



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Agenda

Meeting: Council Meeting

Date: June 12, 1986

Day: Thursday

Time: 5:30 p.m.

Place: Council Chamber

Approx.  
Time\*

Presented By

5:30

CALL TO ORDER  
ROLL CALL

1. Introductions

2. Councilor Communications

2.1 Declaration of a Vacancy of the District 9  
Council Position to be Effective June 30, 1986,  
and Consideration of Procedure and Schedule for  
filling that position.  
(Action requested: Motion to declare vacancy  
and approve procedure/schedule)

Waker/  
Barker

3. Executive Officer Communications

4. Written Communications to Council on Non-Agenda Items

5. Citizen Communications to Council on Non-Agenda Items

6. RESOLUTIONS

5:50

6.1 Consideration of Resolution No. 86-653, for the  
Purpose of Confirming the Appointment of Lyndon  
A. S. "Tuck" Wilson to the Position of Convention,  
Trade and Spectator Facilities Director.  
(Action requested: adoption of resolution)

Boose

\* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

(continued)

Approx.  
Time\*

Presented By

6. RESOLUTIONS (Continued)

- |      |     |  |                      |
|------|-----|--|----------------------|
| 6:10 | 6.2 | <u>Consideration of Resolution No. 86-652, for the Purpose of Amending the Pay Plan to Change the Salary Level of the Position of Government Relations Manager, and Confirming the Appointment of Phillip Fell as Legislative Liaison</u><br>(Action Requested: Adoption of the Resolution)                            | Boose                |
| 6:20 | 6.3 | <u>Consideration of Resolution No. 86-650, for the Purpose of Accepting the Hearings Officer's Report in Contested Case No. 85-7 (Kaiser), Furthering Annexation of the Affected Property to Metro and Expressing Council Intent to Amend the Urban Growth Boundary.</u><br>(Action Requested: Adoption of Resolution) | Hinckley             |
| 6:35 | 6.4 | <u>Consideration of Resolution No. 86-651 for the Purpose of Accepting the Hearings Officer's Report in Contested Case No. 85-9 (Riviera), Furthering Annexation of the Affected Property to Metro and Expressing Council Intent to Amend the Urban Growth Boundary.</u><br>(Action Requested: Adoption of Resolution) | Hinckley             |
| 6:50 | 6.5 | <u>Consideration of Resolution No. 86-649, for the Purpose of Amending Joint Metro Resolution No. 86-603 and IRC Resolution No. 85-11-01 to Expand the Membership of the Bi-State Policy Advisory Committee</u><br>(Action Requested: Adoption of the Resolution)  | Barker               |
|      | 6.6 | <u>Consideration of Resolution No. 86-655, for the Purpose of Accepting the 1986 Oregon Primary Election Abstract of Votes of the Metropolitan Service District.</u> (Action Requested: Adoption of Resolution)  | Carlson              |
|      | 7.  | OTHER BUSINESS   |                      |
| 6:55 | 7.1 | <u>Consideration of Petition to Remove Conditions from Waldow View Acres Approval</u><br>(Action Requested: Motion to accept petition and assign to Hearings Officer)  | Hinkley              |
| 7:00 | 7.2 | <u>Presentation of Tax Measure Options</u><br>(No action requested)  | Kirkpatrick/<br>Fell |

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- |      |  |           |
|------|--|-----------|
| 7:10 | EXECUTIVE SESSION<br>(Held under the Authority of ORS 192.660 (1)(h) to discuss litigation matters with Counsel) | Baxendale |
| 7:15 | ADJOURN  |           |

STAFF REPORT

Agenda Item No. 2.1

Meeting Date June 12, 1986

CONSIDERATION OF PROCEDURE AND SCHEDULE FOR  
FILLING DISTRICT NO. 9 POSITION ON METRO COUNCIL

Date: May 29, 1986

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

Councilor Hardy Myers will be resigning from the Metro Council effective June 30, 1986. According to ORS 268.150(1) a vacancy in office shall be filled by a majority of the remaining members of the Council. In making an appointment, the Council has two main alternatives:

1. Appoint someone to the District 9 position soon after a vacancy exists. This person would serve until January 4, 1987. The individual elected on November 4 would assume office on January 5, 1987; or
2. Wait until after the November 4 election and appoint the individual who was elected by District 9 voters.

Recommended Procedure and Schedule

If the Council decides to appoint someone prior to the November 4 election, the following procedure and schedule is recommended:

- |         |  |
|---------|--|
| June 12 | Council accepts resignation of Councilor Myers and declares that a vacancy exists in District 9 effective June 30. |
|         | Council appoints citizens' committee from District 9 to assist Council in evaluating candidates.                   |
| June 13 | Send letters to community leaders in District 9 requesting recommendations for appointee to District 9 position.   |
| June 14 | Publish notice of vacancy (Sunday newspaper). Invite applications for District 9 position.                         |
| June 23 | Deadline for submitting application for District 9 position (5:00 p.m.).   |

June 26

Council interviews candidates (citizens' committee assists Council in evaluation of the candidates).

July 10

Council makes appointment to District 9 position.

EXECUTIVE OFFICER'S RECOMMENDATION

No recommendation.

RB/gl  
5724C/462-2  
06/02/86

CONSIDERATION OF CONFIRMING THE APPOINTMENT OF  
LYNDON A.S. "TUCK" WILSON, JR. TO THE POSITION OF  
CONVENTION, TRADE, AND SPECTATOR FACILITIES  
DIRECTOR

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Date: June 4, 1986

Presented by: Randy Boose

FACTUAL BACKGROUND AND ANALYSIS

The Executive Officer has appointed Tuck Wilson to the position of Director of the Convention, Trade, and Spectator Facilities (CTS) project, subject to Council confirmation. On May 15, 1986, Council approved Resolution No. 86-646, authorizing this new position and requiring the Council to confirm the appointment.

Council Resolution No. 86-646 also ratified waiver of the in-house posting requirement because of the anticipated project timelines. The CTS Director must coordinate the planning, financing and construction of a new convention center facility. A critical element of this project is the preparation of a November ballot measure for bonds.

The Executive Officer proceeded to recruit applicants for the position based on the selection criteria set forth in Attachment A. Only local candidates were considered because of the need for an individual experienced in working with the various affected governmental agencies and other federal, state and local jurisdictions. The Roger Pringle Company was hired to help recruit and screen applicants. The Sam Brooks Company, a minority recruitment firm, was also contacted for referrals.

The recruitment efforts of the Roger Pringle Company and those of Metro's personnel office resulted in 11 applicants who were considered for further screening and evaluation. The top four candidates were interviewed by Rick Gustafson, Executive Officer; Councilor Richard Waker, Presiding Officer; Roger Pringle; and Randy Boose, Personnel Officer. A selection advisory committee, including Tom Walsh, Walsh Construction Company, and Lloyd Anderson, Director of the Port of Portland, assisted in evaluating candidates. Reference checks were completed on the four finalists and Tuck Wilson was determined to be the candidate for Metro's needs.

Mr. Wilson served as Multnomah County Department of Justice Services Director from 1978 to 1981. This is the largest department at the County with a \$50 million budget. As Director, Tuck Wilson was involved in several construction projects, including the design

and construction of the \$65 million Justice Center and the \$60 million County Maintenance Facility.

As Assistant Secretary of State from 1974 to 1976, Mr. Wilson was responsible for the administration of election laws for the State of Oregon. From 1977 to 1978, he served as Deputy State Treasurer and his responsibilities included reviewing all bond measures on behalf of the State Treasurer and day-to-day supervision of office staff and professionals.

Tuck Wilson has been a lawyer since 1967 and is currently a partner in the firm of Erickson & Wilson. He has over 11 years of experience working with all levels of government in Oregon and a strong background in the finance field. His wide range of activities in the public and private sectors with leaders in our community contribute to his general qualifications for the rigors of this project.

Subject to Council confirmation, Mr. Wilson has accepted the position at a salary of \$55,000 which is commensurate with his background and experience. The salary range for this position is \$43,638 to \$58,531 per year.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends confirmation of the appointment of Lyndon A. S. Wilson, Jr. to the position of Convention, Trade, and Spectator Facilities Director as set forth in Resolution No. 86-653.

RB/gl  
5740C/462-2  
06/04/86

**METRO**2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Date: May 15, 1986

To: Metro Council

From: Rick Gustafson, Executive Officer

Regarding: CTS DIRECTOR SELECTION CRITERIA

Based on the proposed job description for the CTS Director, the following are the key attributes needed for the position.

1. Project management experience to oversee the scheduling, budget, marketing and planning of the project.
2. Contract management experience to negotiate and execute the necessary legal, financial, consulting, construction and intergovernmental agreements and contracts.
3. Intergovernmental experience working with the various affected governmental agencies to include the City of Portland, the Exposition and Recreation Commission, Multnomah County, the Portland Development Commission and other federal, state and local jurisdictions.
4. Upper level management experience to effectively represent Metro, to identify, evaluate and present solutions to project problems/ issues associated with projects, and to direct CTS personnel.
5. Interpersonal skills to maintain effective working relationships with subordinates, project teams, consultants, public and private officials and local public.
6. Construction knowledge is desirable to work with the design and construction manager, and the architectural and engineering consultants.

RG:ktr

May 9, 1986

Lyndon A.S. "Tuck" Wilson, Jr.  
3509 S.E. Claybourne Street  
Portland, Oregon 97202  
(503) 775-7003

**CURRENT POSITION**

Partner - Erickson & Wilson  
18735 S.W. Boones Ferry Road  
P.O. Box 547  
Tualatin, Oregon 97062  
(503) 692-0530  
January 1, 1982 to present

**PERSONAL**

Born March 31, 1939, Montclair, New Jersey  
Raised Buffalo, New York area  
Son - Channing, Born September 7, 1971  
Admitted Oregon State Bar 1967; Bar of Supreme Court 1972  
Lewis & Clark College, B.S. 1963  
Northwestern School of Law, J.D. 1967

**MILITARY**

U.S. Army paratrooper 1956-1959  
U.S. Special Forces Reserves 1959-1961

**EMPLOYMENT**

Rankin, McMurry, VavRosky & Doherty 1981  
Attorneys at Law

Director - Department of Justice Services 1978 to 1981  
Multnomah County, Oregon

State Treasurer's Office 1977 to 1978  
Deputy State Treasurer

Secretary of State's Office 1974-1976  
Assistant Secretary of State

Wilson & Erickson 1969-1974  
Attorneys at Law

## AREAS OF EMPHASIS

Business Law  
Real Property Syndications and Condominiums  
Labor Law

## PRIOR AND PRESENT ASSOCIATIONS

State Law Enforcement Council  
Chairman, Labor Law Committee, Oregon State Bar  
Portland City Club - Chairman of Law and Public Safety  
Standing Committee  
Candidate for Republican nomination for Oregon Attorney  
General 1976  
Member, Task Force on Evaluation of Audit Components of the  
Department of Defense, January, 1979 - May, 1980  
Trustee, World Affairs Council of Oregon  
Director, Lisk-Savory Corporation, General Metalware, Inc.  
and General Metalcraft, Inc.

## HOBBIES

Flying  
Mountain climbing  
Cross country skiing  
Backpacking

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CONFIRMING	)	RESOLUTION NO. 86-653
THE APPOINTMENT OF LYNDON A.S.	)	
"TUCK" WILSON, JR. TO THE POSITION	)	Introduced by the
OF CONVENTION, TRADE, AND	)	Executive Officer
SPECTATOR FACILITIES DIRECTOR	)	

WHEREAS, The Council of the Metropolitan Service District has approved the addition of the Convention, Trade, and Spectator (CTS) Facilities Director to the Metropolitan Service District Classification Plan; and

WHEREAS, Council Resolution No. 86-646 requires Council confirmation of the appointment to the CTS Director; now, therefore,  
BE IT RESOLVED,

That the appointment of Lyndon A. S. "Tuck" Wilson, Jr. to the position of Convention, Trade, and Spectator Facilities Director is confirmed by a majority of the Council.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

Richard Waker, Presiding Officer

RB/sr  
5740C/462  
06/04/86

STAFF REPORT

Agenda Item No. 6.2

Meeting Date June 12, 1986

CONSIDERATION OF RESOLUTION NO. 86-652 AMENDING  
THE METRO PAY PLAN TO CHANGE THE SALARY LEVEL OF  
THE POSITION OF GOVERNMENT RELATIONS MANAGER, AND  
CONFIRMING THE APPOINTMENT OF PHILLIP FELL AS  
LEGISLATIVE LIAISON

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Date: May 27, 1986

Presented by: Randy Boose

FACTUAL BACKGROUND AND ANALYSIS

The Executive Officer has approved the reclassification of Phillip Fell to the position of Government Relations Manager subject to Council confirmation. Section 2.02.040(e) of the Metro Code requires confirmation by a majority vote of the Council prior to the effective date of such an appointment because the Government Relations Manager serves as Metro's legislative liaison. Section 2.02.115(a) of the Metro Code requires Council approval to change the salary range because it requires amending the Pay Plan. A summary of the reclassification is attached (Attachment A). The study also recommends changing the salary range of the Government Relations Manager from 13.5 to 12.5.

The FY 1986-87 budget reflects the reclassification of the Analyst 3 position held by Phillip Fell to Director of Legislative Services (now titled Government Relations Manager). The budget Reclassification Request form is included in this report (Attachment B). The budget also transfers Mr. Fell from the Public Affairs Department to the Executive Management Department to coincide with the increased legislative liaison duties.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the adoption of Resolution No. 86-652 amending the Metro Pay Plan, and confirmation of the appointment of Phillip Fell for the position of Government Relations Manager.

RB/gl  
5664C/462-3  
05/29/86

ATTACHMENT A

METRO PERSONNEL CLASSIFICATION STUDY SUMMARY

ANALYST 3/PUBLIC AFFAIRS (INCUMBENT PHILLIP FELL)

Reason For Study. The duties of this position will change as part of a plan for Metro to provide legislative liaison duties on an in-house basis, rather than contract for service. The study was requested by the incumbent and Donald Carlson, Deputy Executive Officer.

Summary of Proposed Responsibilities. Develop and manage a program to gain legislative support for Metro's goals and objectives; maintain and develop lines of communications with state elected officials; provides information reflecting Metro's organizational activities to Legislators, state agency staff members, and key interest groups; and provide a link between Metro Councilors and key Legislators.

Methodology. The incumbent and the Deputy Executive Officer were interviewed. Responsibilities and required qualifications were compared with other positions in the organization and point factoring ratings were compiled to determine an appropriate salary range. The job classification specification of Government Relations Manager is attached.

Findings. The responsibilities of the Analyst 3 position will increase substantially with the addition of the legislative liaison duties that this position will assume beginning July 1, 1986, to help Metro prepare for the 1987 legislative session. An in-house staff person performed these duties during the 1983 session. The person handling these responsibilities was classified as Director of Legislative Services (now titled Government Relations Manager).

During the last legislative session (1985), Metro contracted for most of its legislative liaison duties. Phillip Fell assisted in this process as part of his Analyst 3 responsibilities. No staff person has served as Government Relations Manager since the 1983 session.

Because Phillip Fell has already been performing some of the duties of Government Relations Manager as part of his Analyst 3 position, and because he will be performing the rest of the lobbyist responsibilities (subject to Council confirmation) of the Government Relations Manager, it is appropriate to reclassify him as Government Relations Manager rather than create a new position.

For this study, the position of Government Relations Manager was evaluated using the current point factoring evaluation system. Because the position has been vacant since the adoption of the current evaluation system, it had never been evaluated to establish

an appropriate level. It was placed in the Metro Pay and Classification Plans at the 13.5 level based on the salary the incumbent had received. The results of point factoring put the position in 12.5 salary range. The incumbent is classified as an Analyst 3 at the 10.0 salary range. The salary for the 12.5 range is \$30,784 to \$38,563 annually.

Recommendations: Reclassify the Analyst 3 position to Government Relations Manager. Revise the salary level of Government Relations Manager from 13.5 to 12.5. The incumbent possesses the qualifications for the job.

Action Required: Funding for the recommended salary change is in the approved FY 1986-87 budget, as well as the transfer of this position from the Public Affairs Department to the Executive Management Department. The incumbent qualifies for this position and should be retained. Executive Officer approval is needed to reclassify the Analyst 3 position to Government Relations Manager and to change the position title. No major change in the duties or qualifications of the Government Relations Manager classification is required.

Council approval is needed to change the salary range from 13.5 to 12.5 and to confirm the appointment to this position prior to the effective date of this reclassification.

RB/gl  
5664C/462-3  
05/30/86

GENERAL STATEMENT OF DUTIES:

To provide the first line of liaison for Metro with State Legislators; and to provide intergovernmental liaison on assigned local, state and federal issues.

SUPERVISION RECEIVED:

Works under the direct supervision of the Deputy Executive Officer for the Executive Officer and Council who review work for effectiveness and compliance with policies and rules of Metro. Coordinates liaison efforts with Director of Public Affairs.

SUPERVISION EXERCISED:

Supervision is not a normal requirement of positions in this class.

EXAMPLES OF PRINCIPAL DUTIES:

An employee in this classification may perform any of the following duties. However, these examples do not include all the specific tasks which an employee may be expected to perform.

1. Responsible for regular reports to the Council regarding legislative matters. Provides staff support to Council in legislative development.
2. Represents Metro before legislative committee and monitors activities including Metro-related legislation in the legislative process.
3. Coordinates Metro program by working closely with the Public Affairs Department along with all departments.
4. Monitors all Metro-related legislation, routes bills to appropriate Metro staff for review and comment, and provides follow-through on Metro action necessary, including seeking authorization for action from Executive Officer and/or Council
5. Meets with Legislators, legislative staff and special interest lobbyists regarding Metro policies.
6. Works with Metro staff to identify problem areas requiring future legislative action. Prepares pros and cons. Recommends course of action. Develops strategy recommendations and when approved, implements action related to legislation.
7. Works closely with the Public Affairs Department to develop a package during interim to improve awareness and understanding among Legislators and local public officials regarding Metro activities and the need for public support of Metro affairs.

8. Prepares and distributes informational materials on Metro-related matters.
9. Coordinates special projects and serves as backup liaison for Deputy Executive Officer and Executive Officer. Prepares policy statements when assigned.

RECRUITING REQUIREMENTS:  
KNOWLEDGE, SKILL, ABILITY

Requires extensive experience in intergovernmental relations work with some experience with legislative process. Must have highly developed communication skills. Exposure to multiple public policy issues helpful.

EXPERIENCE AND TRAINING:

Degree in Public Administration, Political Science or Economics, or related field required. Any combination of experience and training which ensures the ability to perform the work may substitute for the above requirements.

RB/gl  
5404C/440  
05/30/86

**METRO New Position/ Fiscal Year**  
**Reclass 1986-87**  
**Request**

DATE: March 18, 1986

BUDGET CODE: 1020

ORGANIZATION: Executive Management

**ACTION REQUESTED:** Reclass Analyst 3 Position to Director of Legislative Services.

**INCUMBENT:** Phillip Fell

**RESPONSIBILITIES:**

1. Responsible for regular reports to the Council regarding legislative matters. Provides staff support to Council in legislative development.
2. Represents Metro before Legislative Committee and monitors activities including Metro related legislation in the legislative process.
3. Coordinates Metro program by working closely with the Public Affairs Department along with all departments.
4. Monitors all Metro-related legislation, routes bills to appropriate Metro staff for review and comment and provides follow-through on Metro action necessary, including seeking authorization for action from Executive Officer and / or Council.
5. Meets with Legislators, legislative staff and special interest lobbyists regarding Metro policies.

(continued on next page)

**JUSTIFICATION:**

Need to start preparation for 1987 legislative session. Provide primary function through the use of in-house staff rather than contract for service. Use contract service on an as needed basis only.

**BUDGET IMPACT:**

Direct salary:	\$32,450 (includes merit)
Merit:	
Fringe:	\$10,060
Overhead:	_____
<b>TOTAL:</b>	<b>\$42,510</b>

**PERSONNEL RECOMMENDATION:**

(for personnel use only)

The position of Director of Legislative Services is part of the current pay and classification plan. This position has been vacant because the duties have been filled by contracting for the services. The responsibilities listed above are consistent with the job description of Director of Legislative Services and justify the proposed reclassification of the Analyst 3 position. The incumbent has the necessary experience to meet the requirements of the Director position. Personnel approves the reclassification of this position from an Analyst 3.

page 2

Reclass Analyst 3 to Director of Legislative Services:

Continued responsibilities:

6. Works with Metro Staff to identify problem areas requiring future legislative action. Prepares pros and cons. Recommends course of action. Develops strategy recommendations and when approved, implements action related to legislation.
7. Works closely with the Public Affairs Department to develop a package during interim to improve awareness and understanding among legislators and local public officials regarding Metro activities and the need for public support of Metro affairs.
8. Prepares and distributes informational materials on Metro-related matters.
9. Coordinates special projects and serves as backup liaison for Deputy Executive Officer and Executive Officer. Prepares policy statements when assigned.

BEFORE THE COUNCIL OF THE  
M. TROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE ) RESOLUTION NO. 86-652  
METRO PAY PLAN TO CHANGE THE )  
SALARY LEVEL OF THE POSITION OF ) Introduced by the  
GOVERNMENT RELATIONS MANAGER, AND ) Executive Officer  
CONFIRMING THE APPOINTMENT OF )  
PHILLIP FELL AS LEGISLATIVE )  
LIAISON )

WHEREAS, Metro has a need to provide legislative liaison activities with State Legislators; and

WHEREAS, Metro Code Section 2.02.115(a) requires Council approval to amend the Metro Pay and Classification Plans; and,

WHEREAS, Metro Code Section 2.02.040(e) requires Council confirmation of the position of legislative liaison; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District amend Metro's Pay and Classification Plan by changing the salary level of Government Relations Manager to 12.5.

2. That the appointment of Phillip Fell to the position of Government Relations Manager, which acts as Metro's legislative liaison, is confirmed by a majority of the Metro Council.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_ 1986.

Richard Waker, Presiding Officer

RB/gl  
5664C/462-3  
05/30/86

CONSIDERATION OF RESOLUTION NO. 86-650, ACCEPTING THE HEARINGS OFFICER'S REPORT IN CONTESTED CASE NO. 85-7 (KAISER), FURTHERING ANNEXATION OF THE AFFECTED PROPERTY TO METRO AND EXPRESSING COUNCIL INTENT TO AMEND THE URBAN GROWTH BOUNDARY

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Date: May 30, 1986

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

The petition from Kaiser Development Company is one of three petitions received this year requesting major amendments of the regional Urban Growth Boundary (UGB). The petition proposes the addition of some 450 acres south of Sunset Highway in Washington County as shown in Exhibit A (attached to Resolution No. 86-650).

Under the applicable statewide goals, major UGB amendments may be approved only when shown to be needed to accommodate growth. Kaiser states that its petition should be approved in order to meet what it asserts to be a need for additional land in the Sunset Corridor attractive to so-called "hi tech" industries. This is basically the same need identified in Riviera's petition. Support for this argument and/or for petition approval included testimony from, among others, the Governor's Office, the Department of Land Conservation and Development Commission (DLCD), the Economic Development Department (EDD), and 1000 Friends of Oregon. Due to limited time and staff resources, the Washington County Board of Commissioners did not take a position on any of the three petitions. The city of Hillsboro supports the petition and will seek to annex the property if the petition is approved.

The Hearings Officer recommends that the petition be approved. Her findings emphasize the need for large parcels (30 to 60 acres). Her conclusion that the petition will meet this need is based in part upon an agreement among Kaiser, the city of Hillsboro, and 1000 Friends of Oregon that the property will be zoned and platted predominantly for 30-acre parcels, with two pairs of such parcels maintained for a 60-acre user for as long as necessary.

Since the property is not now within Metro's jurisdictional boundaries, the action proposed is a resolution to: (1) join in a "triple majority" petition for annexation to Metro; and (2) express the Council's intent to amend the UGB as requested once the property is within its jurisdiction.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer supports the Hearings Officer's Report and recommends adoption of Resolution No. 86-650.

JH/gl  
5680C/462-3  
05/30/86

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF A RESOLUTION	)	RESOLUTION NO. 86-650
ACCEPTING THE HEARINGS OFFICER'S	)	
REPORT IN CONTESTED CASE NO. 85-7	)	Introduced by the
(KAISER), FURTHERING ANNEXATION	)	Executive Officer
OF THE AFFECTED PROPERTY TO METRO	)	
AND EXPRESSING COUNCIL INTENT TO	)	
AMEND THE URBAN GROWTH BOUNDARY	)	

WHEREAS, Contested Case No. 85-7 is a petition from Kaiser Development Company and others to the Metropolitan Service District (Metro) for an amendment of the regional Urban Growth Boundary (UGB) to include the property shown as the "proposed addition" in Exhibit A and described in Exhibit C (hereafter called "the property"); and

WHEREAS, Hearings on this petition were held before a Metro Hearings Officer on March 21, 24, and 31, 1986; and

WHEREAS, The Hearings Officer has issued her report on this case (Exhibit B), which finds that all applicable requirements have been met and recommends that the petition be approved; and

WHEREAS, The property lies outside but is contiguous to Metro's boundaries; and

WHEREAS, "Consents" in the form of a petition have been presented to Metro requesting annexation of the property; and

WHEREAS, The consents in the form of a petition were signed by owners of the property; and

WHEREAS, Metro has reviewed the consents and set the final boundary for the annexation, as required by ORS 199.490(2); and

WHEREAS, Subsequent to the setting of the final boundary the consents for land contained therein represent "more than half the

owners of the land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory"; and

WHEREAS, The proposed annexation therefore is in accordance with ORS 199.490(2) and constitutes a so-called "triple majority" annexation and a "minor boundary change" under Boundary Commission law, ORS 199.410 to 199.510; and

WHEREAS, Section 2 of Ordinance No. 85-189 provides that action to approve a petition including land outside the District shall be by resolution expressing intent to amend the UGB when the property is annexed to the Metropolitan Service District; now, therefore,

BE IT RESOLVED,

1. That the Council hereby accepts and adopts as the Final Order in Contested Case No. 85-7 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.

2. That the petition for annexation to the Metropolitan Service District is hereby approved and the petitioners directed to file the necessary fee and forms, including this resolution, with the Portland Metropolitan Area Local Government Boundary Commission.

3. That the Council of the Metropolitan Service District expresses its intent to adopt an ordinance amending the Urban Growth Boundary as shown in Exhibit A within thirty (30) days of receiving notification that the property has been annexed to the Metropolitan

Service District, provided such ratification is received within six (6) months of the date on which this resolution is adopted.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1986

Richard Waker, Presiding Officer

JH/gl  
5680C/462-3  
05/30/86

# Petition from Kaiser Development Company

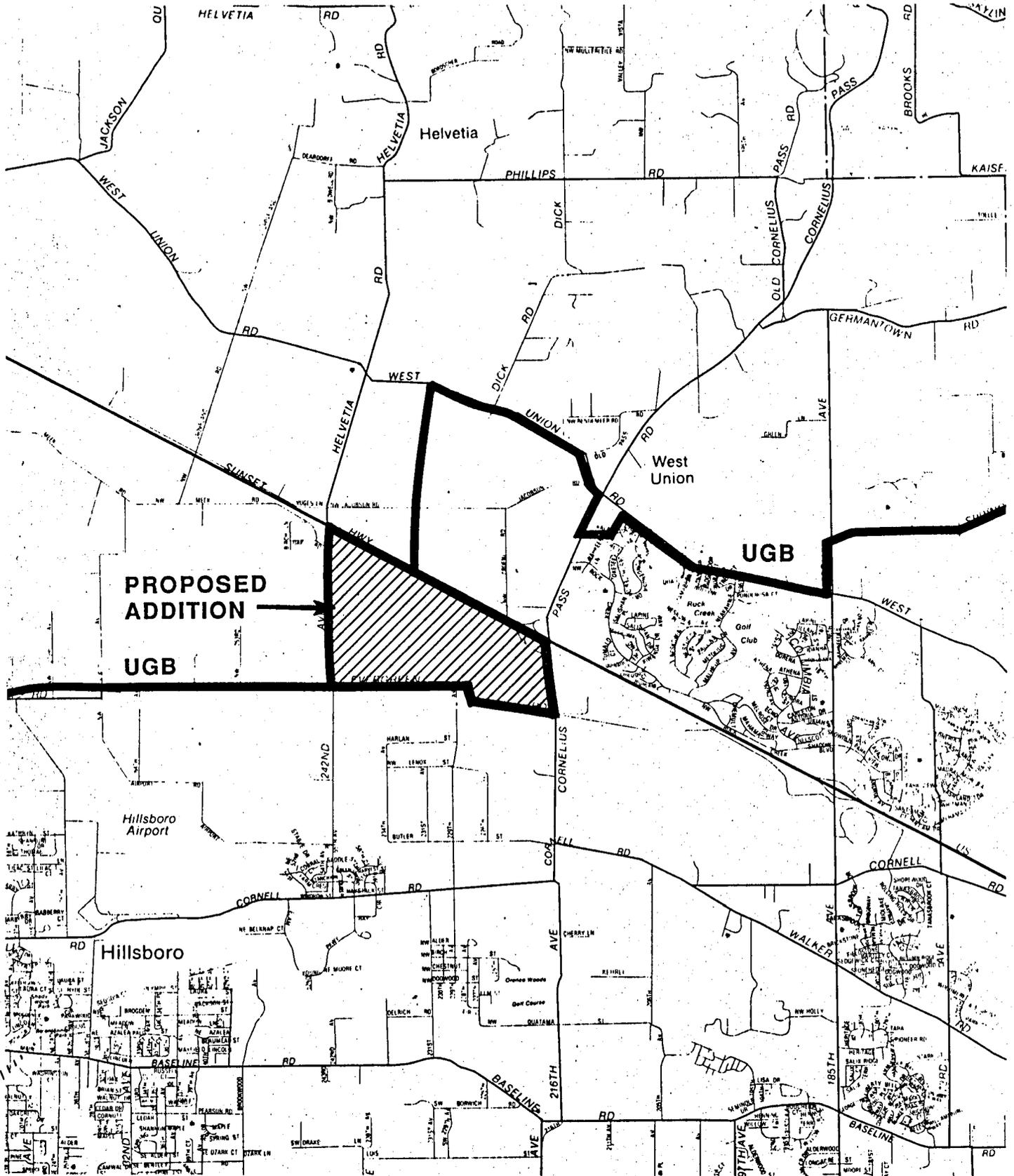


EXHIBIT B

Due to the length of the Hearings Officer's Report, this item has not been included in your packet. If you would like a copy, please call Council Clerk Marie Nelson at 221-1646 and she will see that you are sent one promptly.

5680C/462

# WILSEY & HAM

521 S.W. Eleventh Avenue/Portland, Oregon 97205  
(503) 227-0455

Exhibit C

October 2, 1985

## Legal Description for Kaiser property

A parcel of land located in Section 22 and the S.W. 1/4 of Section 23, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon being more particularly described as follows:

Beginning at the intersection of the West right-of-way of Cornelius Pass Road (C.R. No. 1172), and the south line of the E.H. Lennox D.L.C. No. 50; thence westerly along the south line of said D.L.C. No. 50 a distance of 2500 feet more or less to the east line of the Wm. Bennett D.L.C. No. 47; thence North along said east line of D.L.C. No. 47 a distance of 430 feet more or less to the N.E. corner of the Wm. Bennett D.L.C. No. 47 and the south line of the Alexander Zachary D.L.C. No. 52; thence west along the south line of said Zachary D.L.C. 4330 feet more or less to the east right-of-way of N.W. Shute Road (C.R. No. A-100); thence North along the east right-of-way of said Shute Road 4600 feet more or less to the southerly right-of-way of Sunset Highway (U.S. No. 26); thence Easterly along the southerly right-of-way of said Sunset Highway to the west right-of-way at Cornelius Pass Road (C.R. No. 1172); thence South along said west right-of-way of Cornelius Pass Road 1500 feet more or less to the Point of Beginning.

STAFF REPORT

Agenda Item No. 6.4

Meeting Date June 12, 1986

CONSIDERATION OF RESOLUTION NO. 86-651, ACCEPTING  
THE HEARINGS OFFICER'S REPORT IN CONTESTED CASE  
NO. 85-9 (RIVIERA), FURTHERING ANNEXATION OF THE  
AFFECTED PROPERTY TO METRO AND EXPRESSING COUNCIL  
INTENT TO AMEND THE URBAN GROWTH BOUNDARY

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Date: May 30, 1986

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

The petition from Riviera Motors, Inc. proposes to include in the urban area some 450 acres north of Sunset Highway in Washington County as shown in Exhibit A (attached to Resolution No. 86-651). It is one of three petitions received this year requesting major amendments of the regional Urban Growth Boundary (UGB).

Under the applicable statewide goals, major UGB amendments may be approved only when shown to be needed to accommodate growth. Riviera states that its petition should be approved in order to meet what it asserts to be a need for additional land in the Sunset Corridor attractive to so-called "hi tech" industries. This is basically the same need identified in Kaiser's petition. Support of this argument and/or of petition approval included testimony from, among others, the Governor's Office, the Department of Land Conservation and Development Commission (DLCD), the Economic Development Department (EDD), and 1000 Friends of Oregon. Due to limited time and staff resources, the Washington County Board of Commissioners did not take a position on any of the three petitions.

The Hearings Officer recommends that the petition be approved. Her findings emphasize the need for large parcels (30 to 60 acres). Her conclusion that the petition will meet this need is based in part upon an agreement between Riviera Motors and 1000 Friends of Oregon that the property will be platted so as to make a 65-acre parcel available to a potential user for as long as needed.

Since the property is not now within Metro's jurisdictional boundaries, the action proposed is a resolution to: (1) join in a "triple majority" petition for annexation to Metro; and (2) express the Council's intent to amend the UGB as requested once the property is within its jurisdiction.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer supports the Hearings Officer's Report and recommends adoption of Resolution No. 86-651.

JH/gl  
5732C/462-1  
05/30/86

BEFORE THE COUNCIL OF THE  
M. TROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ) RESOLUTION NO. 86-651  
ACCEPTING THE HEARINGS OFFICER'S )  
REPORT IN CONTESTED CASE NO. 85-9 ) Introduced by the  
(RIVIERA), FURTHERING ANNEXATION ) Executive Officer  
OF THE AFFECTED PROPERTY TO METRO )  
AND EXPRESSING COUNCIL INTENT TO )  
AMEND THE URBAN GROWTH BOUNDARY )

WHEREAS, Contested Case No. 85-9 is a petition from Riviera Motors, Inc. to the Metropolitan Service District (Metro) for an amendment of the regional Urban Growth Boundary (UGB) to include the property shown as the "proposed addition" in Exhibit A and described in Exhibit C (hereafter called "the property"); and

WHEREAS, Hearings on this petition were held before a Metro Hearings Officer on March 21, 24, and 31, 1986; and

WHEREAS, The Hearings Officer has issued her report on this case (Exhibit B), which finds that all applicable requirements have been met and recommends that the petition be approved; and

WHEREAS, The property lies outside but is contiguous to Metro's boundaries; and

WHEREAS, "Consents" in the form of a petition have been presented to Metro requesting annexation of the property; and

WHEREAS, The consents in the form of a petition were signed by owners of the property; and

WHEREAS, Metro has reviewed the consents and set the final boundary for the annexation, as required by ORS 199.490(2); and

WHEREAS, Subsequent to the setting of the final boundary the consents for land contained therein represent "more than half the owners of the land in the territory, who also own more than half of

the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory"; and

WHEREAS, The proposed annexation therefore is in accordance with ORS 199.490(2) and constitutes a so-called "triple majority" annexation and a "minor boundary change" under Boundary Commission law, ORS 199.410 to 199.510; and

WHEREAS, Section 2 of Ordinance No. 85-189 provides that action to approve a petition including land outside the District shall be by resolution expressing intent to amend the UGB when the property is annexed to the Metropolitan Service District; now, therefore,

BE IT RESOLVED,

1. That the Council hereby accepts and adopts as the Final Order in Contested Case No. 85-9 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.
2. That the petition for annexation to the Metropolitan Service District is hereby approved and the petitioners directed to file the necessary fee and forms, including this resolution, with the Portland Metropolitan Area Local Government Boundary Commission.
3. That the Council of the Metropolitan Service District expresses its intent to adopt an ordinance amending the Urban Growth Boundary as shown in Exhibit A within thirty (30) days of receiving notification that the property has been annexed to the Metropolitan

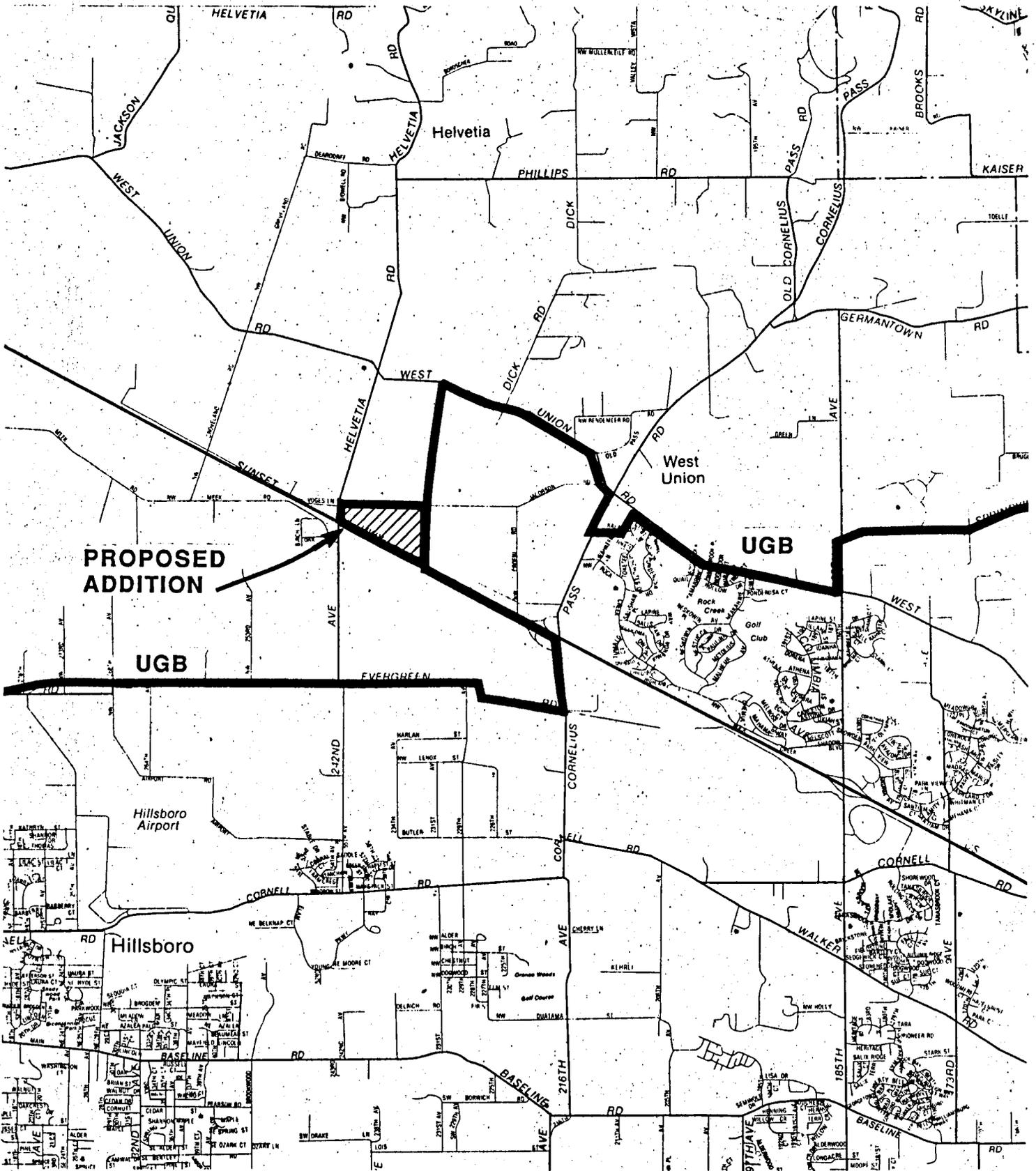
Service District, provided such ratification is received within six (6) months of the date on which this resolution is adopted.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1986

Richard Waker, Presiding Officer

JH/gl  
5732C/462-1  
05/30/86

# Petition from Riviera Motors



**EXHIBIT B**

Due to the length of the Hearings Officer's Report, this item has not been included in your packet. If you would like a copy, please call Council Clerk Marie Nelson at 221-1646 and she will see that you are sent one promptly.

5680C/462

EXHIBIT C

A tract of land in the Alex Zachary Donation Land Claim No. 52, in Sections 15 and 22, Township 1 North, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at a point in the South line of Jacobson Road, which point is South  $89^{\circ} 43' 22''$  East, 71.76 feet and South  $0^{\circ} 16' 38''$  West, 20.00 feet from the Northwest corner of the Zachary Donation Land Claim; thence along the South line of the Jacobson Road, South  $89^{\circ} 43' 22''$  East, 2,573.98 feet to the Northwest corner of the Albert L. Croeni tract described in deed recorded in Deed Book 129 at page 34, Washington County Records; thence continuing South  $89^{\circ} 43' 22''$  East along said South line 570 feet, more or less, to the East line of the Bonneville Power Administration tract described in notice of Lis Pendens recorded in Deed Book 733, page 728, being also the West line of the tract described in the deed to Riviera Motors, Inc., et al, recorded January 25, 1974 in Book 960 at page 659; thence South  $7^{\circ} 13' 52''$  West 88 feet, more or less, to an angle point in said West line; thence South  $0^{\circ} 35' 56''$  West 1983.40 feet along said West line to the Northerly line of the Sunset Highway; thence North  $61^{\circ} 47' 28''$  West along said Northerly line 590 feet, more or less, to an angle point in said Northerly line; thence North 85 feet, more or less, to an angle point in said Northerly line; thence continuing along said Northerly line South  $89^{\circ} 37' 23''$  West, 170.26 feet; thence North  $61^{\circ} 55' 06''$  West, 999.99 feet; thence North  $61^{\circ} 34' 29''$  West, 299.88 feet; thence North  $56^{\circ} 55' 24''$  West, 351.20 feet; thence North  $61^{\circ} 44' 44''$  West, 350.12 feet; thence North  $56^{\circ} 05' 23''$  West, 301.60 feet; thence North  $35^{\circ} 09' 30''$  West, 223.40 feet; thence North  $39^{\circ} 59' 30''$  West, 415.85 feet to a point in the East line of Helvetia Road; thence along said East line of said road, North  $0^{\circ} 32' 38''$  East, 19.05 feet; thence on the arc of a curve right, having a radius of 1,362.40 feet and a central angle of  $2^{\circ} 52' 02''$  (the long chord bears North  $1^{\circ} 59'$  East, 68.19 feet,) an arc length of 68.19 feet to the point of beginning.

STAFF REPORT

Agenda Item No. 6.5

Meeting Date June 12, 1986

CONSIDERATION OF RESOLUTION NO. 86-649 FOR THE  
PURPOSE OF AMENDING JOINT METRO RESOLUTION NO.  
85-603 AND IRC RESOLUTION NO. 85-11-01 TO EXPAND  
THE MEMBERSHIP OF THE BI-STATE POLICY ADVISORY  
COMMITTEE

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Date: May 23, 1986

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

On May 15, 1986, the Bi-State Policy Advisory Committee voted to recommend to the Metro Council and the Board of Directors of the IRC that the membership of the Committee be expanded to include one member of the Oregon State Legislature and one member of the Washington State Legislature.

The Committee recommended the addition of two legislators to the Committee because there are issues affecting the region from time to time that require legislative attention and action. For example, the Oregon tax law that penalized the state of Washington residents who earn income in Oregon. Other examples include landfill siting, solid waste reduction, and transportation issues affecting areas on both sides of the Columbia River.

Adoption of Resolution No. 86-649 would add one Oregon and one Washington legislator to the Bi-State Committee. The selection of the state legislators is left to the discretion of the individual legislatures. The individual cities, counties and regional units will continue to choose their own elected officials to represent them on the Committee.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 86-649.

RB/sm  
5669C/462-2  
05/23/86

JOINT RESOLUTION OF THE  
METROPOLITAN SERVICE DISTRICT  
AND THE  
INTERGOVERNMENTAL RESOURCE CENTER  
(Formerly Regional Planning Council of Clark County)

FOR THE PURPOSE OF AMENDING JOINT )	METRO RESOLUTION NO. 86- 649
METRO RESOLUTION NO. 85-603 AND )	IRC RESOLUTION NO. 86-
IRC RESOLUTION NO. 85-11-01 TO )	
EXPAND THE MEMBERSHIP OF THE )	
BI-STATE POLICY ADVISORY COMMITTEE )	

WHEREAS, The Council of the Metropolitan Service District (Metro) and the Regional Planning Council of Clark County (RPC) established the Bi-State Policy Advisory Committee on September 24, 1981 (by Joint Resolution No. 81-274) to provide a forum at which policy-makers from Oregon and Washington can express views and discuss metropolitan problems of mutual concern; and

WHEREAS, There are issues affecting the region from time to time that require legislative attention and action; and

WHEREAS, The Bi-State Policy Advisory Committee voted on May 15, 1986, to recommend to the Metro Council and the Board of Directors of the Intergovernmental Resource Center (formerly RPC) that the membership of the Bi-State Policy Advisory Committee be expanded to include one member of the Oregon State Legislature and one member of the Washington State Legislature; now, therefore,

BE IT RESOLVED,

That Section 3 of Metro Resolution No. 85-603 and IRC Resolution No. 85-11-01 (a joint resolution) is hereby amended as follows:

- "3. That the membership of the Committee shall include:
  - a. A member of the Metro Council;
  - b. A member of the IRC Board of Directors;

- c. A Multnomah County Commissioner;
- d. A Clark County Commissioner;
- e. A member of the Portland City Council;
- f. A member of the Vancouver City Council;
- g. A member of the Oregon State Legislature;
- h. A member of the Washington State Legislature.

ADOPTED by the Council of the Metropolitan Service District

this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

\_\_\_\_\_  
Richard Waker, Presiding Officer

ADOPTED by the Board of Directors of the Intergovernmental

Resource Center (of Clark County) this \_\_\_\_\_ day of \_\_\_\_\_,

1986.

\_\_\_\_\_  
\_\_\_\_\_, Chairperson

RB/gl/5669C/462-2

05/20/86

STAFF REPORT

Agenda Item No. 6.6

Meeting Date June 12, 1986

CONSIDERATION OF RESOLUTION NO. 86-655 FOR THE  
PURPOSE OF ACCEPTING THE 1986 OREGON PRIMARY  
ELECTION ABSTRACT OF VOTES OF THE METROPOLITAN  
SERVICE DISTRICT

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Date: June 4, 1986

Presented by: Donald Carlson

FACTUAL BACKGROUND AND ANALYSIS

Primary elections were held in the state of Oregon May 20, 1986. The Primary election ballot in the counties of Multnomah, Washington and Clackamas contained a Metro ballot measure and the positions of Executive Officer and several Councilors.

ORS chapter 255.295 sets forth that an abstract of the votes will be prepared and delivered to the district election authority not later than 20 days following the Primary election. The district election authority shall determine the result of the election and notify the County Clerk in writing no later than the fifth day following receipt of the abstract.

The Director of Multnomah County Elections Division will forward the certified abstracts from the three counties on June 9. (The abstracts will be attached as Exhibit "A" to the Resolution) In order to notify the Elections Division within five days of receipt of the abstracts, the Metro Council should accept the results at the June 12 Council meeting. Upon receipt of notification, Certificates of Election will be provided for those candidates who have been elected to their respective positions.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 86-655.

SLR  
5764C/462-1  
06/04/86

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ACCEPTING THE ) RESOLUTION NO. 86-655  
1986 OREGON PRIMARY ELECTION )  
ABSTRACT OF VOTES OF THE METRO- ) Introduced by the  
POLITAN SERVICE DISTRICT ) Executive Officer

WHEREAS, Primary elections were held in the state of Oregon  
May 20, 1986; and

WHEREAS, The positions of Metro Executive Officer and  
Councilors representing Districts 1, 6, 7, 8, 11 and 12 appeared on  
the Primary election ballot; and

WHEREAS, Ballot Measure 26-12, establishing a tax base for  
the Metropolitan Service District, also appeared on the Primary  
election ballot; and

WHEREAS, ORS chapter 255.295 requires that Metro shall  
determine the result of the election no later than five days upon  
receipt of the abstract of votes; and

WHEREAS, The abstract of votes was received by Metro  
on \_\_\_\_\_; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District  
hereby accepts the results of the May 20, 1986, Oregon Primary  
election, relating to Metro ballot issues, as shown on Exhibit "A,"  
the abstract of votes from the counties of Multnomah, Washington and  
Clackamas.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

Richard Waker, Presiding Officer

**METRO**2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Meeting Date June 12, 1986Date: **June 2, 1986**To: **Metro Council**From: **Jill Hinckley**  
Land Use CoordinatorRegarding: **Petition to Remove Conditions from Waldow View  
Acres Approval**

On October 6, 1983, the Council of the Metropolitan Service District (Metro) adopted Ordinance 83-162, which approved an adjustment of the regional Urban Growth Boundary (UGB) that included the addition of some two hundred (200) acres of land north of the intersection of Holly Lane and Maple Lane Road in Clackamas County, in "trade" for 200 acres south of Oregon City. The developer requested approval in order to construct a mobile home subdivision for senior citizens. The Council relied upon the developer's proposal in several respects when it found that all applicable standards had been met. In consequence, it identified several specific conditions upon which its approval was contingent. The first of these was:

"that Waldo Estates is developed as a mobile home subdivision providing at least 700 units, available predominantly to households with heads 50 years of age or older" (p. 19, Findings, Conclusions and Recommendations of the Regional Development Committee, in the Matter of Contested Case 81-2)

Since that time, the property has passed from the developer's hands to the Vancouver Federal Savings Bank which has petitioned Metro to remove the condition regarding availability predominantly to senior citizens. In reviewing this and related requests, the Clackamas County Board of Commissioners recommended approval based upon certain additional conditions, including a maximum development level of 600 units. Fulfillment of this condition would require removal of Metro's 700-unit minimum.

June 2, 1986

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The Metro Code does not provide any rules for either the establishment or the amendment of conditions for approval of urban growth boundary amendments. Accordingly, Council action is required to accept the petition and establish hearing procedures. Action may be by motion.

The Executive Officer requests that the Council accept the petition and direct that it be assigned to a Hearings Officer for hearing. The petitioner would pay Hearings Officer costs up to \$2500.

JH:gpwb