  
14 within and on the fringe of the  
15 existing urban area;
- 16 (5) Environmental, energy, economic  
17 and social consequences;
- 18 (6) Retention of agricultural land as  
19 defined, with Class I being the  
20 highest priority for retention and  
21 Class VI the lowest priority; and
- 22 (7) Compatibility of the proposed urban  
23 uses with nearby agricultural  
24 activities.

25 The results of the above considerations shall be  
26 included in the comprehensive plan. In the case  
of a change of a boundary, a governing body  
proposing such change in the boundary separating  
urbanizable land from rural land, shall follow  
the procedures and requirements as set forth in  
the Land Use Planning Goal (Goal 2) for goal  
exceptions.

27 Taken together, these goals require demonstrations:

- 28 a. Of a need for the UGB expansion (Goal 14, Factor 1;  
29 Goal 2, Part II(a)).
- 30 b. Of a lack of alternative sites (Goal 2, Part II(b)).

1 c. That the environmental, economic, social, and energy  
2 consequences justify the decision to enlarge the boundary (Goal 14,  
3 Factor 5; Goal 2, Part II(c)).

4 d. That the proposed uses will be compatible with other  
5 adjacent uses (Goal 2, Part II(d); Goal 14, Factor 7).

6 e. Of orderly and economic provision for public facilities  
7 and services (Goal 14, Factor 3).

8 f. Of maximum efficiency of land uses within and on the  
9 fringe of the existing urban area (Goal 14, Factor 4).

10 g. Of retention of agricultural land (Goal 14, Factor 6).

11 Need And Alternatives. There is no dispute in this record  
12 that there will be a year-2000 need for additional marine terminal  
13 facilities in the region, and that alternative sites elsewhere on  
14 the Willamette or Columbia Rivers do not exist (Paragraphs (a) and  
15 (b), above).

16 Consequences. Mr. Michael C. Houck of the Portland Audubon  
17 Society argues here, as he did at Multnomah County, that development  
18 of West Hayden Island would destroy one of the last parcels of  
19 riverine habitat left in the greater Portland area, and threaten  
20 fisheries in the area. (Exhibit 27). Although the habitat resource  
21 cannot presently be said to be "unique" or "significant" in the  
22 traditional land use planning sense, Mr. Houck states "it is clearly  
23 a fast disappearing resource and will likely enjoy a unique status  
24 soon."

25 The application in this case is not for a specific develop-  
26 ment but for a boundary expansion to accommodate a use. Multnomah

1 County addressed Mr. Houck's environmental concerns by withholding  
2 rezoning of the property pending the study, during its Community  
3 Planning Process, of environmental hazards and their minimization.  
4 Multnomah County Ordinance No. 334. Through its design review  
5 process, community planning process, and by meeting the requirements  
6 of the county's SEC (Area of Significant Environmental Concern)  
7 overlay zone, the county believes negative environmental impacts  
8 can be minimized. Prior to filling any wetlands, applicants must  
9 secure from the Army Corps of Engineers a permit under Section 404  
10 of the Clean Water Act. Prior to the issuance of such permit, the  
11 Corps is legally required to perform an environmental impact study  
12 or assessment.

13           There is no question that any large scale urban development  
14 of West Hayden Island would impair wildlife habitat. However the  
15 habitat on West Hayden Island is not, in a planning sense, "unique"  
16 or "significant", and the applicants and county have established a  
17 process for minimizing adverse environmental impacts. Given the  
18 great importance of marine industrial facilities to the social and  
19 economic growth and vitality of the region, and that there are no  
20 alternative sites for deep draft marine industrial facilities, the  
21 positive social and economic consequences of an urban designation  
22 clearly outweigh the negative environmental consequences.

23           Compatibility. West Hayden Island is surrounded by  
24 industrial uses. The only apparently incompatible uses are houseboat  
25 moorages across the Oregon slough near the Burlington Northern  
26 Railroad Bridge. These moorages are non-conforming uses on land



1 zoned for industrial use. A witness at the hearing who resides in  
2 a houseboat at that location expressed concern about the aesthetic  
3 impact of industrial development across the slough. The aesthetics  
4 of any development of West Hayden Island will be addressed at the  
5 local level, through the county's community planning and design  
6 review processes. They are not matters of regional concern.

7 Public Facilities and Services. The only essential service  
8 not presently available at an acceptable level at West Hayden Island  
9 is surface transportation on the west side of the island, and to and  
10 from the island. Multnomah County Ordinance No. 334 provides that  
11 before West Hayden Island may be rezoned for marine industrial use,  
12 a transportation study and program must be developed which identifies  
13 traffic impacts of East Hayden Island, I-5, and north Portland roads,  
14 and that adequate transportation programs, assurances, and mechanisms  
15 be in place. Moreover, applicants have themselves proposed: to  
16 construct a new bridge over the Oregon slough to connect West Hayden  
17 Island to North Portland roads; to connect West Hayden Island and East  
18 Hayden Island roads with a two-lane, industrial roadway; to widen  
19 North Portland Road to two lanes in each direction at the inter-  
20 section with a new access to the Rivergate industrial district if  
21 this roadway intersects North Portland Road at grade; to utilize  
22 carpooling, transit, and flexible work schedules to minimize  
23 peak-hour traffic.

24 Traffic problems on I-5 in the Hayden Island vicinity  
25 presently exist, but may be alleviated by the completion of I-205  
26 and by other publicly-funded improvements to the interstate system

1 in the vicinity. See Findings, pp. 40-42. Even if these improvements  
2 do not materialize, there is no evidence that development of West  
3 Hayden Island will contribute significantly to the existing problem.

4 Applicants propose to do as much as any private developer  
5 reasonably could to minimize impacts on an existing regional trans-  
6 portation problem. Because there is no evidence that applicants'  
7 proposal would aggravate the existing problem in a significant way,  
8 the present inadequacies do not furnish a basis for denial of the  
9 urban classification they seek.

10 Remaining Issues. The soils on West Hayden Island are  
11 not agricultural within the goal 3 definition, are among the worst  
12 in the region, and do not qualify for retention under goal 14,  
13 Factor 6. The closest agricultural lands are on Sauvie Island, two  
14 miles away. There is no evidence that granting of this application  
15 would have any adverse effect on any agricultural activities.  
16 (Goal 14, Factor 7). There is no evidence that available deep  
17 draft riverfront land in the existing UGB is not efficiently being  
18 utilized, or that needed marine industrial space could be afforded  
19 by more efficient utilization of such land. (Goal 14, Factor 4.)

20 Conclusion. For the foregoing reasons, I conclude that  
21 all applicable legal standards are satisfied by applicants' proposal.

22 V. Further Assurances

23 Much of applicants' case rests upon commitments it has  
24 made in its application and upon conditions imposed by Multnomah  
25 County in its approval of comprehensive plan changes for the property.  
26 Multnomah County has expressed concern that if West Hayden Island is

1 annexed to Portland, that the conditions it has imposed will survive.  
2 For example, since the application and approvals have been predicated  
3 upon use of the property for marine industrial use, the county would  
4 like to ensure that it not be used for general industrial, commercial,  
5 or residential uses. The county has imposed conditions requiring  
6 transportation studies and assurances, environmental protection,  
7 and other requirements that strike at the fundamentals of the  
8 applications both to the county and to this Council.

9           The county appears to suggest that this Council impose,  
10 as conditions of approval of an urban classification, the conditions  
11 it imposed when it approved comprehensive plan changes for the  
12 property. This suggestion is in my judgment unnecessary and un-  
13 desirable.

14           Applicants have, in their application to this Council,  
15 made representations as to the use and development of their property.  
16 These commitments are made not only in the application but in the  
17 findings they have proposed, which I recommend for adoption. If  
18 at some time prior to satisfaction of those commitments the land  
19 is annexed to Portland, and Portland fails to promote the interests  
20 the commitments are designed to protect, the county or any other  
21 person having standing may apply to this Council for restoration  
22 of the rural designation. If the conditions have changed to the  
23 extent that the standards of Goals 2 and 14 are no longer satisfied,  
24 the Council should remove the land from the UGB.

25           It is the responsibility of this Council to care for the  
26 regional aspects of land use planning. See ORS 268.015, 268.380,

1 268.385, 268.390. Cities and counties have been designated to  
2 promote and manage the day-to-day local aspects of land use.  
3 ORS 197.005(3). Whether, for example, the transportation issues  
4 associated with this project are addressed in a Multnomah County  
5 community planning process or in a different process of the City  
6 of Portland, is immaterial to this Council, so long as the  
7 commitments made in the application, which include the conditions  
8 imposed by the county, are substantially satisfied. It is not the  
9 function of this Council to tell the City of Portland how to extend  
10 transportation facilities to West Hayden Island in an orderly,  
11 efficient manner if this land is annexed. See Goal 14, Factor 3.  
12 That is the city's job. If the city fails to hold applicants to  
13 the commitments made here, see, e.g., Findings, p. 41, or to  
14 substantially similar and equally effective requirements, the  
15 county may return and complain.

16  
17 VI. Recommendation.

18 For the foregoing reasons, I recommend that West Hayden  
19 Island be reclassified from "rural" to "urban", and be included  
20 in the metropolitan area UGB, and that no conditions be imposed by  
21 this Council.

22 DATED this 28th day of January, 1983.

23 Respectfully submitted,


24   
25 Frank Jesselson  
26 Special Hearings Officer

EXHIBIT "A"

BEFORE THE METROPOLITAN SERVICE DISTRICT

In the matter of a petition of )  
Portland General Electric Company, )  
Western Transportation Company, )  
Hayden Island, Inc., and )  
Burlington Northern, Inc. for an )  
amendment to the regional urban )  
growth boundary. )

DOCUMENTS RECEIVED INTO EVIDENCE

1. Certificates of mailing
2. List of persons receiving notice
3. Copy of mailed notice
4. Copy of printed notice
5. Letter from Steve Siegel, Metro
6. Applicant's Exhibit "A"
7. Oregon Ports Study
8. Applicant's Petition
9. Wetlands Map
10. Carl Buttke submission, dated February 19, 1982,  
September 21, 1982
11. Resumes of applicant's witnesses
12. Outline of applicant's presentation
13. Aerial photo of Hayden Island
14. Duplicates of applicant's slides
15. Bar chart of demand and supply
16. Portland harbor aerial photo - 1956
17. Portland harbor aerial photo - 1971
18. Portland harbor aerial photo - 1980
19. Applicant's table, II-36 - "Summary of Need"
20. Class Harbor Brochure
21. Metropolitan Portland Area Waterways Development Plan

22. Letter from Bob Stacey, 1000 Friends of Oregon
23. Letter from Janice Newton, Multnomah County
24. Letter from Rich Schulberg, Governor's Advisory Committee for Maritime Affairs
25. Letter from Ted Spence, Oregon Department of Transportation
26. Letter from Janice Newton, Multnomah County
27. Letter from Mike Houck, Audubon Society of Portland
28. Letter from West Kvarsten, Bonneville Power Administration
29. Applicant's proposed findings
30. Letter from Robert S. Ball, attorney for applicants.

EXHIBIT "B"

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PETITION FOR EXPANSION OF  
METROPOLITAN SERVICE DISTRICT'S  
URBAN GROWTH BOUNDARY

Proposed Findings of Fact  
Submitted by Portland General Electric Company

Dated January 14, 1983

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PETITION FOR EXPANSION OF  
METROPOLITAN SERVICE DISTRICT'S  
URBAN GROWTH BOUNDARY

Proposed Findings of Fact  
Submitted by Portland General Electric Company  
Dated January 14, 1983

1. Applicants' Proposal

This is an application for expansion of the Metropolitan Service District Urban Growth Boundary to include approximately 760 acres located on the western portion of Hayden Island. The property is located on the west side of the Burlington Northern Railroad Bridge which crosses Hayden Island and the Columbia River. The co-applicants in this application and their respective ownerships of the subject property are as follows:

<u>Co-applicants</u>	<u>Approximate Acreage</u>
Burlington Northern, Inc.	33 acres
Hayden Island, Inc.	37 acres
Portland General Electric Co.	496 acres
Western Transportation Co.	182 acres

In addition, United States Government (Bonneville Power Administration) owns approximately 13 acres of the subject property, consisting of a 200 foot wide transmission line corridor across western Hayden Island. Although the Bonneville Power Administration is not a co-applicant in this application, it does not object to the application.

The purpose of the application is to include western Hayden Island in the Urban Growth Boundary in order to designate the property as urban and allow its eventual development for marine industrial purposes. A hearing on this application was held before Frank Josselson, Hearings Officer for the Metropolitan

Service District, on January 5, 1983. The exhibits listed on Exhibit A were introduced and received during that hearing.

No specific development plans are proposed by the applicants at this time. The subject property is presently in a natural state, and is used for the grazing of livestock.

## 2. Physical Characteristics

Hayden Island is located near the confluence of the Willamette and Columbia Rivers, between the Cities of Portland, Oregon and Vancouver, Washington. It is separated on the south from the City of Portland by the Oregon Slough (sometimes called the North Portland Channel), and from Vancouver by the main channel of the Columbia River. The only automobile access to Hayden Island is via the Interstate-5 Freeway which connects the island to the mainland. Rail access is provided by a main line of the Burlington Northern Railroad.

The total length of Hayden and Tomahawk Islands combined is approximately 5.8 miles; the portion under study, which is west of the Burlington Northern Railroad bridge, comprises about one-half or 3 miles of this length, and is approximately 760 acres. The long and narrow western portion contains approximately 30,000 lineal feet of shoreline along the Columbia River and Oregon Slough. The north shore, as far as the Interstate Bridge, and the south shore, from the west tip of the island to the BPA transmission lines, are adjacent to the Columbia River 40-foot channel. With the exception of the relatively narrow western tip, the island has an average width of 2,800 feet.

The terrain is generally flat, with slopes of no more than 3%. Elevations range from 10 feet at the shoreline to 29 feet above mean sea level at high points of the island. Most of the area is within the 100 year floodway fringe, i.e. floodplain, of the Columbia River.

### 3. Planning Background

#### (a) EXISTING PLANNING AND ZONING DESIGNATIONS

The subject property is presently designated Natural Resource, Multiple Use Forest on the Multnomah County Comprehensive Plan. It is zoned MUF-19, Multiple Use Forest, SEC (Area of Significant Environmental Concern). Multnomah County designated western Hayden Island as Natural Resource, Multiple Use Forest in 1977 in connection with the adoption of its Comprehensive Framework Plan. The property was so designated because (i) the western portion of Hayden Island has extremely limited vehicular access, (ii) the land was in the recognized 100 year flood plain, (iii) no inventory or analysis of the wildlife habitat and other environmental issues had been prepared, (iv) no other detailed analysis of the availability of public facilities or services had been conducted, (v) there was no demonstration of a need for designation of the property for any other purpose, and (vi) no specific plans or commitments to provide services or to develop the subject property were indicated to Multnomah County.

#### (b) PGE PLANNING

In 1978, Portland General Electric Company (PGE), as the largest land owner of the subject property, initiated a study of

the appropriate use to be made of the property. The study was conducted by Cogan & Associates, consultants in planning and public affairs. The purpose of the study was to identify potential land uses which appeared economically feasible and in the public interest after taking an inventory of the characteristics of the area, evaluating site requirements, economic feasibility, and public impacts, and examining potential development alternatives. Cogan & Associates initially recommended to PGE in 1980 that the property be planned for water-dependent industrial uses with compatible commercial, residential and recreational uses. The present proposal is for marine industrial and related uses.

(c) CITIZEN INVOLVEMENT

The planning process carried on by PGE has included extensive citizen involvement. There have been direct contacts with more than 64 individuals, 22 public agencies and 19 private groups and interests concerning the proposed uses of the subject property. In addition, numerous public meetings and hearings have been held relating to the planning for the property and this application. In addition to meetings sponsored by PGE, Multnomah County held a public meeting in North Portland to discuss changes in the Multnomah County Comprehensive Framework Plan. The Multnomah County Planning Commission then held two public hearings in addition to a public workshop, and the Multnomah County Board of Commissioners has held two hearings with respect to planning applications before Multnomah County.

(d) ADOPTION OF URBAN GROWTH BOUNDARY

In 1978, the Metropolitan Service District adopted the Regional Urban Growth Boundary and included the eastern portion of Hayden Island within the Urban Growth Boundary and excluded the western portion of Hayden Island from the Urban Growth Boundary. The western portion of Hayden Island was excluded from the boundary because of its designation as natural resource and because all similarly designated properties were excluded from the Urban Growth Boundary.

(e) MULTNOMAH COUNTY PLAN CHANGE

On July 12, 1982, the Multnomah County Planning Commission adopted Resolution PC/PR5-82a, a copy of which is attached hereto as Exhibit B, pursuant to which the Planning Commission recommended to the Multnomah County Board of Commissioners that the Board of Commissioners take the actions ultimately taken in Ordinance Nos. 333, 334 and 335.

Effective September 9, 1982, the Board of Commissioners of Multnomah County adopted Ordinances Nos. 333, 334 and 335. Copies of such ordinances are attached hereto as Exhibits C, D and E, respectively. Ordinance No. 333 redesignated the subject property from "Natural Resource Multiple Use Forestry" to "Urban." Ordinance No. 334 revised the Hayden Island Plan, which is a community plan adopted in 1976 for the east portion of Hayden Island, to add growth management policies for that portion of Hayden Island west of the Burlington Northern Railroad (the subject property). Ordinance No. 335 amended the Multnomah County Comprehensive Framework Plan to add a marine



transportation system policy, No. 33A, as an addition to the existing transportation system policy, No. 33, in the Multnomah County Comprehensive Framework Plan. Ordinance Nos. 333 and 334 will take effect upon the Metropolitan Service District's decision to include that portion of Hayden Island west of the Burlington Northern Railroad in the regional Urban Growth Boundary.

The designation of the subject property as a natural resource area in the Multnomah County Comprehensive Plan (which designation would automatically change to an urban designation if the present application is approved) requires that the uses of the property be limited to agricultural, forest and low intensity residential and recreational uses. Urban development and planning for urban services are precluded because the area is outside the regional Urban Growth Boundary. Approval of a change in the regional Urban Growth Boundary would fulfill the condition of Multnomah County's approval of a change of designation of the property from Natural Resource, Multiple Use Forest to Urban. The property would remain zoned MUF-19, Multiple Use Forest, SEC, (Area of Significant Environmental Concern), until the property is rezoned for marine industrial uses.

(f) FUTURE CONTROLS OF USE OF PROPERTY

If the subject boundary adjustment is allowed, the property could not be developed for marine industrial purposes without being rezoned for such uses. Any proposal for rezoning of the property would be subject to Multnomah County's community planning process, the design review process, and would be subject to the requirements of the Significant Environmental Concern (SEC)

overlay zone. In addition, buffer zones, open areas and other appropriate measures would be considered to preserve and maintain fish and wildlife habitats of the area wherever appropriate. Prior to development, a traffic management study and program would be required of the developer to provide measures which could be taken to avoid overburdening the east Hayden Island road system, the Interstate-5 interchange, and North Portland roads. Such a program is likely to include consideration of possible alternative public and private transit facilities. The transportation program would assure that transportation facilities (both on-site and off-site), transit services and transportation management measures and scheduling would be identified prior to a zone change. Mechanisms to provide such assurances would be identified in the community plan.

Western Hayden Island growth management policies would serve as interim policies in the development of a detailed community plan for the subject property. Such policies of Multnomah County would assure that orderly growth is staged over time, recognizing the constraints of the natural resource base, and the need for development to occur in concurrence with the provision of public facilities and services.

The County is obligated to identify the public need and interest through the balancing of social, economic, physical and environmental considerations. Major development constraints, such as inadequate roadway capacity or requirements for off-site transportation improvements, will result in development approvals being staged by the County in accordance with the public or private financial ability to provide needed services and facilities.

The County would adopt a community plan to designate appropriate urban uses on the property, which would be primarily marine industrial, and would identify specific urban services and facilities which would be provided by the public and by private owners of the property. The time schedule for development of the property would be based upon the requirements of the growth management policy and strategies contained in the Multnomah County Comprehensive Framework Plan.

The comprehensive plan designation of western Hayden Island by Multnomah County would be reclassified from Future Urban to Urban Immediate upon compliance with the growth management policies of the Comprehensive Framework Plan. Such policies would require that a community plan and appropriate implementation measures have been adopted. It would also require approval of a development program for West Hayden Island which would insure that facilities and services are provided in an orderly and economical manner, including site preparation and filling, access roads, railroads, sewers, water supply, private transit facilities and a new roadway bridge over the Oregon Slough.

The developer of the property would be required to assume the primary obligation of obtaining financing for constructing infrastructure and providing needed services. If adverse impacts on the infrastructure or facilities outside the community are identified, the applicants would be required to demonstrate that the benefits to the public would outweigh the detriments to the public.

If the present application for expansion of the Urban Growth Boundary is approved, an extended period of time will still be required to prepare West Hayden Island for development by the early to mid 1990's.

(g) FUTURE PROCESSES AND APPROVALS REQUIRED FOR DEVELOPMENT

The processes and timelines which are expected to be required in order to develop West Hayden Island are as follows:

(1) Community Plan. The specific planning for land use, roads, services, development standards and other factors necessary for development of a master plan will be resolved through Multnomah County's community planning process. PGE expects such process to be completed in nine to 12 months.

(2) Preliminary Master Plan. After approval of the community plan, the property owners will prepare a general master plan to determine the design of the fill program, phasing, preliminary engineering, design for the bridge, cost estimates, etc. PGE expects such process to require six to 12 months.

(3) Dredge and Fill Permit. After design of a fill program, a U.S. Army Corp of Engineers Dredge and Fill Permit must be obtained. This will involve review and approval by several public agencies, and may require the preparation and approval of an environmental impact statement. PGE expects such process to take between one and three years.

(4) Coast Guard Bridge Permit. The proposed construction of a bridge across the Oregon Slough will be subject to review and approval of the United States Coast Guard. PGE

expects such review and approval to require between four and six months.

(5) Development Package. The property owners intend to involve a development entity. PGE expects the process of interviewing interested parties, negotiating with the owners, modifying plans, obtaining financing, etc., may require between six and 18 months.

(6) Filling Program. Development of West Hayden Island is expected to require between 15,000,000 and 20,000,000 cubic yards of fill to be deposited on the island to raise the elevation of the island above the 100 year flood plain. An extensive dredging program must be designed and implemented. Time must also be allowed for settlement and surcharging of the fill. PGE expects the first phase of such work to require between 18 and 24 months for the filling of between 150 and 200 acres. PGE expects the total filling program to require a period of several years.

(7) Engineering Design Approvals. At the time of construction, Multnomah County, the City of Portland and other public agencies will need to review and approve the engineering design of the bridge, roads and services prior to their construction. PGE expects such process to require approximately six months.

(8) Bridge Construction. After permits have been obtained and financing is available, PGE expects that the process of bidding on and constructing a bridge across the Oregon Slough,

which will be required for development of West Hayden Island, will require between 18 and 24 months.

(9) Zone Change. After appropriate urban services are provided, the property owners expect to apply for rezoning of the property for industrial uses. PGE expects that the time required for preparation of an application and supportive materials, staff review, public hearings, approval and a thirty (30) day waiting period to be approximately six months.

(10) Marketing of Land. PGE expects that, after the subject property is ready for development and is free of all encumbrances, it will require between nine and 12 months before an initial sale could be closed.

(11) Subdivision. The property owners expect it to be necessary to subdivide the land into parcels suitable for individual developers and owners. The process of preparing the plans and processing subdivision applications through appropriate governmental agencies is expected to take between four and six months.

(12) Architectural and Engineering Designs. PGE expects the preparation of specific architectural and engineering designs to take approximately six months.

(13) Design Review Process. PGE estimates that the time required to meet Multnomah County's design review standards in order to be eligible for an SEC permit will require approximately three months.

(14) Construction. PGE estimates that construction activities on the land will require a minimum of between six and 12 months.

Based on the foregoing analysis of the estimated time required for completion of ordinary public and private processes, in the event the present application for expansion of the Urban Growth Boundary is approved, West Hayden Island would still not be ready for development for a period between 8-1/2 and 16 years after the date on which the Urban Growth Boundary is amended. Accordingly, consideration of the amendment application requires an analysis of whether the applicable criteria for adjustment of the Urban Growth Boundary are met for a development which would occur in the early to mid-1990's.

4. Proposed Use of the Property

Both this Application and the above-described ordinances adopted by Multnomah County are predicated upon the proposed use of West Hayden Island for marine industrial and related purposes. Such uses are considered to be all uses which require access to the shipping channels of the Columbia and Willamette Rivers, including but not limited to private industries receiving and processing raw materials or shipping products, ship building and repair firms, marine construction and private and public shipping terminals, and related uses.

Control of the use to be made of the property legally resides in Multnomah County rather than in the Metropolitan Service District. Nevertheless, the Applicants have based their case for adjustment of the Urban Growth Boundary on the prospect

that the property will be used for marine industrial and related purposes.

PGE has indicated that it does not have any intention to use its property for purposes other than permitted in a marine industrial category. Even if those intentions were to change, the property owners would be required to comply with established legal processes in order to develop or use the property for a purpose not permitted in a marine industrial category. To do so, the property owners would have to meet a substantial burden in justifying an amendment to the Multnomah County Comprehensive Framework Plan. They would be required to comply with all applicable LCDC Goals, and would need approval of a change of the zoning designation of the property. In addition, the property owners would be confronted with a substantial record that has been made before Multnomah County in hearings leading to the ordinances described above, and in a hearing before the Metropolitan Service District Hearing Officer, in which the property owners have consistently indicated their intentions to use the property for marine industrial purposes.

The public is therefore adequately assured that if the Urban Growth Boundary is expanded as requested the property will be used for marine industrial and related purposes.

5. Issues Before Metropolitan Service District

The present application is governed primarily by the criteria set forth in LCDC Goals 2 and 14.

LCDC Goal 14 is specifically applicable because it provides in part that "establishment and change of the boundary shall be



based upon consideration" of the factors enumerated therein. LCDC Goal 2 is applicable because LCDC Goal 14 also provides that "in the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning Goal (Goal 2) for goal exceptions."

The requirements of the remaining LCDC Goals are incorporated in the criteria of Goals 2 and 14. Although specific findings with respect to Goals other than Goals 2 and 14 are largely duplicative of findings relating to the criteria of such Goals, the following findings include specific reference to all Goals as demonstration that all Goals have been specifically considered in connection with the subject application.

The following factors must be considered pursuant to LCDC Goal 14:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;

- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

The considerations required by LCDC Goal 2 (Part II) are as follows:

- (a) Why these other uses should be provided for;
- (b) What alternative locations within the area could be used for the proposed uses;
- (c) What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;
- (d) A finding that the proposed uses will be compatible with other adjacent uses.

6. Criteria of LCDC Goal 2 (Land Use Planning)

(a) WHY THESE OTHER USES SHOULD BE PROVIDED FOR

(1) Description of Marine Transportation System

The need for continued expansion of the marine transportation system in the Portland harbor is central to this proposed amendment. The Multnomah County adoption of a special policy for the marine transportation system recognizes this need.

The marine transportation system is composed of three separate parts: land-side transportation facilities, ocean-going facilities, and interchange facilities between the two. This system is used both by public terminals where products from

multiple users are shipped and by private industrial users who ship and/or receive raw materials and products for their own use.

(a) Land facilities

Portland has a distinct comparative advantage over other West Coast ports. The Columbia River creates a navigation system as well as a water level route for rail and highway through the Cascades to the Inland Empire and to the Midwest grain regions. With Interstate-5 providing north-south access and Interstate-84 providing access to the east, Portland has excellent highway access for trucks.

The Southern Pacific, Union Pacific, and Burlington Northern railroads all serve Portland, providing competitive freight rates, and the Columbia River dams and locks provide barge access up river as far as Lewiston, Idaho.

This network of rail, barge, and highway facilities provides access to Portland from major markets in the United States. As fuel costs increase, this network is becoming increasingly competitive with the Panama Canal/Mississippi River system to provide service to the Midwest. Other lower Columbia River ports are lacking Portland's favorable freeway access and are served only by the Burlington Northern Railroad, thus making them significantly less competitive than the Portland harbor.

(b) Ocean facilities

The Columbia River from the bar at Astoria to Portland is a federally created and maintained 40-foot draft shipping channel. This channel provides access from Portland to major ports of the world. The principal markets are Japan, Korea, and other Far

East countries. Also serviced through Portland are Hawaii, Alaska, Australia, South America, and Europe..

New markets include China and the Japan-to-Europe movement of goods. This movement is called the "land-bridge concept" and involves the off-loading of ships from Japan on the West Coast and shipping the products by rail to the East Coast where they are reloaded and continue by ship to European ports.

(c) Interchange facilities

Critical to the functioning of the system is the ability to transfer products from the land-side facilities to oceanside facilities and vice versa. Over the past 25 years ship berth requirements have increased in size from 350-400 feet to 750-1,000 feet in length, and the necessary backup land has increased from 5-10 acres to 50-100 acres.

In the Portland harbor, there are moorage and dock facilities for 40 water-dependent private manufacturers and distributors of primary and fabricated metals, petroleum, chemicals, grain, wood and paper products, and aggregate minerals. These companies operate 41 ship berths in the harbor.

(2) Significance of Marine Transportation System

A significant contribution to the economic base of the area is made through the payroll, taxes, and other expenditures by firms located in the Portland harbor. In addition to shipping and receiving foreign goods, many of these firms also manufacture products for the domestic market.

According to Port of Portland data, more than 350 commodities are imported and exported through the Port facilities by

more than 4,000 local firms. In 1980, the Port's marine terminals generated approximately \$500 million in primary economic impacts. If the induced or secondary and tertiary impacts are included, the total economic benefits are estimated to exceed \$1.2 billion. More than 34 percent of this amount is retained in Multnomah County.

In 1979, port and marine activities supported nearly 34,300 jobs throughout the state. More than one-third were filled by Multnomah County residents. By the year 2000, total economic benefits are expected to exceed \$3 billion (current dollars) with total regional employment of 76,800 from Port of Portland facilities alone. Portland is the busiest seaport in the Pacific Northwest and the largest export point on the West Coast. Its harbor activity is an important factor in making the Portland metropolitan area an important national distribution center which ranks ahead of the larger cities of Seattle, Pittsburgh, and New Orleans.

As discussed in the Oregon Ports Study completed in 1981 for the Oregon State Department of Economic Development and the Land Conservation and Development Commission (Exhibit F), Portland harbor facilities are of statewide significance to Oregon's economy. Portland facilities handle 53% of all exported commodities and goods from the state (short tons) and receive 97% of all foreign trade imports. Portland is the dominant grain port in the state and shipments of this commodity are expected to continue increasing. Tonnage shipped between 1960 and 1977 grew at a compounded annual rate of 5.8%. In addition, increasing

amounts of midwest feed grains destined for Asia are expected to be shipped through Portland facilities.

The majority of deep draft shipping berths in the state is in Portland. According to the Oregon Ports Study, 63 of the total of 94 shipping berths in Oregon (67%) are located in Portland. Future expansion of this major element of the Portland economy depends on an adequate supply of vacant land suitable to accommodate future water-dependent industry. Considering present land resources, a substantial shortage of such land is predicted by the year 2000.

(3) Projected Demand for Marine Industrial Facilities

(a) Cargo forecasts

Generally, waterfront land needs for specific categories of commodities are derived from forecasts of the amount of cargo expected to clear public port facilities and industries at a specific future time. Analysis of historical trends is another method of projecting future demand. In addition to terminals, there also are private waterfront industries which depend on ships and/or barges to import raw materials or export finished goods.

Significant increases of cargo for many commodity types are anticipated by the year 2000. In 1979, Portland was the leading grain exporter on the West Coast, with grains grown in the northwest accounting for 55% of the total tonnage shipped. Studies have indicated that significant increases of midwest grain shipped to Asian ports are likely to occur as changing transportation economics and competitive rail rates give Portland

a stronger competitive position with Gulf Coast ports. Portland also has the only multi-purpose bulk facility in the northwest United States; significant increases in demand for liquid and dry cargoes are anticipated. Additional capacity for handling bulk commodities are expected to be available when the proposed 100 acre coal/dry bulk facility at Terminal 5 in Rivergate is completed.

According to the Oregon Ports Study - 1980, prepared for the Oregon Departments of Economic Development and Land Conservation and Development by Ogden Beeman and Associates, exports (short tons) from Portland harbor are projected to increase by 100% between 1977 and 2000. Imports are expected to increase by 175% and total cargo volume by 119% in this period.

(b) Public Demand on the Lower Columbia Region

The Oregon Ports Study - 1980 concludes that the lower Columbia region, consisting of the Ports of Astoria, St. Helens, and Portland, have the greatest opportunity for harbor expansion in the state. The report projects a demand in the lower Columbia region for 27 berths, 22,750 lineal feet of waterfront land and 770 acres of marine industrial land by the year 2000. The report's projected requirement of 770 acres is considered to be a minimum need figure.

(c) Public Demand on the Portland Harbor

The Portland harbor is expected to require between 19-22 berths, 16,750-19,000 lineal feet of waterfront land and 610-650 acres of marine industrial land by the year 2000. Studies indicate that the majority of the demand not met in Astoria is likely to accrue to Portland because St. Helens has neither

Astoria's proximity to the mouth of the Columbia nor Portland's superior transportation network. Furthermore, the Port of St. Helens has a policy of not building public docks and does not compete for these facilities with Astoria and Portland.

(d) Private Demand

In addition to requirements for public port facilities, private manufacturing and industrial processing companies are significant activities which require access to a deep draft shipping channel, sufficient shoreline, and backup land. Such activities depend upon water transportation for movement of raw materials or finished goods. Some private users of the waterfront also require additional adjacent land.

From 1960 through 1980, average land absorption in the Portland harbor for private industrial uses was 13 acres per year. Several industries have expanded their plant and facilities without acquiring additional land. Based on historical trends, it is expected that private demand for marine industrial land in the Portland harbor will be 260 acres by the year 2000.

(e) Demand at Washington Ports

The Port System Study for the Public Ports of Washington State, prepared in 1980 by CH<sub>2</sub>M-Hill for the Washington Public Ports Association, concludes that despite adequate marine industrial acreage, the lower Columbia ports of Vancouver, Kalama, and Longview face a critical shortage of water frontage by the turn of the century. There is adequate water frontage to accommodate 17 new deep water berths on the north side of the Columbia by the year 2000. However, an additional six grain terminals and a



container facility, which require 6,750 lineal feet of waterfront and approximately 195 acres of backup land, are allocated in such study to Puget Sound because of inadequate berthing space in the lower Columbia Washington ports.

Studies prepared for PGE have indicated this excess demand on the north side of the Columbia is more likely to accrue to lower Columbia River ports in Oregon (i.e. Portland and Astoria) than to Puget Sound ports. The reasoning of such studies is that cargo demand in the lower Columbia region, from either state, would not be likely to shift to Puget Sound due to high costs of shipping by rail or truck from Portland/Vancouver or areas east of the Cascade Mountains to the Seattle-Tacoma area. PGE has therefore projected that the Portland harbor would need an additional 150 acres of marine industrial land by the year 2000 to meet needs that cannot be met on the north side of the Columbia River.

The potential for excess demand from Washington ports to shift to Portland represents a major opportunity for economic development in Portland and the state of Oregon.

(f) Demand for Public Terminals

The projected demand in the Portland harbor for publicly owned marine terminals was the subject of the Port of Portland's Marine Terminals Master Plan. In 1980, the Port of Portland initiated a planning process to formulate a 20-year master plan for developing its facilities. Based on a year 2000 cargo forecast of nearly 23 million tons, a need for a total of 28 berths was projected.

The Port of Portland currently operates 21 berths at five marine terminals; without rehabilitation, however, seven of these are expected to become obsolete in the near future. Although the master plan recommends rehabilitation of these aging berths and more intense utilization of other existing facilities, it has been projected that as many as 10 additional berths may still be required. For public terminals only, the Port expects to require 270 to 350 acres with 7,000 to 9,250 lineal feet of water frontage to accommodate new berths.

The Port estimates that even if all the projected new berths can be accommodated on its property, it will be severely limited in its flexibility to meet future unanticipated needs. Thus, the master plan recommends that the Port set a high priority on acquiring additional land, cautioning that if it "does not act now..land may not be available at the time it is needed." At an average absorption rate of 25 acres per year, the Port will require an additional 500 acres between the years 2000 and 2020.

(g) Summary of Demand

The following table summarizes the total demand in terms of acres of land expected in the Portland harbor by the year 2000.

PROJECTED TOTAL DEMAND FOR ADDITIONAL WATERFRONT  
INDUSTRIAL LAND IN PORTLAND HARBOR - YEAR 2000

<u>Activity</u>	<u>Land Demand (Acres)</u>
Public and private facilities for major commodities	610-650
Private waterfront industries	260
Facilities to meet excess demand from Washington ports	<u>120</u>
TOTAL	990-1,030

(b) WHAT ALTERNATIVE LOCATIONS WITHIN THE AREA COULD BE USED FOR THE PROPOSED USES?

(1) Characteristics of Appropriate Sites

Because of very specific locational requirements, alternative sites for deep-draft marine facilities are limited in number and size and are more costly than the West Hayden Island site.

To be usable as an interchange facility between the land-side transportation system and the oceanside system, land must be adjacent to the 40-foot shipping channel (which extends from the Interstate-5 Bridge to the Broadway Bridge), be served by rail, and have access to the interstate freeway system. The proximity to other shipping facilities and warehouse areas increases the efficiency of handling many cargoes.

(2) Sites Within Portland Harbor

Remaining uncommitted sites within the existing Urban Growth Boundary on the 40-foot channel and served by rail are limited to approximately 315 acres. Approximately 200 acres of such land are owned by the Port of Portland and 115 acres are in private

ownership. The preceding discussion identifies a need for approximately 1,000 acres of additional land for marine industrial uses between now and the year 2000.

(3) Sites in Portland Area Outside Portland Harbor

The only alternative sites potentially available in the Portland area, in addition to the 315 acres available within the Portland harbor, are as follows:

(a) Ross Island. The use of Ross Island for marine industrial purposes would require extensive fill in order to refill the area which has been excavated for gravel production by Ross Island Sand and Gravel Company. Ross Island is considered to be a sensitive environmental area, and it would be difficult to demonstrate that the long-term environmental consequences of development of Ross Island would be consistent with LCDC goals.

Ross Island is not on a 40-foot deep draft river channel. The channel would have to be extended to Ross Island from the Broadway Bridge in Portland. In any event, during high water periods there is insufficient clearance under the Marquam Bridge for ocean-going vessels. Development of Ross Island for marine industrial purposes would also create a need for additional openings of bridges across the Willamette River which provide access to downtown Portland and would thereby increase traffic congestion in the urban area. Ross Island has no existing rail or highway access.

For the foregoing reasons, it is not a reasonable or feasible alternative location for the proposed uses.

(b) The Columbia Community/Government Island Area. Development of such area would require an addition of 10-15 miles of new river channel which would have to be funded and maintained locally unless congressional approval of such funding were approved. Additionally, the Interstate-205 Bridge between Government Island and the mainland is not designed for ship clearance. Avoidance of the low level south channel bridge requires ships to travel upstream in the main channel to the end of Government Island and then return downstream into the channel.

The south channel between Government Island and the mainland is heavily silted in accordance with policies of the U.S. Army Corp of Engineers which are designed to encourage siltation and to direct the water into the north channel to scour that channel and to reduce maintenance costs.

Government Island has no rail or road access.

For the foregoing reasons, such area is not a reasonable or feasible alternative location for the proposed uses.

(c) Sauvie Island. Sauvie Island is on the 40-foot channel of the Columbia River, but is a primary farm unit with predominantly Classes I and II soils. Accordingly, it is zoned for exclusive farm use and is outside the Urban Growth Boundary.

Sauvie Island lacks rail access and highway access and would need major roadway improvements to accommodate truck traffic. The island lacks urban services such as a sewer system, water system, fire protection, etc.

For the foregoing reasons, Sauvie Island is not a reasonable or feasible alternative location for the proposed uses.

(d) Lower Columbia River Sites. Outside the Portland region, alternative locations exist which lack the competitive advantages of West Hayden Island. Port success depends upon a combination of factors which are available to West Hayden Island and are not, in combination, available at any other potential location on the lower Columbia River. As indicated above, such factors include access to rail lines, preferably with competition between at least two railroads, access to freeways providing both east-west and north-south travel, and proximity for barge traffic. No other site on the lower Columbia River has a combination of such attributes as are available at West Hayden Island.

(e) Conclusion. No other sites exist within the Portland region to accommodate the projected demand for marine industrial acreage.

(c) WHAT ARE THE LONG-TERM ENVIRONMENTAL, ECONOMIC, SOCIAL AND ENERGY CONSEQUENCES TO THE LOCALITY, THE REGION OR THE STATE FROM NOT APPLYING THE GOAL OR PERMITTING THE ALTERNATIVE USE?

(1) Environmental Consequences

(aa) Soil Conditions

Hayden Island soils are composed of loosely consolidated river deposits, underlain by consolidated sand and clay sediments of the Troutdale and Sandy River formations. The bedrock is Columbia Basalt. The soils are characterized by generally poor drainage and often a high risk of flooding. All are classified as low yield agricultural Class VI, which are suitable primarily for pasture, range, woodland or wildlife habitat. Although one soil classification, the Pilchuck area of 87 acres, is rated as a

forest site, no Douglas Fir trees are evident on the island. Due to the high seasonal water table and poor drainage, all soils on the western portion of the island are subject to building and septic tank limitations. To prevent any flooding problems, the western portion will need to be filled above the 500 year flood plain elevation.

(bb) Wildlife

No critical fish or wildlife habitat or endangered species have been identified on the island. Several species of fish having some economic or recreational significance may be found in the vicinity of the island. These include white sturgeon, American shad, Coho salmon, Chinook salmon, mountain whitefish, steelhead (rainbow trout), carp, brown bullhead, channel catfish, large mouth bass, white crapee and yellow perch. In addition, an estimated 50-100,000,000 juvenile salmonids migrate past the island each year. It is believed that on an average these fish spend relatively little time in the vicinity of the island.

(cc) Wildlife Habitat

The island contains two densely populated areas of willows and cottonwoods. Shoreline vegetation is sparse, primarily due to the deposit of dredging spoil by the Corps of Engineers. The north shore of the island is not considered to be a valuable habitat for juvenile salmonids. The south shore of the island, with a more steeply sloping beach and substantial shoreline vegetation, does provide a food supply, as well as the shading and cover needed by juvenile salmonids. No significant aquatic resource or permanent wetlands are found in the interior of the

island. The wetlands which do exist on the island would be filled by its development, subject to securing appropriate governmental permits.

Four terrestrial habitats have been identified on the western end of Hayden Island: riparian woodland, meadow, permanent ponds and shoreline. The woodlands and meadows provide habitat for song birds and other non-game animals. The area is not a habitat for endangered species or threatened species.

West Hayden Island is only one of several large undeveloped sites which offer general wildlife habitat in the area. Other nearby water-oriented areas include Sauvie Island, Vancouver Lake, Smith and Bybee Lakes and other Columbia River islands.

(dd) Water Quality

The property has excellent ground water bearing capacity according to the U.S. Geological Survey. Ground water resources are adequate to accommodate the existing residential and industrial development on the eastern portion of Hayden Island on soils with similar composition.

To accommodate urban uses, the western end of Hayden Island would be filled to at least one foot above the 100 or 500 year flood plain elevation, establishing a lower water table. Ground water resources could be protected from contamination through adequate treatment of human and industrial waste. Water quality in the lower Columbia has been classified as good.

All municipal and industrial effluents entering the Columbia River are subject to water quality standards of the State of Oregon as well as specific standards applying to the Columbia



River. The program is administered by the Oregon State Department of Environmental Quality, which would require the property owners to ensure that the physical, chemical and biological properties of effluent are within acceptable limits.

(ee) Air Quality

Hayden Island is located in the Portland Interstate Air Quality Maintenance Area, and DEQ is responsible for enforcing National Ambient Air Quality Standards and other provisions of the Federal Clean Air Act of 1977. Most potential sources of industrial air pollution must obtain an air contaminant discharge permit from DEQ which is reviewed annually. Any new major polluting source would be subject to stringent regulations. Unless the applicant demonstrates that its emissions will not materially damage the quality of the air shed, it must reduce its emissions below the maximum level.

Urban development of Hayden Island is unlikely to affect the region's air quality adversely because air quality regulations and standards are enforced vigorously and advanced technology can ameliorate problems caused by excessive emissions.

(ff) Noise

Approximately 80% of West Hayden Island, and all the eastern portion of the island, are located within the 65 Ldn (day-night noise) contour of the Portland International Airport. DEQ opposes residential development on the western end of Hayden Island within such noise contour.

(gg) Flooding

Nearly all of Western Hayden Island is within the flood-way fringe of the 100 year flood plain of the Columbia River as defined by the Federal Insurance Administration. No part of the island is in the flood-way itself, ie. the area of the channel necessary to carry a regional flood. Federal Insurance Administration regulations permit filling of the island. The U.S. Army Corp of Engineers has indicated that the entire island could be filled to acceptable levels without increasing the flood elevations of the Columbia River.

(hh) Soils

The soils on western Hayden Island are Class VI, and therefore are not agricultural lands as defined by LCDC Goal 3.

(2) Economic Consequences

The Portland harbor is at the hub of the Portland metropolitan regional economy, facilitating the international trade of domestically produced goods and the importation of vital consumer goods and raw materials.

The economic benefits of port facilities and water-dependent industrial development are significant for the state and metropolitan region. In 1980, a total economic impact exceeding \$1.2 billion was attributed to the activities of the publicly-owned Port of Portland; this does not include the effect of the more than 40 private businesses which operate dock facilities in the harbor. In addition, Port activity generated directly or indirectly over 34,000 jobs statewide; more than one-third were filled by Multnomah County residents. By the year 2000, total

economic benefits are expected to exceed \$3 billion (1981 dollars) with employment at 76,800. More than 2,000 of these jobs of these can be accommodated at Hayden Island.

This growth cannot occur without sufficient marine industrial land which meets proper size and other characteristics. Land to accommodate new waterfront activities is important to the future of port activities in the region. In recognition of this fact, the Port of Portland, which owns 72% of all vacant deep-draft waterfront property within the regional Urban Growth Boundary, has established the acquisition of additional property as one of its most important long range goals. Development of West Hayden Island for marine industrial purposes would result in the addition to the economy of numerous high quality, high paying jobs and would indirectly result in substantially greater numbers of jobs in the community.

Because of its lengthy shoreline on both the Oregon Slough and main channel of the Columbia, and its proximity to the harbor, western Hayden Island is the most suitable site for water-dependent industrial and marine terminal expansion within the region. Thus, inclusion of the island within the regional UGB and its designation for future urban development will result in positive economic growth. In addition, proposed marine industrial development would add to the growth and diversification of markets for Oregon and Pacific Northwest products.

### (3) Social Consequences

Development of West Hayden Island could have some adverse impacts on North Portland, resulting from some increased traffic on neighborhood streets and some increased dust and noise.

Two houseboat moorages are located across the Oregon Slough from West Hayden Island in an industrially zoned area, within the area considered to be a part of the working harbor. (See Exhibit 20.) Development of West Hayden Island would alter the views from such houseboats.

### (4) Energy Consequences

There are no indigenous energy sources on the western portion of Hayden Island, with the possible exception of bio-mass (the cultivation of wood fibre for fuel production). There is little commercial potential on the island for large-scale production.

Development of West Hayden Island for marine industrial uses would maximize opportunities for use of water transportation in moving bulk cargoes. This water transportation of cargoes is the most energy efficient manner of moving bulk products. Expansion of the Portland harbor, which has access by barge to the inland empire as well as access to freeways and rail systems, would expand an opportunity to use an energy efficient mode of transportation. The proximity of West Hayden Island to Rivergate and other harbor facilities is also a factor allowing efficient use of energy.

(d) A FINDING THAT THE PROPOSED USES WILL BE COMPATIBLE WITH OTHER ADJACENT USES

The West Hayden Island area is surrounded by marine industrial uses similar in most cases to the uses which would be developed on the island. The Rivergate industrial district to the south and the Port of Vancouver to the north are heavy marine industrial and terminal uses. To the east is a railroad embankment and behind that are light industrial and warehouse uses separating West Hayden Island from the commercial and residential uses on East Hayden Island.

The houseboat moorages on the south bank of the Oregon Slough near the Burlington Northern Railroad Bridge already exist as non-conforming uses in an area zoned and developed for industrial uses. Although the proposed development of West Hayden Island for marine industrial uses is an apparent conflict with houseboat moorages, the location of such moorages in an area already zoned and used for industrial purposes indicates that the uses are not entirely incompatible.

7. Criteria of LCDC Goal 14

(a) DEMONSTRATED NEED TO ACCOMMODATE LONG-RANGE URBAN POPULATION GROWTH REQUIREMENTS CONSISTENT WITH LCDC GOALS

According to the Marine Terminals Master Plan (prepared for the Port of Portland, 1980), and the Oregon Ports Study (prepared for the State Department of Economic Development and LCDC, 1980), there will be significant increases of cargo for many commodity types (midwest grain, liquid and dry cargoes) in the Portland harbor by the year 2000.

According to the Oregon Ports Study, exports (short tons) from the Portland harbor will increase 100 percent between 1977 and 2000. Imports will increase by 175 percent and total cargo volume by 119 percent during this time.

The Port of Portland's Marine Terminals Master Plan, year-2000 cargo forecast shows a threefold increase over 1979.

According to the Oregon Ports Study, 610-650 acres of waterfront industrial land, suitable for new deep draft marine industrial development (primarily public), with 16,750 to 19,000 lineal feet of waterfront will be necessary in the Portland area to accommodate anticipated year-2000 commodity-flow increases.

According to research conducted by Cogan & Associates as part of this application, 260 acres with 6,000 lineal feet of waterfront will be needed by the year 2000 to accommodate additional private waterfront industrial land needs in the Portland area.

According to the Port System Study for the Public Ports of Washington State (1980), the lower Columbia River ports of Vancouver, Kalama and Longview face a shortage of 6,750 lineal feet of waterfront and 195 acres of backup land needed to accommodate anticipated growth. While this excess demand is allocated in the study to Puget Sound, it is likely to accrue to Oregon ports (Portland and Astoria) due to the high costs of shipping by rail or truck from the lower Columbia River or areas east of the Cascade Mountains to the Seattle-Tacoma area. Portland is likely to capture 120 to 150 acres and 3,750 lineal feet of such demand, with the remaining demand captured by the Port of Astoria.

Projected total demand for additional waterfront industrial land in the Portland harbor is 1,020 to 1,050 acres. There is a demand for 26,500 to 28,750 lineal feet of waterfront industrial lands.

In addition, there may be a need for an additional 135 acres to accommodate heavy industry relocation and additional storage sites for the gravel industry and 250 acres to assure reasonable market prices and site diversity. In such case the total anticipated demand would be increased to approximately 1,400 acres.

There are 215 vacant industrial acres, with less than 11,400 lineal feet of waterfront available and developable in the Oregon portion of the Portland metropolitan area in public and private ownership. The unmet demand for waterfront industrial land is approximately 822 to 872 acres; the unmet demand for waterfront lineal feet is 15,100 to 17,350 feet.

The western portion of Hayden Island could supply approximately 586 acres of waterfront industrial and associated user gross acres. In addition, this area has approximately 20,000 usable lineal feet of shoreline along the Columbia River and Oregon Slough. Approximately 236 to 287 acres would remain in unmet demand.

Taking the above figures to their logical conclusion, West Hayden Island is needed acreage for terminals and industries which must locate on the waterfront and for supportive uses needed by the waterfront firms and terminals.

According to the Oregon Ports Study, the lower Columbia River region ports of Astoria, St. Helens and Portland have the

greatest opportunity for harbor expansion in the state. Most of the 770 acres (22,750 lineal feet) of waterfront industrial land needed to accommodate the demand for new deep draft port facilities within the Portland region by the year 2000 will accrue to Portland. The Port of Astoria will capture 120 to 160 acres (3,750 to 6,000 lineal feet). The Port of St. Helens will not meet any of the projected demand; they do not have Astoria's proximity to the mouth of the Columbia River. Demand not met by St. Helens will likely accrue to Portland rather than Astoria due to Portland's superior international transportation network.

Other ports in the lower Columbia River region do not have Portland's superior international system of transportation, which includes two interstate highways and an international airport. In addition, Portland is an interchange point for three international railroads and is the center of an inland river system. The river level barge, rail, and highway routes from the inland United States to Portland result in lower transportation costs.

Existing vacant waterfront industrial land in the Portland harbor totals 686 acres. Of this, 371 acres are constrained or not available. (Of the remaining 315 acres, 100 acres are committed to the development of a coal facility.) Existing uncommitted and undevelopable industrial waterfront acreage in the Urban Growth Boundary may, in the future, be available to meet some of the unmet demand, but the resulting reduction in total demand would be minimal.



(b) NEED FOR HOUSING, EMPLOYMENT OPPORTUNITIES, AND LIVABILITY

The Metro Industrial Lands Market Assessment forecasts an employment range for the Portland metropolitan area of between 825,000 to 1,050,000 jobs by the year 2000. Marine industry provides high quality employment opportunities and has positive secondary effects upon the economy. There is presently an inadequate supply of suitable waterfront industrial land in the Portland area to meet the demand for marine industrial uses by the year 2000. Expansion of the Urban Growth Boundary would therefore allow the creation of employment opportunities which could not be created on land presently available within the Urban Growth Boundary.

Full development of West Hayden Island is expected to generate between 1,438 and 2,488 new jobs on the island. Additional employment opportunities would be created and development of the island would generally stimulate Oregon business and provide a diversification of markets for Oregon and Pacific Northwest products. The improvement of the Portland port's competitive position vis-a-vis other West Coast maritime facilities would help create employment opportunities throughout the Portland region.

(c) ORDERLY AND ECONOMIC PROVISION FOR PUBLIC FACILITIES AND SERVICES

(1) Availability of Basic Services

The eastern portion of Hayden Island has a full range of urban services, while there are few urban services and facilities

on the western part of the island. Services available on the eastern portion of Hayden Island have been developed by Hayden Island, Inc. through contracts with Multnomah County, the City of Portland, private entities and special service districts.

Multnomah County regulations will ensure that no development of western Hayden Island would occur without proper services. The Applicant has demonstrated that a full range of services could be provided to western Hayden Island.

The alternative methods available to provide such services would be (a) to develop independent systems similar to those serving East Hayden Island, (b) to hook into and expand East Hayden Island facilities, or (c) to receive services from the City of Portland. Multnomah County has required that the owner/developers of the property shall provide financing for services.

Electrical service to East Hayden Island is provided by PGE from a substation on the western portion of the island. Electrical service to the western portion of the island would be available by extension of transmission lines from the eastern portion of the island. Northwest Natural Gas Company supplies gas to the eastern portion of the island through a pipeline under the Interstate-5 Slough bridge. Such a line could be extended to West Hayden Island.

Water for fire protection and other uses on the eastern portion of Hayden Island is supplied from two wells. The water bearing characteristics of the western portion of Hayden Island suggest that adequate well water is available in such area.

The eastern portion of Hayden Island has its own sewage treatment facilities, and storm sewer run-off is discharged directly into the Columbia River. The western portion of Hayden Island could either expand and utilize treatment facilities existing on the eastern portion of the island, or could construct similar facilities on the western portion of the island, or could connect to sanitary sewer lines in the City of Portland.

(2) Transportation

The Multnomah County Growth Management Policy requires the property owners to provide on-site transportation facilities as well as a detailed transportation program to address off-site transportation impacts prior to the granting of a zone change.

The traffic generation caused by development of West Hayden Island will be low. It is estimated that the total peak period traffic leaving the west end of the island during the afternoon peak hour will be approximately 560 cars based on 1.5 employees per acre for marine industrial development and 8 employees per acre for supporting uses.

The Applicants have made detailed analyses of traffic projections, roadway capacities and distribution of traffic among roadways. The proposed development of West Hayden Island can be accommodated by the existing roadway system, with some modifications or additions and with the operation of a shuttle bus service for commuters to the island from Vancouver, Washington.

During the peak commuting hours, a high range of employment could cause some sections of the surrounding street systems to reach saturation by the year 2000. An employment intensity less

than the high range could be accommodated without causing a saturated flow condition during peak hours.

The following specific proposals have been made by the Applicant and approved in concept by Multnomah County to accommodate the proposed development and alleviate potential traffic difficulties: (a) the construction of a new bridge over the Oregon Slough to connect the western portion of Hayden Island to North Portland Road; (b) connection of the western portion of Hayden Island to the eastern portion with a two-lane industrial roadway; (c) reduction of peak period traffic by developing a transportation program which would utilize transit, carpooling, vanpooling and flexible work schedules; and (d) the widening of North Portland Road to two lanes in each direction at the intersection with a new access to the Rivergate Industrial district if this roadway intersects North Portland Road at grade.

The Oregon Slough bridge project, which includes widening the bridge to four lanes in each direction, is scheduled for construction by the Oregon State Highway Division between 1984 and 1988. The state also plans to restripe Interstate-5 to six lanes in the vicinity of the Portland Boulevard interchange. The opening of Interstate-205 and the interstate bridge are expected to decrease traffic volumes on Interstate-5, but such traffic is projected to increase again to present levels between 1995 and 2000. The ability of Interstate-5 to accommodate projected traffic depends upon the completion of certain projects which have been committed by the Oregon Department of Transportation and Metro.

The ramp metering system currently installed in Interstate-5 will help to protect and maintain the capacity of the freeway. That capacity would also be maintained by a privately funded shuttle park and ride system between Hayden Island and Vancouver upon development of West Hayden Island, as proposed by the Applicants. A shuttle system between Hayden Island and Clark County would need to accommodate approximately 130 trips across the Interstate-5 bridge in the northbound direction during the afternoon peak hour. Clark County transit currently has an active park and ride program, which would also help alleviate traffic congestion on Interstate-5.

Traffic difficulties on Interstate-5 are a regional problem and exist with or without the approval of the proposed Urban Growth Boundary amendment. Specific solutions to those problems must be addressed, independently of this Application, prior to the time West Hayden Island would be developed for marine industrial purposes. The Multnomah County Growth Management Policy will assure that traffic problems generated by development of West Hayden Island will be addressed by Multnomah County prior to rezoning of the property for marine industrial purposes.

(d) MAXIMUM EFFICIENCY OF LAND USES WITHIN AND ON THE FRINGE OF THE EXISTING URBAN AREA

West Hayden Island was included in the early Rivergate plans as a major "multi-modal freight interchange" and was estimated in 1965 to be needed for marine industrial purposes by the 1980's. The existing available supply of marine industrial land in the Portland harbor is limited. Newly constructed facilities today

would have to be cramped and fitted together on smaller than optimum sites. This condition weakens Portland's competitive position for new developments.

The analysis of the demand for marine industrial land and the supply of such land in the Portland harbor indicates that it is likely that the entire supply of land for marine industrial purposes will be absorbed within a few years. Because of the value and the scarcity of waterfront industrial land there has been little waste of this land in the Portland harbor. The Port of Portland has followed a policy of leasing rather than selling its land since the early 1970's, and has thereby contributed to the efficiency of the Portland harbor by limiting non-waterfront uses of the land.

Within the existing harbor, the development of West Hayden Island would constitute in-fill and orderly expansion within the urban area, rather than development of isolated facilities on the urban fringe.

The shape of West Hayden Island, which is a long, relatively narrow island, is ideal for marine industrial development. By planning a road and railroad down the center of the island as is planned and as is feasible, there will be approximately 1,500 to 2,000 feet of site depth on each side. This will maximize the ratio of "lineal feet of frontage" to "acres developed." It will also lend itself to efficient provision of other services such as sewer and water.

(e) ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES

See discussion in paragraph 6(c) above.

(f) RETENTION OF AGRICULTURAL LAND AS DEFINED, WITH CLASS I BEING THE HIGHEST PRIORITY FOR RETENTION AND CLASS VI THE LOWEST PRIORITY

Soils on West Hayden Island are Class VI, and therefore are not agricultural lands within the definition of LCDC Goal 3. The current use of the island is for grazing of livestock, which is a low intensive agriculture use. The land is leased to the Portland Livestock Company, which grazes livestock for short periods of time as part of the operation of the Portland stockyards. At the present time, the lease rate is \$6,000 per year, while the property taxes are between \$8,000 and \$9,000 per year.

(g) COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES

The closest agricultural land to West Hayden Island is on Sauvie Island, which is two miles downstream on the Columbia River. Expansion of the Urban Growth Boundary to permit marine industrial uses on West Hayden Island would have no effect on agricultural activities on Sauvie Island.

8. Remaining LCDC Goals

(a) GOAL 1 - CITIZEN INVOLVEMENT

See the discussion in paragraph 3(c) above. In addition to citizen involvement in contacts by the Applicants with more than 64 individuals, 22 public agencies, 19 private groups and interest concerning the project, and in addition to public hearings held by the Multnomah County Planning Commission, Multnomah County Board of Commissioners and Metro, development of the property will require an extensive series of public hearings and approvals

in the future, which are described in paragraph 3(g) above, and which will ensure continued involvement by citizens prior to development of western Hayden Island.

(b) GOAL 3 - AGRICULTURAL LANDS

The lands on West Hayden Island are not agricultural lands because (i) the soils are Class VI rather than Classes I-IV and (ii) the lands are not suitable for farm use because of low soil fertility and flooding. However, even if the lands were considered to be agricultural lands, an exception to the application of LCDC Goal 3 would be justified by a determination that compelling reasons and facts for expansion of the Urban Growth Boundary are set forth in paragraph 6 above.

(c) GOAL 4 - FOREST LANDS

The lands on West Hayden Island are not forest lands because they are not suitable for commercial forestry production, they are not needed for a wildlife habitat or recreation, and they are not substantially forested.

Most of the soils on the site are not rated for forest growth purposes by the U.S. Soil Conservation Service, with the exception of the Pilchuck sand category, which is rated as Douglas Fir site Class IV. The other soils on West Hayden Island are not rated for forest growth purposes because they are not used to any extent for commercial forest growth. The ratings of the soils are an indication of a difficult growing environment.

The retention of the SEC overlay zone by Multnomah County will allow the mitigation of some loss of visual buffers, fisheries and wildlife habitat and recreational use of West Hayden Island.



Existing stands of black cottonwood, willow and Oregon ash on West Hayden Island are not being managed for forest production because the cost of managing the site for forest products far exceed the returns which could be realized. Because of the poor productivity of soils on West Hayden Island and the limited size of less than 700 acres, economic feasibility of long-term forest production is limited.

Although there are some cottonwood trees on West Hayden Island, the market for cottonwood is speculative, as demand fluctuates significantly. There is no reliable market for cottonwood at the present time. Also, no market exists for willow or ash, also existing on the island, except for use as fire wood.

(d) GOAL 5 - OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

Western Hayden Island is not a unique natural area. There are no known accessible mineral and aggregate resources on the island. There are no indigenous energy sources, with the possible exception of bio-mass which is not a feasible long-term use of the site.

Western Hayden Island hosts a wide range of common animal species, but none is considered endangered and all are found elsewhere in the region. It is not an important migratory waterfowl habitat. Development of the western portion of the island can occur without endangering the fish habitats in the Oregon Slough and main channel of the Columbia River.

No ecologically and scientifically significant natural areas, wilderness areas or historic and cultural sites have been identified on western Hayden Island. There are no potential state recreational trails or federal and state scenic waterways on the island.

Multnomah County has designated West Hayden Island as an area of Significant Environmental Concern, which will help to assure that development of the island will proceed with sensitivity toward the need for open space and scenic views.

(e) GOAL 6 - AIR, WATER AND LAND RESOURCE QUALITY

All municipal and industrial effluent entering the Columbia River are subject to the water quality standards of the state and to standards which apply specifically to the Columbia River. The Department of Environmental Quality grants permits for major discharge sources; applicants are required to ensure that the physical, chemical and biological properties of effluent are within acceptable limits.

Development of western Hayden Island for marine industrial uses is unlikely to adversely affect the region's air quality because of the strict enforcement of air quality regulations and standards by the Department of Environmental Quality and because of advanced technology which can ameliorate problems caused by excessive omissions.

Multnomah County will seek to prohibit the development of noise sensitive uses within the 65 dba contour, which is a noise impact boundary established by the City of Portland with the

cooperation of the Port of Portland. Property used for marine industrial purposes is not considered to be noise sensitive.

(f) GOAL 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

Western Hayden Island is located within the floodway fringe of the Columbia River. Before urban development can occur it will be necessary to add fill to the island to the 100 to 500 year flood level. The east end of the island has been filled and is presently intensively developed with residential, commercial and industrial uses.

Because of its location in the Columbia River, the western portion of the island is subject to a seasonal high water table. However, filling the island several feet will in effect lower the water table and ameliorate these problems.

The western portion of the island is not subject to other natural hazards such as earthquakes and landslides.

(g) GOAL 8 - RECREATIONAL NEEDS

Although western Hayden Island is appropriate for water-related recreational activities, no public jurisdiction has indicated an interest in acquiring the land from the private owners. Multnomah County's marine transportation policy includes a strategy for looking at the needs of recreational boaters.

Other sites, such as Smith Bybee Lake, the Columbia River shoreline from N.E. 33rd to the Sandy River, Oaks Bottom, Ross Island and Vancouver Lake are better suited to meet most recreational needs.

(h) GOAL 9 - ECONOMY OF THE STATE

The development of western Hayden Island for marine industrial purposes would help to meet the documented year 2000 need for additional waterfront acreage in the Portland harbor. Development would also result in approximately 1,400 to 2,400 new jobs locally, and would increase the diversity of waterfront industrial properties in the Portland metropolitan area's vacant industrial land inventory. The proposed marine industrial development would also add to the diversification of markets for Oregon and Pacific Northwest products.

Adequate land for marine terminals is necessary for the health of the regional economy and should be provided for inside the Urban Growth Boundary. There are no alternative locations in the Portland metropolitan area which can provide the combination of rail, highway and deep-water channel transportation opportunities needed for a marine terminal. By providing additional land needed for the expansion of marine terminal facilities, inclusion of Hayden Island in the Urban Growth Boundary would provide direct employment opportunities and facilitate the general growth of the region's economy.

(i) GOAL 10 - HOUSING

The western Hayden Island area is currently in a natural state and is surrounded by urban industrial uses. It is not needed within the Urban Growth Boundary for residential purposes. Because it is in the 65 dba noise level, the Department of Environmental Quality opposes residential development of the

western portion of the island. In addition, noise sensitive uses, such as housing, are not encouraged by Multnomah County.

There is adequate land for residential uses elsewhere in the Portland-Vancouver metropolitan area as well as other sites for houseboat expansion. Any need which exists for additional houseboat moorages is outweighed by the need for additional marine industrial lands within the Urban Growth Boundary.

(j) GOAL 11 - PUBLIC FACILITIES AND SERVICES

Inclusion of the western portion of Hayden Island in the regional Urban Growth Boundary would permit Metro, the City of Portland and Multnomah County to include the area in orderly planning processes for future provision of urban services and facilities.

Police, fire, sewer, and water service can be provided by a number of possible providers, some of which already provide service on the eastern portion of the island.

The Applicants have committed to Multnomah County to provide transportation investments needed to serve Hayden Island development and to mitigate the impacts of development on the regional transportation system. The nature, timing and financing of these improvements will be decided at the time development occurs on the island. The provisions of Multnomah County Ordinances 333, 334 and 335, as well as the subsequent land use and permitting processes which are required of the Applicants, assure that there will be orderly and economic provision of transportation facilities prior to development of the western portion of Hayden Island.

(k) GOAL 12 - TRANSPORTATION

The proposed use of western Hayden Island for deep-draft marine industrial purposes meets the requirements of this Goal by supporting a transportation mode that facilitates the flow of goods and services so as to strengthen the local and regional economy.

As described above, additional impacts on the existing roadway systems surrounding the island will be considered as a condition of approval of zoning by Multnomah County. The Applicants will be required by Multnomah County to provide a traffic management program prior to development, and to provide for alternative modes of transportation that will substantially limit any impacts of development on the existing roadway system. In addition, it will be the responsibility of the Applicants' future owners to provide transportation facilities needed for development, including a second bridge across the Oregon Slough and an industrial road connecting the eastern and western portions of the island.

The north shore of western Hayden Island contains 12,000 lineal feet of usable shoreline with access to the authorized 40-foot navigational channel which extends to the Interstate-5 bridge. An additional 5,000 lineal feet of the island are located on the 40-foot channel which extends into the Oregon Slough. The remainder of the southern shore is located on the 20-foot channel and is accessible by barge.

The western portion of Hayden Island has access to the Burlington Northern Railroad line which operates a double track

mainline traversing the island and which could provide access for both Union Pacific and Burlington Northern, providing a marketing advantage over comparable sites in the lower Columbia River. Its proximity to the interstate highway system and international airport are additional transportation advantages.

(1) GOAL 13 - ENERGY CONSERVATION

Predominant marine industrialization of the western portion of the island would promote water-borne commerce for the region and the state. This would use the water, highway and rail transportation systems available to the area.

Development of the island would create new jobs in proximity to a large labor pool residing in North and Northeast Portland and East Multnomah County and would thereby reduce work-related fuel consumption. Transit service is available to the eastern portion of the island and could be readily extended to the western portion of the island.

Proximity of West Hayden Island to major facilities of the Port of Portland at Rivergate permit potential development of joint use facilities, reducing needless duplication.

(m) GOALS 15-19

Western Hayden Island does not lie within the boundaries of the Willamette River Greenway, so it is not subject to the requirements of Goal 15. The island is not located in an estuarine or coastal area, so development is not required to comply with Goals 16-19.

STAFF REPORT

Agenda Item No. 8.1

Meeting Date March 24, 1983

CONSIDERATION OF RESOLUTION NO. 83-394 FOR THE PURPOSE  
OF SUPPORTING THE EAST MULTNOMAH COUNTY SEWER CONSORTIUM  
205(j) GRANT APPLICATION.

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Date: March 15, 1983

Presented by: Steven Siegel

FACTUAL BACKGROUND AND ANALYSIS

The East Multnomah County Sewer Consortium--representing Multnomah County and the cities of Gresham, Portland and Troutdale--has prepared a request for federal water quality planning funds available under Section 205(j) of the Federal Water Pollution Control Act. The funds would be used to prepare a plan for the funding of needed sewers and sewage treatment facilities in the unsewered portion of East Multnomah County.

Adoption of the attached resolution expresses the Metro Council's support for this grant application. The resolution and grant application impose no financial or legal obligations on Metro.

Attached materials explain the purpose, scope of work and budget proposed for the grant.

EXECUTIVE OFFICER'S RECOMMENDATION

Approval of Resolution No. 83-394 supporting the East Multnomah County Sewer Consortium 205(j) Grant Application.

COMMITTEE CONSIDERATION AND RECOMMENDATION

The Regional Development Committee will consider the Resolution on March 16, 1983 at a special meeting. The recommendation of the Committee will be available at the Council meeting of March 24, 1983.

SS/ef  
8032B/283  
3/15/83



FINANCIAL PLAN PROJECT

SUBMITTED BY

EAST MULTNOMAH COUNTY SANITARY SEWER CONSORTIUM

2115 SE Morrison Street  
Portland, Oregon 97214

248-3297

MULTNOMAH COUNTY  
Lead Agency  
Dennis Buchanan, County Executive

CENTRAL COUNTY SERVICE DISTRICT  
Commissioner Gordon Shadburne, Presiding Officer

CITY OF GRESHAM  
Mayor Margaret Weil

CITY OF PORTLAND  
Mayor Francis Ivancie  
Commissioner Mike Lindberg, Public Works

CITY OF TROUTDALE  
Mayor Sam K. Cox

METROPOLITAN SERVICE DISTRICT  
Rick Gustafson, Executive Officer  
Councillor Cindy Banzer, Presiding Officer

February, 1983



# MULTNOMAH COUNTY OREGON

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DEPARTMENT OF ENVIRONMENTAL SERVICES  
2115 S.E. MORRISON  
PORTLAND, OREGON 97214  
(503) 248-5000

DENNIS BUCHANAN  
COUNTY EXECUTIVE

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## EAST MULTNOMAH COUNTY SANITARY SEWER CONSORTIUM

### GOAL STATEMENT

#### OVERVIEW

The East Multnomah County Sanitary Sewer Consortium, now comprised of the cities of Gresham, Portland and Troutdale and Multnomah County and the Central County Service District, was originally formed in 1977, at the directive of the Metropolitan Service District.

Its purpose was to review the Federal 208 Waste Treatment Management Component as it related to the Columbia Region Treatment Plan, a directive of Metro, designated by the Governor as the Areawide Waste Treatment Management Planning Agency for the Portland metropolitan region. This review addressed the 208 Component requiring regionalization of the Columbia Region Treatment Systems into one central plant located in Gresham's basin and resulted in amending the plan to instead permit Multnomah County, Gresham and Troutdale to proceed with permanent, independent treatment plant expansions.

As a condition of Metro's approval of this amendment, the Consortium was required to analyze other regional alternatives including joint sludge disposal, administration and financing prior to any major expansion of existing individual plants.

Multnomah County was and continues to be the designated lead agency of the East Multnomah County Sanitary Sewer Consortium.

#### GOAL 1. SERVICE PROVISION

To sewer the unsewered area in a manner compatible with urban services policies of the cities and the county, in order to provide the protection of the groundwater.

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1. Metro Resolution No. 80-150, May, 1980

GOAL II AREAWIDE IMPLEMENTATION<sup>2</sup>

To work cooperatively to develop implementation plans for the provision of sewers to unsewered urbanized areas of Multnomah County east of the Willamette River, including financing, scheduling, and phasing of construction to the respective basin areas, based upon economic and environmental priorities.

GOAL III INTERGOVERNMENTAL COORDINATION

To identify jurisdictional responsibilities for sewerage the unsewered urban areas, recognizing that the success of this undertaking relies upon cooperative efforts between jurisdictions whose immediate responsibilities are both the incorporated and unincorporated areas of urban Multnomah County. The Consortium will work cooperatively with appropriate state agencies and the Legislature to further this objective.

GOAL IV ECONOMIC DEVELOPMENT

To work cooperatively to foster the economic viability and security of the region through provision of sewers in unsewered areas, both vacant and developed, thereby accommodating future economic development in the area, consistent with local Comprehensive Land Use Plans.

GOAL V WATER QUALITY<sup>3</sup>

To work toward the construction of sewers to meet State Department of Environmental Quality directives, which are to preserve and protect the water resources in the urban area of Multnomah County.

GOAL VI CITIZEN INVOLVEMENT

To ensure local participation and involvement in the decision making process and work with local citizens organizations and groups to develop public awareness and support of projects for sewer construction.

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2. Reference to letter to each jurisdiction from DEQ Director Bill Young, April 27, 1982
  3. Environmental Quality Commission OAR 340-71-335

#### IV. PROJECT STRUCTURE

##### Technical Staff

Staff from each jurisdiction will continue to serve as Consortium members. Grant oversight will consist of engineering, financial and management personnel from the various departments of each jurisdiction; administration of Troutdale Master Plan will be by Troutdale. Multnomah County, acting as lead agency, will coordinate grant administration, including receipt and dispersal of funds, contract administration, joint agency project review, progress reports, annual grant audit, public information and grant completion.

#### V. PROJECT LIMITATION

The project to complete a financial plan will deal with the questions of sewer provision. It is assumed, however, that the sewer solution will accommodate the urban service policies of the incorporated cities and with the policy position of the County relative to provision of urban services.

#### VI. PROJECT COMMENCEMENT

Start-up Date: March 1983

Completion Date: March 1984

#### VII. PROJECT BUDGET AND WORK PROGRAM

##### A. Troutdale Engineering Plan Update: \$ 25,000

The 1976 Facilities Plan requires revised calculations and construction costs to reflect recent Comprehensive Plan changes and include the areas north of Troutdale Airport and south of Sweetbriar Road, which were not considered in the original master plan. This would be completed by September 30, 1983.

##### B. Financial Consultants: \$ 12,000

1. A description of the geographic service area responsibilities of each jurisdiction, including data on sewage flows, service requirements by major population, commercial or industrial area concentrations and by sub-basins. This analysis will summarize and detail information contained in the 208 Wastewater Management Plan and jurisdiction sewer plan documents.

2. An evaluation of existing financing authorities of local governments will be completed. The report would describe the jurisdictions' current ability to finance the sewer services in urban East County, both for existing and projected development, consolidating existing financial planning work that has been done, and in context of urban services policies of the cities and the County.
3. An analysis of the existing legal authority and limitations of the jurisdictions to finance construction, with recommendations for modifications of local ordinances and State Statutes to enhance or expand those financial capabilities which reflect the urban services policy framework mentioned above.
4. An assessment of the ability to impose special charges and user fees for the purposes of establishing a dedicated fund for sewer construction and recommendations for changes in legislation, if needed, to allow such charges and fees to be imposed in context of the urban services policy framework.
5. A sewer implementation schedule showing the phasing for treatment facilities, interceptor lines, and major trunk lines.

Legal Counsel:

Consistent with the above requirements, the financial consultants will subcontract for legal counsel.

C. Public Involvement: \$ 52,500

A public information program will be initiated to carry out the citizen involvement process. This will include scheduling and assistance to Consortium members in conducting public meetings, preparation of a public presentation, preparation of materials for distribution to the public and the media.

D. Budget Breakdown and Summary

1. Troutdale Engineering Update

Responsibility:	Contractor
Cost:	\$ 25,000 (estimated)
Labor Hours:	N/A

(This estimate is based upon information supplied to Troutdale by Lee Engineering).

2. Financial Consultants

Responsibility:	Contractor	
Cost:	\$ 12,000 (estimated)	
150 hrs. @ \$60/hr.		(\$ 9,000)
<u>Legal Counsel</u>		
20 hrs. @ \$100/hr.		(\$ 2,000)
<u>Related Costs:</u>		(\$ 1,000)
Public meeting presentations, testimony, travel, word processing, interim report production		<u>\$ 12,000</u>

3. Public Involvement

Responsibility:	Contractor
Cost:	\$52,500 (estimated)
Labor Hours:	\$ 1,500 @ \$35/hr.

(Labor hours include an estimated 400 hours in public meetings. Contractor's overhead is represented in hourly rate; clerical staff assistance and printing services, mailing, etc. will be partially provided by Consortium members).

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUPPORTING THE	)	RESOLUTION NO. 83-394
EAST MULTNOMAH COUNTY SEWER CON-	)	
SORTIUM 205(j) GRANT APPLICATION	)	Introduced by the Regional
	)	Development Committee

WHEREAS, Multnomah County has prepared an application for water quality planning funds under Section 205(j) of the Federal Water Pollution Control Act, in order to further planning for funding sewage disposal options in the Inverness Basin; and

WHEREAS, Funding of sewage treatment works and other related facilities is essential to the implementation of the regionally adopted "208" Water Quality Plan; and

WHEREAS, The Central County Service District of Multnomah County, Metro, and the cities of Gresham, Portland and Troutdale have participated in the East Multnomah County Sanitary Sewer Consortium, with Multnomah County acting as the lead agency, and have opposed applying for Federal funds administered by the State Department of Environmental Quality; and

WHEREAS, Metro staff have participated in the development and preparation of this request for grant funding; and

WHEREAS, A Review Board will be formed, to be comprised of one elected official to represent each public agency, to review the work of the grant and make recommendation to the members of the Board of County Commissioners of Multnomah County; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby endorses the request by Multnomah County, and the cities of Gresham, Portland and Troutdale, for Federal Water Pollution Control Act Section 205(j) funding of water quality planning activities for the purpose of developing a financial plan and citizen information and participation program to implement sewer system construction in the cesspool areas of Central Multnomah County.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

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Presiding Officer

SS/ef  
8032B/283  
3/15/83



CONSIDERATION OF RESOLUTION NO. 83-392 FOR THE PURPOSE  
OF ALIGNING THE FEDERAL AID URBAN BOUNDARY WITH THE  
1980 CENSUS BOUNDARY AND URBAN GROWTH BOUNDARY

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Date: February 16, 1983

Presented by: Andy Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Metro's adopted Federal Aid Urban (FAU) boundary is used in the administration of federal transportation funding received by the metropolitan area as follows:

- Federal aid "Urban" funds allocated to the Portland metropolitan area can only be spent on highway, bikeway and transit capital improvements inside the FAU boundary.
- Federal aid "Secondary" funds (for rural highway improvements) allocated to each county can only be spent outside the FAU boundary.
- Sec. 5/Transit Operating Assistance can only be used to operate service inside or connecting to the FAU boundary.
- Sec. 5/Sec. 9 Transit Capital Assistance can only be used for improvements inside the FAU boundary (with minor exceptions on a case-by-case basis).
- Sec. 18/Rural Transit Assistance can only be spent on transit service outside the FAU boundary or on routes connecting rural service to the urban area.

PROPOSED ACTION

This amendment to the FAU boundary involves adjustments to better align with the UGB with several exceptions:

- FHWA requires that the boundary encompass at a minimum the recently released 1980 census designated urbanized area-- in some cases, this boundary is outside the UGB.
- Selected streets outside the UGB are intended to perform an urban function serving development inside the UGB and should be included in the FAU boundary.
- Selected streets inside the UGB are intended to continue to operate as a rural facility and should remain outside the FAU boundary.

This amendment would also change the associated street designations from rural arterials and collectors to urban arterials and collectors (or vice versa) according to the specific boundary change.

One significant immediate impact of the FAU boundary change is to include Forest Grove and Cornelius inside the Portland metropolitan area FAU boundary. Under the old boundaries, the Portland region received an allocation of FAU funds and Forest Grove, with its own boundary, received its own allocation of FAU funds. Both allocations are based on the relative population inside the respective urban areas. With the boundary change, the population of the Portland urban area increases with the addition of the Forest Grove population and, as such, the Portland region FAU allocation is in part attributable to the Forest Grove population. With this change, it is necessary to determine the procedure for allocating FAU funds to Forest Grove.

Under normal conditions, Forest Grove would be treated like any other jurisdiction and could propose a highway project to be weighed against other proposals at the regional level. Under this procedure, available regional resources would be allocated to projects on the basis of "need," thereby meeting the highest priorities of the region. The alternative procedure would be to allocate the resources to all jurisdictions on the basis of population, regardless of where the critical transportation need exists. Complicating the Forest Grove situation is the fact that the Portland region transferred nearly all of its FAU funds downstate, leaving very little to allocate between Portland, Forest Grove and other regional projects. In addition, past FHWA/CRAG/Metro actions result in 41 percent of the funds being allocated to Portland on the basis of population and virtually all of the regional funds being allocated to a single project--Boones Ferry Road in Lake Oswego. In addition, it is inappropriate to penalize Forest Grove with the Portland region's downstate transfer of FAU funds since, at the time, they had their own FAU boundary, and received their own FAU allocation.

Based upon these considerations, it is necessary to establish a new policy on the distribution of FAU funds to deal with the distribution to Forest Grove, Portland and the balance of the region. Due to the complexity of the alternatives available and the effect on current intergovernmental agreements, resolution of this issue has been deferred to the next meeting. TPAC and JPACT have reviewed and approved this amendment.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends to adopt the attached Resolution.

#### COMMITTEE CONSIDERATION AND RECOMMENDATION

AC/gl  
7796B/283  
03/11/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ALIGNING	)	RESOLUTION NO. 83-392
THE FEDERAL AID URBAN BOUNDARY	)	
WITH THE 1980 CENSUS BOUNDARY	)	Introduced by the Joint
AND URBAN GROWTH BOUNDARY	)	Policy Advisory Committee on
	)	Transportation

WHEREAS, The Federal Aid Urban Boundary is established to define where certain federal aid funding is eligible to be spent; and

WHEREAS, The original Federal Aid Urban Boundary was established by CRAG Resolution BD 760503 in 1976; and

WHEREAS, It is necessary to update the boundary to include at a minimum the 1980 census designated urbanized area; and

WHEREAS, It is desirable to align the boundary as closely as possible to the Urban Growth Boundary to ensure funding policies are consistent with land use policies; and

WHEREAS, This change will necessitate a change in the procedure for allocating Federal Aid Urban funds; now, therefore,

BE IT RESOLVED,

1. That the Metro Council amend the FAU boundary as shown on Attachment "A."
2. That the Metro Council amend the Federal Highway functional and administrative classifications from rural to urban designations as shown on Attachments "B" and "D."
3. That the Metro Council amend the Federal Highway functional and administrative classifications from urban to rural designations as shown on Attachments "C" and "D."

4. That the Metro Council intends to revise the current allocation procedures of FAU funds between Portland, Forest Grove and the balance of the Metro region.

Adopted by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

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Presiding Officer

AC/srb  
7796B/283  
03/01/83

ATTACHMENTS A, B, AND C ARE MAPS

COPIES OF THE MAPS WILL BE AVAILABLE

AT THE COUNCIL MEETING ON MARCH 24, 1983

ATTACHMENT "D"

FAU BOUNDARY CHANGES

A. Rural to Urban - Washington County

1. Grahams Ferry Road - Rural Minor Collector to Urban Collector
2. Helenius Road/108th - Rural Minor Collector to Urban Collector
3. Tualatin-Sherwood Road - Rural Major Collector to Urban Minor Arterial
4. Highway 99W - Rural Principal Arterial to Urban Connecting Link
5. Beef Bend Road - Rural Major Collector to Urban Collector
6. TV Highway - Rural Minor Arterial to Urban Connecting Link
7. Susbauer Road - Rural Minor Collector to Urban Collector
8. Schefflin Road/Golf Course Road - Rural Major Collector to Urban Collector
9. Maple Street/Fern Hill Road - Rural Major Collector to Urban Collector
10. Highway 47 - Rural Minor Arterial to Urban Connecting Link
11. Thatcher Road - Rural Minor Collector to Urban Collector
12. Hornecker Road - Rural Minor Collector to Urban Collector
13. Glencoe Road - Rural Major Collector to Urban Minor Arterial
14. Jackson School Road - Rural Major Collector to Urban Collector
15. Evergreen Road - Rural Major Collector to Urban Collector
16. Highway 26/Sunset Highway - Rural Principal Arterial to Urban Connecting Link
17. West Union Road - Rural Major Collector to Urban Collector
18. Cornelius Pass Road - Rural Principal Arterial to Urban Principal Arterial

19. 185th Avenue - Rural Major Collector to Urban Collector

20. Springville Road - Rural Major Collector to Urban Collector

B. Rural to Urban - Multnomah County

21. Skyline Road - Rural Major Collector to Urban Collector

22. Newberry Road - Rural Major Collector to Urban Collector

23. Marine Drive - Rural Major Collector to Urban Collector

24. Crown Point Road - Rural Major Collector to Urban Collector

25. Troutdale Road - Rural Major Collector to Urban Collector

26. Lusted Road - Rural Major Collector to Urban Collector

27. 282nd - Rural Major Collector to Urban Collector

C. Rural to Urban - Clackamas County

28. Highway 212 - Rural Minor Arterial to Urban Connecting Link

29. Highway 224 - Rural Minor Arterial to Urban Connecting Link

30. Beaver Creek Road - Rural Major Collector to Urban Minor Arterial

31. Molalla Avenue - Rural Minor Arterial to Urban Connecting Link

32. Leland Road - Rural Major Collector to Urban Collector

33. Central Point Road - Rural Major Collector to Urban Collector

34. South End Road - Rural Major Collector to Urban Minor Arterial

35. Partlow Road/McCord Road - Rural Major Collector to Urban Collector

36. Highway 99E - Rural Minor Arterial to Urban Connecting Link

D. Urban to Rural - Multnomah County

37. Brooks Road - Urban Collector to Rural Major Collector
38. Anderson Road - Urban Collector to Rural Minor Collector
39. Highway 26 - Urban Connecting Link to Rural Principal Arterial
40. Hogan Road - Urban Minor Arterial to Rural Major Collector
41. Orient Drive - Urban Collector to Rural Major Collector
42. Thompson Road - Urban Collector to Rural Major Collector

E. Urban to Rural - Clackamas County

43. 172nd - Urban Collector to Rural Major Collector
44. 147th, Monner, 162nd, Hager - Urban Collectors to Rural Major Collectors
45. Sunnyside Road - Urban Minor Arterial to Rural Major Collector
46. Clackamas River Drive - Urban Collector to Rural Major Collector
47. Forsythe Road - Urban Minor Arterial to Rural Major Collector
48. Holcomb Road - Urban Collector to Rural Major Collector
49. Redland Road - Urban Minor Arterial to Rural Major Collector
50. Holly Lane - Urban Collector to Rural Major Collector
51. Maple Lane - Urban Collector to Rural Major Collector

F. Washington County - None



PROPOSED WORK PROGRAM  
RESIDENTIAL RECYCLING COLLECTION

INTRODUCTION

The Waste Reduction Plan was adopted by Council in January 1981. The Plan outlines goals and general programs to reduce waste. Metro has had several major accomplishments since the plan was adopted:

- created a new function within Solid Waste Department headed by a Waste Reduction Manager;
- started the Metro Recycling Switchboard which has received over 30,000 inquiries on recycling;
- funded drop-off centers and monthly recycling projects
- funded equipment for recycling operations through the Recycling Support Fund;
- partially funded and managed the Yard Debris Demonstration Project which lead to establishment of three processing centers;
- set-up recycling center at St. Johns Landfill;
- designed and constructed a recycling center at the Clackamas Transfer & Recycling Center in Oregon City; and
- enhanced public awareness about recycling through promotion and education programs.

Metro Council also approved of funds for a new project--residential recycling collection. The purpose of this summary report is to present information on the project and to recommend a work program.

Summary of Residential Recycling Collection Programs

Multi-material on-route residential recycling programs are being conducted in several cities throughout the country. In California, five programs in five cities were recently evaluated as case studies. All programs had pluses and minuses, but there were general findings that we should understand before conducting our project.

1. Set program goals or achievement standards at the outset.
2. Standardize baseline data from curbside projects that will receive funding.
3. Determine methods for reporting costs and performance at outset.
4. There are four areas of responsibility in conducting a residential curbside program:
  - a. Coordination and administration of the program
  - b. Collection of materials
  - c. Public Awareness activities
  - d. Processing/Marketing of materials

5. Programs are expensive to start and they require grants or subsidies to operate. Net annual costs of California projects were \$70,000 - \$335,000 with annual tonnage recovered ranging from 872 to 2,736 tons. A minimum surcharge on garbage collection and disposal bills should be considered to reduce the subsidy.
6. There does not exist a "best approach" to curbside programs. Programs should be established depending on the needs and characteristics of the community, amount of financing available and local government and citizen support.
7. A well developed and organized program should be developed at the outset. Implementation should be in "phases." Once the program has been established in one area and changes made to correct problems, the program can be expanded to serve other areas.
8. Public awareness and education efforts are critical factors which affect project success. A full-time person to coordinate and administer promotion efforts may be needed.

#### Background

The Waste Reduction Plan states that Metro's recycling activities should include a residential recycling collection project as a high priority. Specifically, Metro should "encourage and assist local jurisdictions in developing and implementing multi-material curbside collection of recyclables." In July 1982, the Metro Council approved \$78,000 for a "curbside recycling" program.

There are several ways to start or enhance or start residential recycling collection. Funding could be used for collection or processing equipment or labor, promotion and educational tools or project and public awareness coordination.

A Waste Reduction Steering Committee made up of local haulers, recyclers and officials recommended focusing on public awareness through promotion and education. Although goals and objectives were not set by the committee, they recommended criteria for funding projects (Table 1, page 7). They also recommended to distribute the funds to several programs. In August 1982, Metro sent out requests for letters of interest to local jurisdictions with collection franchises. In September, Metro received letters from eight cities who were interested in participating in our project (Table 2, page 8). Some respondents requested specific promotional tools including flyers, mailers, uniforms, etc. At the time the proposals were submitted, the respondents provided various levels of recycling service to their customers. At that time, only one city (Lake Oswego) provided on-route residential recycling service. In late February 1983, two other respondents made commitments to start on-route residential collection of recyclables. Oregon City and Beaverton will start their projects within the next couple months.

Based on this information, Metro has a number of options to consider:

1. Assist jurisdictions who submitted letters of intent and who have made commitments to conduct on-route residential collection projects.
2. Assist all jurisdictions who submitted letters of intent so they can start a project or continue existing service.
3. Develop a formal proposal solicitation process to expand eligibility to unfranchised as well as franchised areas.
4. Award the funds for public awareness activities as recommended by Steering Committee.
5. Award funds to jurisdictions according to the needs of their projects.
6. Use funds as a way to obtain technical information with which to determine future Metro involvement in on-route residential recycling collection.
7. Develop a comprehensive program now, where Metro, the local jurisdiction and the hauler make long-term (3 - 5 year) commitments.
8. Develop a limited program where Metro makes a short-term (one-year) commitment with the local jurisdiction and hauler.
9. Require local jurisdiction receiving funds to mandate recycling collection service.
10. Do not fund residential recycling collection projects and look at other alternatives.

Staff has reviewed these options and we recommend pursuing options 1, 4, 6 and 8 for the following reasons:

1. Assist jurisdictions who submitted letters of intent and who have made commitments to conduct on-route residential collection projects.

Although there were haulers providing residential recycling services and haulers who wanted to start service in unfranchised areas, the Steering Committee recommended that only franchised haulers received funds. The Committee was concerned that funds given to unfranchised recycling collection operations, would create an unfair advantage to certain haulers. Staff supports the Committee's recommendation of assisting cities/counties with collection franchises.

The Committee wanted the funds to start a new project or expand an existing one. Two of the respondents recently made commitments to start projects within the next few

months and one has been conducting a project for sometime. Staff supports giving funding priority to the cities/haulers who have made commitments to provide service -- Lake Oswego, Beaverton and Oregon City. Some of the other jurisdictions are trying to develop on-route residential recycling collection projects. These other projects should be considered for receiving Metro funding when they have made the same commitment.

Another option is to conduct a new Request for Proposals or other solicitation process where all jurisdictions and haulers would be eligible for funding. This option would result in delay of awarding funds and could result in bad feelings of the respondents of the last solicitation. Staff supports continuation of the past solicitation process rather than conducting a new process.

4. Award the funds for public awareness activities as recommended by the Steering Committee.

The Committee felt that public awareness was the key to project success and that most (if not all) local projects were deficient in this area.

Another option is to award funds to jurisdictions according to their specific project needs (i.e., equipment, collection labor, processing capabilities, project coordination). This would be accomplished by renegotiating their proposals or conducting a new solicitation process. Staff concurs with the Committee recommendation for funding public awareness activities in the first year. However, in reviewing related literature of other projects, there is a general agreement that coordination and administration of public awareness efforts is also needed. In other projects (e.g., Boulder, Colorado Eco-cycle Project), the coordinator organized volunteers, neighborhood groups, and other creative labor efforts to distribute promotional tools, educate neighborhood leaders and citizens, and assist in collection of recyclables. Staff feels that these tasks are critical and, therefore, recommend that a part-time or full-time project coordinator should be a requirement to cities who receive funds for public awareness activities.

It is also recommended that if local projects had other needs in the first year, their requests for further funding should be reviewed and evaluated on a case-by-case basis.

6. Use funds as a way to obtain technical information with which to determine future Metro involvement in on-route residential recycling.
7. Develop a limited program where Metro makes short-term (one-year) commitment with the local jurisdiction and hauler.

Information obtained from these projects would be used to determine our future involvement in residential recycling. Local governments' input would be a necessary part of this project since they also need the time and experience to conduct a successful project. The funds for supporting promotion/education efforts in the cities would also "buy" information which could be valuable to other projects in the region. Some of the promotional tools, implementation and operational plans could be used for other upcoming projects.

The objectives of the program is as follows:

1. To obtain information with which to develop recommendations on a long-term comprehensive program.
2. To recover 800 tons of household recyclables in the first year (10 percent participation). Other expected results of the projects are in Table 3 (page 9).

If the recommendations are approved, the following list of major task elements would be completed:

1. Set up proposal evaluation committee and negotiate with representatives of Oregon City, Gresham, Beaverton, and Lake Oswego. Modify proposals as required (by April 15).
2. Develop scope of work (reporting forms, informational needs) and contract (by April 22).
3. Have contracts approved by Council contract committee (by April 28) local jurisdiction and hauler (by May 6). Monies would be available to local jurisdictions by June 1, 1983.

In FY 1983-84:

4. Manage contracts and participate in local jurisdiction committees.
5. Review public awareness program and tools. Provide technical assistance in promotion/education.
6. Compile data from projects and provide updates to Regional Services Committee.
7. Complete an evaluation report based on results of the first year. Make recommendations on future involvement on-route residential recycling collection.

Table 4 (page 10) contains a budget estimate to conduct the program.

TABLE 1

CURBSIDE COLLECTION DEMONSTRATION PROGRAM

CRITERIA

1. Joint application by city/county and collector.
2. To be applied in franchised areas, to start a new program or expand the services in an existing program.
3. Must make commitment to an ongoing curbside collection program.
4. Collector must have the ability to report number of participants and quantification of material.
5. Money to be used for promotion/education/advertisement only.
6. Curbside collection must occur on a special route at least once a month, except for newspaper which should be collected on a weekly basis.
7. Curbside collection must include multi-material, newspaper, glass (three types), tin, aluminum, optional items are kraft and motor oil.
8. Curbside collection must be offered to non-garbage customers also.
9. Curbside collection will apply to only urban areas within the Urban Growth Boundary.

TABLE 2

Summary of Letters of Intent

1.	Milwaukie	William McDonald Administrative Assistant	Interested in program
2.	Tualatin	Gordon Dawson Administrative Assistant	Interested in program
3.	Maywood Park	Donald Cobb Mayor	\$750 Mailer
4.	Fairview	Betsey Nicholson City Recorder	Interested, but will watch results of Gresham's experimental program.
5.	Gresham	Gresham Sanitary Service Harlen C. Lehl President Mike Miller General Manager	\$17,733.40 for promotion
6.	Clackamas County	Oak Grove Disposal Michael Borg Operations Mgr. Supported by Clack. Co. (Dave Phillips)	\$11,061.84 for promotion
7.	Lake Oswego	Rossman Sanitary Service, Inc. Lloyd F. Hodge General Manager Supported by C. H. Campbell, Mayor	\$12,084.68 for promotion
8.	Beaverton	Ann Schmidt Chairperson, Recycling Task Force Support by Jack Nelson, Mayor	\$4,319.40 for promotion
9.	Oregon City	Oregon City Garbage Richard Bloom, Sr. Supported by Gerald Pecinousky, General Manager (City)	\$7,461.40 for promotion

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 TOTAL

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 \$53,410.72

TABLE 3

Results

- Information which could be used for other programs in region:
  - Effectiveness of localized public awareness techniques;
  - How to mobilize volunteers and neighborhood coordinators;
  - Labor needs and how to use labor sources (probation department referrals, CETA, contract labor);
  - Effective marketing of recyclables;
  - Effectiveness of collection operations (crew size, curbside pick up or backyard; equipment; storage recepticals; frequency of pick up);
  - Equipment selection and assessment;
  - Effectiveness of prescribed performance recording and financial accounting methods (use of computer);
  - Program Economics (including start-up costs);
  - Training methods; and
  - Effectiveness of incentives used in program (labor incentives, citizen incentives, etc.).
  
- Materials which could be used for other programs in the region:
  - Promotional tools;
  - Implementation and operational plans; and
  - Formats for recording performance and financial accounting information.

WC/bb  
7783B/340



TABLE 4  
PROPOSED BUDGET

Metro Staff

	<u>Hourly Rate</u>	<u>Hours</u>	FY 1982-83 <u>March- June</u>	<u>Hours</u>	FY <u>1983-84</u>
Solid Waste					
• Engineer	\$12.39	100	\$1,239	968	\$11,993.52
• Public Info. Spec.	9.56	-		100	956
• Secretary	6.34	50	317	100	634
Subtotal (Staff)			\$1,556		\$13,583

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Contractual Services

			\$58,000.		\$100,000.
• Formats for Reporting Information			\$500		
• Four Projects (promotion/education)			2,083		32,917
• Project Coordinators 3 x \$10,000 if requested by jurisdiction (At least half-time)			2,500		27,500
Subtotal (contractual services)			<u>\$5,083</u>		<u>\$60,417</u>
			\$52,917 <sup>2</sup>		\$30,583. <sup>1</sup>

<sup>1</sup>Monies set aside for funding new projects in FY 1983-84, more support of three existing projects or other waste reduction activities as a result of system planning efforts.

<sup>2</sup>The difference between the FY 1982-83 budget (\$58,000) and the amount to be spent in FY 1982-83

WC:bb  
7783B/340  
3/14/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

A RESOLUTION FOR THE PURPOSE OF )  
AUTHORIZING THE RESIDENTIAL )  
RECYCLING PROGRAM )

RESOLUTION NO. 83-393  
Introduced by Regional  
Services Committee

WHEREAS, The Waste Reduction Plan adopted January 1981 states that Metro's recycling activities should include encouraging and assisting local jurisdictions in developing recycling collection programs; and

WHEREAS, In July 1982, the Metro Council approved \$78,000 for a "curbside recycling" program; and

WHEREAS, The Waste Reduction Steering Committee made up of local haulers, recyclers and officials recommended the program should focus on public awareness through promotion and education; and

WHEREAS, The cities of Beaverton, Gresham, Oregon City and Lake Oswego in cooperation with their franchised hauler have committed to conducting on-route residential recycling collection projects; now, therefore,

BE IT RESOLVED,

That the Council hereby authorizes staff to proceed with implementation of the Proposed Residential Recycling Collection Program.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

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

WC:bb  
8023B283  
3/14/83

CONSIDERATION OF ADJUSTMENT TO CONSTRUCTION  
CONTRACTS/MBE POLICY

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Date: March 7, 1983

Presented by: Kay Rich/  
Don Carlson

FACTUAL BACKGROUND AND ANALYSIS

As a result of a presentation by the National Business League concerning Metro's MBE policy, the Council on February 3, 1983 passed a motion which established a review panel to evaluate bids for the Alaska Tundra Exhibit, undertook the review of the entire existing MBE process, and further moved: "that the review of the policy occur and be completed prior to any award of contract for which the MBE program would apply".

At the Council Coordinating Committee meeting of February 14, 1983, two concerns were raised by staff regarding the Council's motion: 1) that a strict interpretation of the motion would result in no new contracts, regardless of size or type prior to a complete review of the MBE policy; and 2) given staff limitations due to the budget cycle, a complete review of the MBE policy could not occur until the budget process was complete, with the result that contracts could not be awarded for months. The Council Coordinating Committee moved to clarify the intent of the Council's motion: That the intent of the motion was to apply only to new construction contracts (after the award of the Alaska Tundra Exhibit contract); and that a complete review of the process would not occur until after the budget process was completed.

Attached is a memorandum from Kay Rich to Don Carlson indicating a concern about the Council policy regarding suspension of construction contracts until the review of the MBE policy is complete. The memorandum lists projects which the Zoo indicates it would like to award contracts for during the last six months of FY 1982-83. In order to award these contracts during the current fiscal year, a further clarification of the Council and Coordinating Committee actions is requested.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adjustment of the policy so that the intent of the current MBE policy is maintained and work can proceed in an orderly fashion.

COMMITTEE CONSIDERATION AND RECOMMENDATION

On March 14, 1983, the Council Coordinating Committee voted 2-1 to rescind the following portion of the motion adopted by the Council on February 3, 1983: "that the review of the policy occur and be completed prior to any award of contract for which the MBE program would apply". In addition, the Committee will be working with the staff to present alternative motions.

WASHINGTON PARK ZOO

To: Don Carlson

Date: February 18, 1983

From: Kay Rich *Kay*

Subject: Probable Construction Contracts February 18, 1983 to June 30, 1983

Probable Contracts - February 18, 1983 to June 30, 1983

1. Alaska Tundra - over \$50,000.00 (AWARDED)
  2. Swigert Fountain, two - over \$50,000.00 (AWARDED)
  3. Master Plan - over \$50,000.00 (AWARDED)
  4. Owl Cage on Cascade Trail - under \$10,000
  5. Eagle Cage on Cascade Trail - under \$10,000.00
  6. Middle Water Fowl Pond Repair - under \$50,000.00
  7. Graphics Orientation Signs - under \$50,000.00
  8. Prairie Dog Relocation - under \$50,000.00
  9. Dinosaur Park - under \$50,000.00
  10. Employee Parking Lot Fence - under \$10,000.00
  11. *addition to the Roundhouse - under \$50,000.*
- } Spring 1983*
- } Spring 1983*

AMR:s1