COUNCIL

Metropolitan Service District

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

Agenda

Date: March 22, 1979

Day: Thursday

Time: 7:00 p.m.

Place: Conference Room "C"

CALL TO ORDER (7:00)

1. INTRODUCTIONS

- 2. WRITTEN COMMUNICATIONS TO COUNCIL
- CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
- 4. CONSENT AGENDA (7:10)*
 - 4.1 A-95 Review
 - 4.2 Minutes of February 22, 1979 and March 8, 1979
- 5. REPORTS
 - 5.1 Report from Executive Officer (7:15)*
 - 5.2 Regional Water Supply Plan (7:45)*
- 6. OLD BUSINESS

PUBLIC HEARING (8:00)*

- Ordinance No. 79-68, Declaring Public Assisted
 Housing as Area or Activity having Significant
 Impact upon the Orderly and Responsible Development of Metropolitan Area; Adopting MSD Areawide
 Housing Opportunity Plan (AHOP) for Portland
 Metropolitan Area and Providing for Implementation
 Thereof (Second Reading)
- 6.2 Ordinance No. 79-69, Authorizing Transfers Within Budget (Second Reading) (8:20)*

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Resolution No. 79-35, Designating Johnson Creek
Basin as Area of Metropolitan Significance (8:40)*

7. NEW BUSINESS

- 7.1 Air Quality Planning Program Execution of Interstate Planning Agreement and Release of SIP Revision Document for Review and Comment (9:05)*
- 8. ANNOUNCEMENTS

ADJOURNMENT (9:15)*

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

mec

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

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Date:

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7:00 p.m.

Place:

Conference Room "C"

CONSENT AGENDA

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

4.1 A-95 Reviews

Action Requested: Concur in staff findings

4.2 Minutes of February 22, 1979, and March 8, 1979

Action Requested: Approve Minutes as distributed

mec

The project applications described below have been processed by MSD staff and recommendations have been made as indicated.

	PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
1.	Project Title: HUD Innovative Grant Ammended Work Plan (#792-1) Applicant: City of Portland Project Summary: Amendment to original work plan for a previously approved grant which expands program activities to include acquisition of 20 additional housing units for rehabilitation and sale to low income families and establishment of a revolving fund to continue such activities in the future. No additional funds are requested. Staff Recommendation: Approval	-	-	-		-
2.	Project Title: Waluga Park Entrance Improvements (#791-27) Applicant: Lake Oswego Project Summary: Project consists of site clearing, regrading and seeding of lawn area and instalation of a drinking fountain and automatic irrigation system. Staff Recommendation: Approval	\$8,716 (Dept. of Interior)	-	\$8,716	\$1,400	\$18,832
3.	Project Title: Modification of CETA, Title III-Skill Training and Improvement Program (#792-5) Applicant: Multnomah-Washington CETA Consortium Project Summary: Modification of existing grant to increase number of participants in program. No additional funds are requested. Staff Recommendation: Approval		_ 	-		-

The project applications described below have been processed by MSD staff and recommendations have been made as indicated.

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
4. Project Title: Master Plan-Kiwanis Camp for Handicapped Children (#791-30) Applicant: Mt. Hood National Forest Project Summary: Proposal to upgrade and expansion existing facilities for handicapped people. No facilities would serve 120 handicapped people a include a new main lodge, six camper/counselor cabin clusters, classroom buildings, swimming pand camp fire assembly area. No funds requested at this time. Staff Recommendation: Approval	ew and cool	-	-	-	-
5. Project Title: Chapin Park Development-Phase 1 (#792-3) Applicant: City of Oregon City Project Summary: Site clearance, grading and planting of grass ground cover for City Park. The park site is 17.4 acres and is located at WArner-Parrot Road and Boynton Street in Oregon City. Staff Recommendation: Approval	(Dept. of Interior)	_	\$20,875	-	\$51,750
6. Project Title: Hudson Park Sewer Project Applicant: Columbia County Project Summary: Connection of Hudson Park Res room Facilities, which are currently on septic tank system, to city sewers, including construction of pumping station and installation of pum lines, etc. for connection to city system. Staff Recommendation: Approval	; ;-	-	\$49,000	-	\$98,000

The project applications described below have been processed by MSD staff and recommendations have been made as indicated.

	PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
7.	Project Title: City/County Family Violence Program Applicant: City of Portland/Multnomah County Project Summary: A joint city/county program to coordinate efforts of law enforcement and social service agencies involved in the delivery of social services to the victims of family violence and their families. Program also to in-1 clude public information and education campaign to reduce community tolerance of intra-family violence. Staff Recommendation: Approval	\$298,503 (Law En- forcement Assistance Admin.)		\$16,584 (Portland) 16,583 (Mult. Co.)	-	\$331,670
8.	Project Title: Portland Comprehensive Areawide Crime Prevention Program (#792-2) Applicant: City of Portland Project Summary: Continuation of comprehensive areawide crime prevention program. Primary goal is to increase citizen awareness of crime prevention techniques, involving the entire community in crime prevention programs. Program will shift from a direct service agency to a resource/training agency through the development of a volunteer service delivery program. Staff Recommendation: Approval	\$416,638 (Law En- forcement Assistance Admin.)	-	\$104,160	-	\$520,798

The project applications described below have been processed by MSD staff and recommendations have been made as indicated.

·	PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
Program (#Applicant: Project Surcluster grothe cities prevention for commun. and citizen	cle: Portland Areawide Crime Prevention 792-4) City of Portland mary: Grant would provide funds for a cup meeting which would bring together that have received grants for crime to exchange ideas and to provide a foruity education, community organization participation. mmendation: Approval	(Law En- forcement Assistance Admin.)	-	-	-	\$30,000

MINUTES OF THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

February 22, 1979

Councilors in Attendance

OU

Chairman Michael Burton Vice Chairman Donna Stuhr Coun. Charles Williamson

Coun. Craig Berkman
Coun. Jack Deines
Coun. Jane Rhodes
Coun. Caroline Miller
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Betty Schedeen
Coun. Marge Kafoury
Coun. Corky Kirkpatrick

Staff in Attendance

Executive Officer Rick Gustafson

Mr. Denton Kent
Mr. Andrew Jordan
Mr. James Sitzman
Mr. Robert McAbee
Mr. Wm. Ockert

Ms. Judith Bieberle Mr. Corky Ketterling Ms. Amelia Lanier Mr. Merle Irvine

Ms. Caryl Waters Mr. McKay Rich Ms. Karen Tweten Ms. Barbara Higbee

Ms. Sue Klobertanz Ms. Marilyn Holstrom Mr. Warren Iliff

Ms. Jennifer Sims Ms. Anne Kelly Feeney

Ms. Anne Kelly Feeney Mr. Jack Bails

Mr. Jack Bails
Ms. Peg Henwood
Ms. Linda Brentano
Mr. Terry Waldele
Mr. Bill Pottis

Mr. Bill Pettis Ms. Mary Carder Mr. Clyde Scott Mr. Keith Lawton Others in Attendance

Mr. Tim Castle Ms. Irene Wasson Mr. Robert Bothman

Mr. Paul Bay Mr. T.C. Wasson Mr. George D. Ward Mr. David A. Phillips Mr. Ronald Watson

Mr. Ed Stritzke
Mr. Norman Colvin
Mr. Howard Harvey
Ms. Carol Harvey
Ms. Nancy Varekamp

Mr. Bob Weil

Mr. Cowles Mallory Ms. Marlene Leahy Mr. Tom O'Connor Mr. George Hubel

Mr. Thomas Vanderzanden

Mr. Gordon Alle Mr. Michael Alesko Mr. Fred Leeson Ms. Margaret Lewis-

Williamson

Mr. Lloyd Gilbertson
Mr. Harold Schmidt
Ms. Mary N. Fischbuch
Mr. Chester Fischbuch
Mr. Dick Hemmerling
Ms. Jeanne Thomas
Mr. Delmar Walgraeve
Ms. Ruth Walgraeve
Mr. Leo Mandel

Ms. Margaret D. Coyle
Ms. Sharon Derderian
Ms. Lamping M. Winthe

Ms. Lorraine M. Winthers

Mr. Henry Kane Mr. Frank Angelo Mr. Mike Borresen Mr. Ted Spence

Mr. Oliver J. Domreis

Mr. Jim Fisher

CALL TO ORDER

After declaration of a quorum, the February 22, 1979, meeting of the Council of the Metropolitan Service District (MSD) was called to order by Presiding Officer Michael Burton at 7:00 p.m. in Conference Room "C" of the MSD offices at 527 Hall Street.

1. WRITTEN COMMUNICATIONS TO THE COUNCIL

Chairman Burton announced that a letter had been received from Mr. Henry Kane, which would be handled later in the meeting under new business.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

There were no citizens who wished to make a presentation to the Council at this time.

3. CONSENT AGENDA

3.1 Minutes of Meeting of February 8, 1979

Coun. Berkman moved, seconded by Coun. Miller, that the minutes of the meeting of February 8, 1979, be approved as distributed.

Coun. Williamson asked that, on page 8, paragraph two, the minutes be amended to show that his comments took place before the vote. He also asked that a change be made in the wording to reflect that he was in favor of studying all the sites possible.

Question called on the motion. The motion carried unanimously.

4. REPORTS

4.1 Report from Executive Officer

Executive Officer Gustafson asked that General Counsel Andy Jordan relate to the Council the status of certain appeals that have been filed in Clackamas County.

Mr. Jordan said that certain land in the region has been designated as "rural" in the Land Use Framework Plan. In the past two months, Clackamas

MSD Council Minutes of February 22, 1979

County has approved subdivisions and major partitions which staff considers to be in violation of the State Goals, the County Plan and the Framework Plan. Five appeals have been filed with the Clackamas County Commission, with hearings scheduled in March and April. The land has been subdivided into one or two acre lots on septic tanks, which staff believes constitutes low density urban development outside the urban area, in violation of land use decisions.

Mr. Jordan requested Council support in pursuing appeals to the County Commission of Clackamas County and to LCDC.

Coun. Williamson asked that the Council be given an opportunity to review these cases before they were appealed.

Chairman Burton pointed out that this was an administrative matter, and that staff would keep the Council informed.

The Executive Officer asked Mr. Kent to report on progress of the Budget process.

Mr. Kent reported that a proposed schedule has been drawn for the FY 1980 budget preparation process. He outlined dates for completion of segments leading to Council action and submittal to the TSCC and final adoption by the Council.

Executive Officer Gustafson reported that he had been contacted by Representative AuCoin who told him that the MSD has been a successful candidate for an EPA grant of \$400,000 for the Resource Recovery Project.

The Executive Officer informed the Council of speaking engagements he will be having in each District so that Councilors may attend meetings if they choose.

The Executive Officer introduced Mr. Tom O'Connor, new Local Government Assistant who will work on grants.

5.2 Resource Recovery Project - Informational Briefing

Mr. Corky Ketterling of the MSD staff outlined steps taken toward establishment of a resource recovery project as an element of the solid waste management plan for the MSD. He demonstrated by means of slides the necessity for such a project, and explained how the project would reduce waste to fuel which would then energize machinery for paper-making.

Councilors questioned Mr. Ketterling about various aspects of the project, and about availability of funds to carry out Phase II of the project.

Mr. Ketterling explained the budgetary implications of the project as well as the impact the resource recovery project will have on numerous interest groups and consumers.

This item was informational and required no Council action.

5.3 Pending MSD Litigation

Through the Agenda Management Summary Mr. Jordan informed the Council of the status of legal proceedings in which the MSD is currently involved.

Councilor Rhodes was concerned if individual Councilors were covered by insurance against suit in any of these cases. She was assured that the Council was covered by insurance for this type of occurrence.

This item was informational and required no Council action.

6. OLD BUSINESS

6.1 Ordinance No. 79-67, providing for Administrative District 2, Criminal Justice System Improvement Plan (Second reading)

Coun. Rhodes moved, seconded by Coun. Miller, that Ordinance No. 79-67 be adopted. Rollcall vote. The motion carried unanimously.

6.2 MSD Legislative Program

6.2.1 Resolution No. 79-20, Seeking Legislation Including MSD Officials in State Ethics Law (Introduced by Michael Burton)

Coun. Berkman moved, seconded by Coun. Peterson, that Resolution No. 79-20 be adopted.

Chairman Burton explained his reasons for introducing this legislation, saying he felt the Council was a public body, and that, in his opinion, submittal of the statement should be a requirement for this Council.

Council discussed the effect this requirement would have on them individually. It was the consensus that failure to include it in the original legislation had been an oversight.

Question called on the motion. The motion carried unanimously.

6.2.2 Resolution No. 79-21, Declaring Metropolitan Service District Support for Acquisition of St. Mary's Woods for a State Park (Introduced by Donna Stuhr)

Councilor Stuhr explained her intent in introducing this Resolution.

Coun. Kirkpatrick said she personally supported this type of effort, but questioned whether it should be a Council determination. She said she would vote against the motion, but did support the project.

Coun. Stuhr suggested that this matter be postponed so that the Council could be provided with more information about the proposal.

Coun. Kirkpatrick moved, seconded by Coun. Kafoury, to postpone this matter until the next regular meeting of the Council. The motion carried unanimously.

MSD Council Minutes of February 22, 1979

6.2.3 Resolution No. 79-23, Proposed Amendment to Senate Bill #66 - Economic Development

Coun. Banzer moved, seconded by Coun. Deines, that Resolution No. 79-23 be adopted.

Mr. Ray Bartlett, MSD Urban Economist, explained that the State Legislative Committee on Trade and Economic Development recently sponsored Senate Bill No. 66 which deals with issuance of industrial revenue bonds, a revolving fund for industrial development loans and identification of counties as the primary local body to do economic planning.

Staff testified at a legislative committee meeting regarding this bill and has proposed testimony which would assert MSD's role and concern for economic development planning in the District and give MSD the means to implement industrial development projects by borrowing from the revolving fund or referring a project to the State Department of Economic Development.

Councilors discussed the bill presently in committee and the effect of pending amendments thereto.

Councilor Miller said she would vote against this motion. She had researched the matter and found that a number of public bodies were already involved in economic development. She was concerned that MSD involvement might create a duplication of efforts, or that SEDS funds might be pulled away from the local jurisdictions.

After considerable Council discussion, Coun. Williamson moved, seconded by Coun. Peterson, that this item be held over to the next regular meeting. The motion failed.

Executive Officer Gustafson said this resolution had broader ramifications than amendment of Senate Bill No. 66, and that he would have appreciated an opportunity to study the implications of the MSD's role in economic development planning for the region.

Councilors discussed further the implications of adopting the resolution, and were generally agreed

MSD Council Minutes of February 22, 1979

that this was not the time for the MSD to become involved in the matter.

Question was called on the motion.

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Coun. Williamson moved seconded by Coun. Banzer, that the item be tabled.

Rollcall vote was requested on the original motion for adoption. Couns. Kirkpatrick, Kafoury, Burton and Williamson voted aye. Couns. Deines, Rhodes, Schedeen, Miller, Banzer, Peterson, Stuhr and Berkman voted nay. The motion failed.

Coun. Banzer moved for reconsideration.

A short break was taken.

6.2.4 Resolution No. 79-15, Seeking Legislation Permitting the MSD to determine Solid Waste Disposal and Landfill Sites.

Coun. Kafoury moved, seconded by Coun. Deines, that the Council adopt Resolution No. 79-15.

Chairman Burton asked Mr. Berkman to speak to an alternative to this Resolution which Coun. Berkman had prepared.

Coun. Berkman asked that an alternative be considered in lieu of the resolution as currently drafted. He said the rationale for the alternative was that the proposal was part of a package which had been under discussion for six weeks and that the proposal presented four specific alternatives under which MSD could site a landfill. Coun. Berkman said the language of the original proposal had been significantly modified by the introduction of the alternative.

Coun. Berkman moved, seconded by Coun. Rhodes that the Resolution be amended by striking the wording after the words "Now, therefore, be it resolved," and adding the proposed amendment.

There was Council discussion of the meaning of the amendment, as it pertained to counties, with several councilors voicing a preference for the original resolution.

Coun. Peterson felt perhaps the best solution would be to support the bill proposed by the legislature to grant siting authority to the DEQ.

Coun. Miller felt the local jurisdictions should have an opportunity to solve the problem, and that final authority should rest with MSD. She did not want the DEQ to be involved. She felt the resolution had been well done by the committee, and said she would support it.

There was further discussion about the necessity for a landfill in each county. Coun. Berkman pointed out that the landfill would not necessarily be built, but that the site would be located and all permits taken so that the site could be built when the need arose.

Coun. Kirkpatrick asked if the alternative had been proposed by the committee or by Coun. Berkman.

Coun. Berkman replied that he had asked the General Counsel to draft some language in this form, and that he was not sure whether the Committee had seen the amendment.

Coun. Rhodes told the Council that the committee had seen the amendment, had accepted it and had made no comments against it.

Coun. Banzer moved, seconded by Coun. Stuhr, to call the previous question. The motion carried unanimously.

Rollcall vote on the amendment to strike the language of the Now, Therefore, and substitute the alternative language submitted by Coun. Berkman. Couns. Burton, Stuhr, Williamson, Berkman, Kirkpatrick, Deines, Rhodes, Miller, Banzer and Peterson voted aye. Couns. Schedeen and Kafoury voted nay. The motion carried.

Councilors discussed further amendments to the Resolution. A five minute break was

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taken for the purpose of discussing proposals to amend the Resolution.

Mr. David Phillips, Solid Waste Administrator for Clackamas County, said the Clackamas County Board had voiced opposition to MSD taking authority to site landfills. Mr. Phillips felt the amended version of the Resolution would create more problems than the original. Mr. Phillips himself was in favor of the Resolution.

Coun. Rhodes asked if it was necessary to amend the Resolution to include the added provisions, or if a consensus would be sufficient. It was the opinion of the Chairman that a consensus would suffice.

Question was called on the main motion, as amended. Rollcall vote. Couns. Kirkpatrick, Deines, Rhodes, Miller, Banzer, Peterson, Kafoury, Burton, Stuhr, Williamson and Berkman voted aye. Coun. Schedeen voted nay. The motion carried.

6.2.5 Resolution No. 79-28, Proposed Amendment to MSD Legislative Bill #2 (Exemption of St. Johns and Oregon City Landfills)

Coun. Miller asked if it was anticipated that the Resource Recovery project would be operational by 1981. She was concerned whether it would be wise to exclude the St. Johns landfill without a time certain for its inclusion. She suggested a five-year period.

Chairman Burton said he would direct the Executive Officer and staff to work with the city of Portland to draw up an agreement in the event resource recovery was put into operation prior to the expiration of use of the St. Johns landfill.

Coun. Stuhr moved, seconded by Coun. Williamson, that, based on comments made relative to inclusion of the St. Johns landfill within a

MSD Council Minutes of February 22, 1979

definite time frame, the Council adopt Resolution No. 79-28.

Executive Officer Gustafson explained that the city of Portland is not in favor of allowing the MSD to franchise the St. Johns Landfill prior to the site reaching capacity or prior to the operation of MSD's Resource Recovery Facility. Therefore, the amendment was proposed. Staff will work with the City to provide a greater understanding of the necessity to set rates when the Resource Recovery Facility is in progress.

Question was called on the motion. All Councilors voted age except Councilor Kirk-patrick, who voted nay, saying she had not had an opportunity to speak to the issue.

7. NEW BUSINESS

7.1 Cipole Sanitary Landfill (Resolution N. 79-11)

Coun. Rhodes moved, seconded by Coun. Kafoury, that the Council adopt Resolution No. 79-11.

Merle Irvine, Acting Director of the Solid Waste Division, provided background to the Council of work done toward siting a sanitary landfill at Cipole.

Mr. Irvine delineated, by means of slides, the location of the site, and possible problems which might arise.

Mr. Irvine explained that passage of Resolution No. 79-11 would enable staff to proceed with a feasibility study for the Cipole site as a possible sanitary landfill, in accordance with the landfill siting procedures adopted by the Council at a previous meeting. Mr. Irvine explained steps to be taken subsequent to preparation of the feasibility study, and funds required for various phases of the technical studies.

Councilors questioned Mr. Irvine about ownership of the site, capacity and other items bearing on the decision.

Coun. Berkman mentioned that he was not the person who had introduced this resolution, and requested that this be corrected in the minutes.

Coun. Berkman suggested that Council use the list of sites furnished by staff and consider several sites simultaneously.

The Executive Officer felt this was a positive proposal and suggested that this be discussed with the Task Force. The number of sites to be examined would be governed by the limitation on resources. The Executive officer would strongly support having the Council identify sites which might be candidates for a permit and staff would be very careful how it expended the resources.

Coun. Stuhr asked that a tour of some of the sites be arranged for Councilors. Coun. Banzer also requested that such a tour be arranged.

Coun. Berkman said that it was his honest opinion, that the Durham Pits site should be looked at again. He felt there would be opposition from citizens regardless of the location of the site, and that, in fairness to the citizens in the area, the Durham Pits site should be reconsidered in the package.

Chairman Burton said the motion before the Council was a request to proceed with a feasibility study for the Cipole site. If the Council wished to include other sites, a motion to this effect would be in order.

Mr. Lloyd Gilbertson, representing a committee planning organization for Washington County (CPO #5), spoke regarding the study of the Cipole site, expressing concern over several physical features which mitigated against using the Cipole site as a landfill. He felt the CPO could assist the Council in its evaluation of the site.

The Council asked what could be done to study these sites, short of spending \$10,000.

Coun. Kirkpatrick asked if staff was at the point where it must invest \$8,000 or \$10,000 at any of these sites to determine anything further.

Mr. Irvine said this was basically correct. Staff was now at the point where it must expend monies at each site it studied further.

Coun. Kirkpatrick said she would vote against the motion, because she felt it was unfair to look at one site. She felt the study should be done as a package, weighing one site against another.

Chairman Burton agreed that a package was needed, but he felt Council could vote on this site, and add others as they wished.

Executive Officer Gustafson explained the steps required, and said an advisory committee could not be formed until Council approved a feasibility study. The resolution before the Council would not approve a landfill and would not approve spending money. It would only allow staff to get started toward siting a landfill.

Coun. Rhodes moved, seconded by Coun. Stuhr, that the question be called. The motion carried.

Rollcall vote on adoption of Resolution No. 79-11. Couns. Rhodes, Schedeen, Miller, Peterson, Kafoury, Burton, Stuhr, Williamson, Berkman and Deines voted aye. Couns. Banzer and Kirkpatrick voted nay. The motion carried.

7.2 Mira Monte Sanitary Landfill (Resolution No. 79-22)

Chairman Burton suggested that in both Resolutions 79-11 and 79-22, in the fifth "Whereas," the word "will" be changed to "may."

Coun. Stuhr moved, seconded by Coun. Williamson, that Resolution No. 79-22 be adopted.

Mr. Dick Hamerling said he was a resident of Canby. He was concerned that sites being investigated were below the water level. He urged the

Council to proceed with construction of a resource recovery plant, rather than continuing to seek a landfill site.

The question was called on the motion. All Councilors present voted age except Councilor Banzer, who voted nay. The motion carried.

Coun. Berkman moved, seconded by Coun. Schedeen, that the Durham Pits site be reconsidered.

Question called on the motion. All Councilors voting aye, the motion carried unanimously.

Coun. Banzer moved, seconded by Coun. Kirkpatrick, that Site No. 14 be added to the list for reconsideration. (Alfred Kohene site)

Coun. Kafoury asked for clarification of what this action would precipitate.

The Executive Officer explained that this action would permit staff to look at these sites more closely.

Question called on the motion. All Councilors voting aye, the motion carried unanimously.

7.3 Bid Award - Elephant Enclosure

Through a supplemental Agenda Management Summary, Council was apprised of bids received at 3:00 p.m., February 16, 1979, as follows: Haertl Construction, \$762,200; Bart Hess Construction, \$678,166; Humphrey Construction, \$627,700; Schrader Construction, \$678,244.

The engineer's estimate was \$613,000. Staff recommended that the bid for the Elephant Enclosure be awarded to Humphrey Construction for \$627,700, and that the Council authorize the Executive Officer to negotiate the contract.

Coun. Williamson moved, seconded by Coun. Kafoury, that the bid be awarded to Humphrey Construction Company, for \$627,700, and that the Executive Officer negotiate the contract. The motion carried unanimously.

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7.4 Exemption of MSD from state Administrative Procedures Act (APA)

Coun. Williamson moved to delete the bill to provide exemption of the Metropolitan Service District from the APA from the MSD legislative package.

Coun. Williamson said that Mr. Henry Kane had made a presentation at the last council meeting requesting that the Council keep the MSD subject to the Administrative Procedures Act. Since that time a bill had been introduced at the legislature proposing that MSD be excluded from the State Administrative Procedures Act. Mr. Kane has requested that this item be on this agenda for Council discussion.

Mr. Kane explained what the Administrative Procedures Act was and what it did or did not do.

Councilors questioned Mr. Kane further concerning the Act, and his reasons for proposing that the Council remain subject to the Act.

Question called on the motion. Rollcall vote. Couns. Rhodes, Schedeen, Banzer, Stuhr, Williamson, Berkman, and Deines voted aye. Couns. Peterson, Kafoury, Burton and Kirkpatrick voted nay. Coun. Miller abstained. The motion carried.

7.5 Increasing Federal Funding Authorization for Six Projects having Cost Overruns (Resolution No. 79-27)

Coun. Kirkpatrick moved, seconded by Coun. Banzer, that Resolution No. 79-27 be adopted.

Mr. Wm. Ockert, Director of the Transportation Department, explained the procedure to deal with cost overruns on transportation projects using either federal Interstate Transfer funds or Federal Aid Urban (FAU) funds. He explained that nine FAU projects will require additional federal funding above that currently authorized. Because of the scale of the overrun on three of the projects, it is possible to administratively adjust the authori-

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zation. Six of the projects, however, have overruns of such magnitude that Council approval is required before federal obligation can be requested. The projects and the amount of cost overruns for each were outlined in the Agenda Management Summary.

Question called on the motion. The motion carried unanimously.

7.6 Borrowing of Mt. Hood Freeway Interstate Transfer Monies for Federal Aid Primary (FAP) and Selected Federal Aid Urban (FAU) Projects (Resolution No. 79-24)

Coun. Kafoury moved, seconded by Coun. Stuhr, that Resolution No. 79-24 be adopted.

Through the Agenda Management Summary staff provided the Council with background on the need for transfer monies from the Mt. Hood Freeway fund.

Coun. Rhodes was concerned whether there would be sufficient funding to complete all projects.

Mr. Ockert said that, under current cost estimates there appears to be enough money to finish current projects. However, if cost estimates go up significantly, or if the projects do not move as quickly as anticipated, inflation may take its toll.

Question called on the motion. The motion carried unanimously.

7.7 Prioritization of Remaining Unobligated Federal Aid Urban (FAU) Funds (Resolution No. 79-25)

Coun. Kafoury moved, seconded by Coun. Stuhr, that Resolution No. 79-25 be adopted.

Through the Agenda Management Summary staff provided the Council with background on the need to prioritize remaining unobligated Federal Aid Urban Funds.

Coun. Stuhr questioned what would happen if the proposal for light rail failed in the legislature.

MSD Council Minutes of February 22, 1979

Mr. Ockert said there would be no problem as far as FAU funds were concerned.

Question called on the motion. Motion carried unanimously.

7.8 Amendment to Transportation Improvement Program (TIP) to Include Transit Projects (Resolution No. 79-26)

Coun. Deines moved, seconded by Coun. Williamson, that Resolution No. 79-26 be adopted.

Mr. Ockert explained that Tri-Met had requested that projects previously programmed in the adopted Transportation Improvement Program (TIP) for FY 1980 through FY 1982 be reprogrammed for FY 1979 and FY 1980. In addition, three new projects were being proposed. Approval would allow Tri-Met to request UMTA funds for the proposed projects.

Councilors questioned Mr. Paul Bay, Planning Director of Tri-Met, regarding several of the projects, and the cost of some of the equipment listed.

Question called on the motion. All Councilors voted aye except Coun. Rhodes, who voted nay. The motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary E. Carder

Jary 6.

Clerk of the Council

The following is the proposed schedule for the 1979-80 fiscal year budget process.

February 15	Budget forms and instructions distributed
	to Departments.
February 15 to March 15	Budget proposals are developed and coordinate
	by Departments.Internal time frame for
	Divisions to submit budget proposals to
	the Department Head may be established
	by Department Heads.
March 19	Department proposed budget draft submitted
	to Budget Officer.
April 2	Budget Officer prepares final budget draft
	and forwards to Budget Committee members.
April 3 - 13	Budget Committee meetings with staff.
April 26	Submittal copy of budget to MSD Council,
	no action.
May 10	Council action on submittal copy of budget

and approval of budget document transmitted to TSCC for processing.

June 1 - 10

Tax Supervising and Conservation Commission

June 14

June 28

Tax Supervising and Conservation Commission hearing.

If TSCC hearing completed and budget approved, first hearing on budget ordinance.

Council holds final hearing on budget ordinance and adopt 1979-80 budget (declare an emergency if June 14 hearing is not held).

BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

For the Purpose of appointing)	Resolution No. 7	9-36
Councilors to Standing Com-)	At the request o	f
mittees)	Rick Gustafson	

WHEREAS, The Council at its meeting of March 8, 1979, adopted Resolution 79-32, Establishing Standing Committees of the Council, and

WHEREAS, The Presiding Officer of the Council has appointed councilors to each of five committees listed hereinbelow, and

WHEREAS, The Council wishes to confirm said appointments pursuant to applicable procedural rules, now therefore

BE IT RESOLVED,

That the Council hereby confirms the following committee appointments:

Planning and Development: Marge Kafoury, Chairman; Gene Peterson, Cindy Banzer, Corky Kirkpatrick, Jane Rhodes

Solid Waste/Public Facilities: Craig Berkman, Chairman; Jack Deines, Jane Rhodes, Gene Peterson.

Transportation: Charles Williamson, Chairman; Carrie Miller, Betty Schedeen, Donna Stuhr.

Ways and Means: Corky Kirkpatrick, Chairman; Jack Deines, Donna Stuhr.

Zoo: Cindy Banzer, Chairman; Betty Schedeen, Craig Berkman
ADOPTED By the Council of the Metropolitan Service District
this 22nd day of March, 1979.

Ralph W. Fullerton Company Insurance

P.O. BOX 14627 M PORTLAND, OREGON 97214 M 233-6511



Analysis for MSD

Employee Life, Health, Dental and Disability Plans

by: Mike Campbell

Hank Grootendorst, CLU CPCU



Recommended Plan Specifications

Life Insurance - Employees 1 1/2 x Annual Salary - Dependents maximum \$50,000 Spouse 1,000 Each Child: 14 days to 6 months 100 At least 6 months 1,000

AD&D (24 hour)

Reduces 50% age, 65 terminates age 70

Medical

No deductible covered at 90%

- Semi-private Room & Board
- Intensive Care
- Hospital Extras
- Out-patient Charges
- Extended Care
- Home, Office, Hospital Physician Calls
- Surgery, Anesthetist, Assistant Surgeon
- Diagnostic X-ray and Laboratory
- Immunizations, Inoculations and Injections
- Physical Exams
- Maternity covered "same as any other illness"
- Prescription Drugs

All Other Services

Deductible \$100 per family
Out Patient Psychiatric 50% of Reasonable & Customary
Out of Pocket Maximum \$500 per calendar year

Dental

	Fee Basis	Reasonable & Customary
*	Deductible	\$50 Lifetime Routine
	Routine Coverage	100%
	Major	50%
	Orthodontic Treatment	50%
	Annual Maximum Routine/major	\$1,000
	Orthondontic Maximum/lifetime	\$1,000
	Deductible waived for MSD employe	es transfering into this plan.

Long Term Disability

Elimination Period		90 days
Maximum Benefit Period Accident Sickness	•	To age 65 To age 65

Maximum Monthly Income Benefit 66 2/3% of the first 3,000 of Basic Monthly Income; 2,000 Maximum

Social Security	Freeze		Yes
Integration with	Social	Security	Yes

Visioncare (Optional)

Deductible	None
Visual Analysis	\$20
Lenses and Frames	
Single	\$40
Bifocal	\$46
Trifocal	\$50
Lenticular	\$56
Contacts	\$200

Significant Changes in New Plan Compared to Prior MSD & CRAG Plans

MSD

- A) No Short Term Disability (not needed considering sick pay accumulation plan)
- B) Elimination of Visioncare Benefit (optional)
- C) Substantial Improvement in Dental Plan

CRAG

- A) Reduction of Life Insurance Benefit from \$50,000 per employee to 15x Annual Earnings
- B) Increase in Long Term Disability Insurance from Maximum Benefit of 60% of Monthly Earnings to a Maximum of \$1,500 per month to 66 2/3% of Earnings to a Maximum Benefit of \$2,000 per month

Insurance Carriers Quoted

- A) Blue Cross
- B) OPS Blue Shield
- C) Great-West Life
- D) Prudential
- E) First Far West
- F) Mutual Benefit
- G) Standard Insurance

Recommended Carriers

- A) Life, Medical & Dental Great-West Life
 Kaiser Foundation
- B) Long Term Disability Mutual Benefit Life

Present Cost Per Employee Per Month

MSD		
Health, Composite per Employee	\$	87.25
Dental		
Vision		•
Life Insurance (\$18,000 Average per employee)	\$	5.04
Long Term Disability (Average per employee)	\$	9.28
Total Monthly Cost per employee	\$	101.57
Number of Employees Covered		x 36
Total Monthly Cost	\$3,	,656.52
CRAG		
Life - Composite per employee	\$	126.17
Health		
Dental	•	•
Long Term Disability (Average per employee)	\$	6.21
Total Monthly Cost Per Employee	\$ _.	132.38
Number of Employee Covered		x 59
Total Monthly Cost	\$7,	810.42

Combined (MSD & CRAG) Composite Monthly Cost Per Employee \$120.70

Total Combined Monthly Premium = \$11,466.94

PREMIUM SUMMARY

BY LINE OF COVERAGE

BENEFIT							RATE			
	•.			V.,	_				¥ .	
LIFE INSURANCE			•		\$.20	PER	\$1,0	00	
DEPENDENT LIFE	•				\$.36	PER	EMPL	CYEE	
ACCIDENTAL DEATH		•			\$.05	PER	\$1,0	00	
LONG TERM DISABILITY			,		\$.52	PER	\$100	PAY	ROLL
GREAT-WEST								•		
GREAT-WEST	•									
··· EMPLOYEE MEDICAL					\$35	5.93		••		
DEPENDENT MEDICAL		•			\$7]	L.76		•		
COMPOSITE	·				\$75	5.91				*
EMPLOYEE DENTALCARE					\$ 7	7.41				
DEPENDENT DENTALCARE	:				\$14	1.13				
COMPOSITE				•	. \$14	1.25		•		
EMPLOYEE VISIONCARE					\$.98	•			
DEPENDENT VISIONCARE		• •			\$]	L.89				
KAISER			•							
EMPLOYEE	· ·				\$3]	L.40	•			
ONE DEPENDENT			· •		\$3]	L.40			:	
FAMILY	•			÷	\$62	2.80	•			
COMPOSITE	•				МО	RAT	Ε		-	

Costs of Recommended Program

	Number of Units	Avg. Cost 1 Employee per Month	Total Monthly Cost
All Life Insurance	95	\$ 5.33	\$ 506.43
* Medical Composite (Great-West)	68	75.91	5,161.88
Medical Composite (Kaiser)	27	61.64	1,664.28
Dental Composite	95	13.75	1,306.25
Long Term Disability	95	7.82	742.86
Total Monthly Cost		:	\$9,381.60
Total Composite Monthly	Cost Per Employ	ee	98.75

AGENDA MANAGEMENT SUMMARY

TO:

FROM:

Executive Officer
Regional West SUBJECT: Regional Water Supply Plan

BACKGROUND: In 1975, the U. S. Army Corps of Engineers, at CRAG's request, initiated an Urban Studies Project for the Portland-Vancouver metropolitan area. One component of this study is a Regional Water Supply Plan. The study area for this planning effort consists of the contiguous urban areas of Multnomah, Clackamas and Washington Counties.

The objectives of the Water Supply Study have been to describe the patterns of water use in the area, to define water-related problems and opportunities, and to develop several workable alternative comprehensive plans for managing the relationships between the urban area and its water supply needs.

A Regional Water Supply Plan was published recently in draft form. The plan consists of a main report and four appendices covering background studies, technical evaluation, institutional analysis and environmental effects assessment.

The Draft Water Supply Plan includes subregional and regional recommendations for managing this resource. The regional recommendations include a discussion of the potential roles for MSD. The alternatives discussed range from MSD's adoption of an "informational plan" to a "prescriptive plan." An informational plan is favored by most metropolitan area water purveyors.

At the March 22 meeting of the Council, members of the Corps of Engineers staff from the Portland District office will give the Council an overview of the draft plan and explain the schedule for review and comment, and final publication.

BUDGET IMPLICATIONS: None; MSD's support of the Corps planning effort is programmed in the FY 1979 budget.

POLICY IMPLICATIONS: No direct policy implications. This plan is intended for consideration by the MSD Council as a basis for setting MSD policy for water supply. A major policy consideration for the Council is whether a plan should be adopted and, if so, to what degree should the plan be prescriptive.

ACTION REQUESTED: None, this is a status report for the Council's information.

TW:kk

2825A

0033A

3/15/79

Metropolitan Service District

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

Memorandum

Date: March 16, 1979

To: MSD Council

From: Executive Officer

Subject: Regional Water Supply Plan

The attached material is the Executive Summary of the "Review Draft" Regional Water Supply Plan. This document lists the subregion and regional recommendations from the plan along with a brief rationale for each recommendation.

Recommendations #26 and #27 deal with a proposed role for MSD. Due to logistics problems the completed "Review Draft" Regional Water Supply Plan was not available for the agenda mailing. However, it will be distributed to the Council members as soon as possible.

TW: gh 2901A D/2

EXECUTIVE SUMMARY

This section consists of the major recommendations of the Regional Water Supply Study together with the supporting rationales. Following the structure of the report, recommendations are organized by subregions followed by the regional recommendations.

A. WESTERN WASHINGTON COUNTY SUBREGION

Recommendation 1

The Trask-Tualatin source should continue to serve the purveyors currently using the system (Hillsboro, Forest Grove, Cornelius).

Rationale

The existing Trask-Tualatin River system has a safe yield for municipal use of about 23.3 mgd, which is adequate to supply the existing users through the year 2030. No alternate source is required. A small expansion of the existing treatment plant and intake would be required by 1987 (\$1.3 million estimated in 1978 dollars) to serve existing users through the year 2000.

Recommendation 2

The existing purveyors should allow other purveyors, such as Beaverton, to become a part of the Hillsboro-Forest Grove system, recognizing that expansion beyond Beaverton will require additional storage dam capacity.

Rationale

Expansion of the Trask-Tualatin service area to eastern Washington County would result in lower unit costs to the existing users. Negotiations with Beaverton for such an expansion are currently underway by the Hillsboro-Forest Grove Joint Water Commission.

No additional source storage would be required to extend the service area to include Beaverton. Inclusion of other purveyors in the service area would necessitate additional storage dams to serve needs in the year 2000.

Recommendation 3

To minimize environmental impacts and relocation of people, the expansion of the Trask Dam is the preferred alternative if additional storage is required to supply expanded service areas. It also appears to be the least expensive alternative; however it is recommended that a more detailed cost analysis be conducted before a final decision is made.

Rationale

Expansion of the Trask Dam appears to be a less costly means of providing additional storage than participation in the Tualatin Project Phase Two dam. However, a more detailed cost comparison of this alternative to the Phase Two alternative should be conducted before selection. The Trask Dam expansion would also have fewer environmental effects and would involve no relocation of people.

Recommendation 4

Samples of the Tualatin River above the existing intake should be periodically analyzed for synthetic organics. Samples should be taken at the intake, Gales Creek, Carpenter Creek, Dilley Creek, and in the Tualatin River above its confluence with Dilley Creek.

The users of the Hillsboro-Forest Grove system should advise local and regional governments of the possible implication to the cost and quality of water service should development activity continue above the existing intake.

Rationale

Federal regulations for removal of trace synthetic organics from drinking water are becoming more stringent. A portion of the watershed above the treatment plant intake is urbanized. The introduction of trace organics into the water supply system is therefore possible (although not confirmed at this time). The most cost-effective method to avoid these contaminants is to move the intake upstream to a point above the urbanized area. One possible location is above the confluence of the Tualatin River and Dilley Creek at river mile 58. As development activity continues in the watersheds of Gales, Carpenter, and Dilley Creeks, the likelihood of having to move the existing intake structure will increase.

B. EASTERN WASHINGTON COUNTY

Recommendation 5

Those purveyors currently on the Bull Run system should remain on the system, if satisfactory contractual arrangements can be achieved.

Rationale

The Bull Run is the least-cost alternative for eastern Washington County purveyors, if rates charged by Portland are based on the cost-of-service pricing concept.

With completion of the 50-mgd well field, the Bull Run system will have adequate capacity to serve existing and additional Washington County

purveyors. A new Washington County supply line will have to be constructed from the new Powell Butte Reservoir to serve the existing purveyors.

Use of the Bull Run source would result in substantial economies of scale for the region outside of eastern Washington County. It is therefore beneficial to existing users of the Bull Run system to provide service to the eastern Washington County Subregion.

Recommendation 6

The City of Portland should establish long-term contracts with its outside purveyors which:

- o Establish a specific rate-setting formula based upon a cost-of-service approach or other mutually agreed-upon method. The rate setting formula would apply to the entire Bull Run system, and would include both customers inside and outside Portland.
- o Provide information and permit consultation and review by outside purveyors of system improvements which would affect system costs. An advisory body which consists of outside water purveyors staff and customers of the area should be formed to provide an on-going organization to carry out this review and consultation function.

Rationale

A number of Portland's outside purveyors have expressed dissatisfaction with the rates they are charged and their lack of participation in the rate-setting process. In the past purveyors have left the Bull Run system, and a number of purveyors are actively studying alternative sources. If more purveyors leave the Bull Run system, economies of scale of the system will be decreased and the price of water for remaining users will increase. Inclusion in the contract of an agreed-upon rate-setting formula, and participation by outside purveyors in matters which affect system-wide costs, would meet the main concerns of outside purveyors in their contractual arrangements.

Recommendation 7

Tigard and Tualatin should discontinue obtaining water from the Clackamas River and join the Bull Run system if satisfactory contractual arrangements can be achieved.

Rationale

The Clackamas River presently supplies Tigard, Tualatin, and Lake Grove through the Lake Oswego system. Minimum stream flow requirements have been established which are presently being violated with a frequency of about once in seven years (3-day low flow). Water

rights filed by Lake Oswego prior to establishment of minimum stream flow requirements are adequate to serve the existing users through year 2000, but not to the year 2030. The adequacy of water rights is marginal for service to Lake Grove and Tualatin only. For Tualatin, use of the Clackamas River would be significantly more expensive than use of either the Bull Run or the Willamette River.

Recommendation 8

If Beaverton decides not to remain with Portland, it should consider joining the Trask-Tualatin system.

Rationale

The Trask-Tualatin system is a viable source for eastern Washington County purveyors.

- Beaverton could be added to the Hillsboro-Forest Grove system without the need to expand dam storage. However, addition of other eastern Washington County purveyors would require construction of additional storage to serve year 2000 needs.
- o Costs for the use of the Trask-Tualatin system are comparable to use of the Willamette River for most purveyors, but probably higher than Bull Run.
- A buy-in arrangement to the Trask-Tualatin system is feasible, allowing partial control of operation and expansion. The opportunity to have a more direct voice in facilities expansion and rates than with the Bull Run system may be of sufficient political benefit that the citizens of eastern Washington County may be willing to pay the highest rates.
- o The quality of untreated Trask-Tualatin water is lower than Bull Run water, although not significantly.

Recommendation 9

Wilsonville should maximize their use of groundwater, and actively encourage the Metropolitan Service District to sponsor groundwater studies in the region.

Rationale

The costs are high to provide water to Wilsonville from other sources (Bull Run, Trask-Tualatin, Clackamas). Groundwater or the Willamette River are the least-cost alternatives for Wilsonville.

Recommendation 10

Sherwood should investigate the availability of new wells and develop additional groundwater, if possible, instead of pursuing a regional source.

Rationale

Because of its location and consequent high costs for transmission lines and pumping, the least-cost source of water for Sherwood is groundwater.

Recommendation 11

The Willamette River should be developed as a source only if eastern Washington County purveyors cannot reach a satisfactory contractual agreement with Portland.

Water supply should be maintained as a designated beneficial use of the Willamette River to maintain future flexibility.

Rationale

The Willamette River is a potential source for eastern Washington County. However, any decision as to its use should include recognition of the following:

- The water quality of the river is considerably less than alternative sources available to eastern Washington County. Even if granular activated carbon treatment was included, which would be required under proposed Federal regulations, the treated water would be of lesser quality than treated (chlorinated) Bull Run water.
- There is a potential for spills of toxic materials into the Willamette River, which would result in temporary (possibly a few days) closure of withdrawal from the river. This problem would require greater in-system storage than is typically cosntructed in the region.
- o Other than the Bull Run, there is a lack of alternative sources during emergencies. Bull Run may be an expensive standby source for the Willamette River users.
- o The overall costs are significantly greater than use of the Bull Run system.

C. WEST MULTNOMAH COUNTY

Recommendation 12

Purveyors currently using the Bull Run system as a source should continue doing so contingent upon the development of satisfactory contractual arrangements.

Rationale

The Bull Run has adequate yield to serve present users and additional outside purveyors beyond the year 2030.

Because of limitations on the conduit capacity from the Bull Run reserve, additional peak capacity will be needed prior to the year 2000. Additional capacity is already being expanded by development of a well field near the Columbia River. This will provide for both additional capacity and an emergency source in the event of short-term turbidity problems in the Bull Run water or interruption of one of the three existing conduits from Bull Run.

· Recommendation 14

The City of Portland, in cooperation with the U.S. Forest Service, should develop and implement a comprehensive program to monitor the relationship between logging activities and water quality within the Bull Run Reserve to ensure the logging practices are compatible with its use as a water supply source.

Rationale

The effect of Federal regulations on additional treatment of the Bull Run River water remains undefined at this time. It is, however, unlikely filtration will be required if the proposed U.S. Forest Service management plan is successful in preventing erosion and, therefore, turbidity problems in the intake water. Although intermittent naturally induced slides may continue to occur in the watershed, thus increasing turbidity problems for short time periods, the Columbia River well field can be used during such periods, obviating the need for filtration.

Recommendation 15

The City of Portland should establish contracts with its outside purveyors which will ensure long-term commitments. The contracts should include provisions such as described in Recommendation 6.

D. EAST MULTNOMAH COUNTY

Recommendation 16

Purveyors currently using the Bull Run system as a source should continue doing so contingent upon the development of satisfactory contractual arrangements.

Rationale

For the purveyors currently using the Bull Run system (Hazelwood, Rockwood, Powell Valley Road, Gresham, Lusted, Pleasant Home, and Lorna), the least-cost alternative appears to be remaining on Bull Run. This conclusion presumes the City of Portland will charge on the basis of cost of service.

Recommendation 17

The City of Portland should develop contracts with its outside purveyors. The contracts should include provisions such as described in Recommendation 6.

Recommendation 18

Parkrose, Fairview, Wood Village, Troutdale, and Richland should continue to use groundwater.

Rationale

Local groundwater is the least costly source of supply for these purveyors.

Recommendation 19

Local groundwater should be investigated as a supplemental or emergency source for each purveyor. The purveyors should actively promote a comprehensive study of the eastern Multnomah County area.

Rationale

Withdrawal of groundwater from shallow wells in the Columbia alluvium could be a very low-cost regional alternative for some of those purveyors currently using Bull Run (Hazelwood, Rockwood, Powell Valley Road, Gresham, and Lorna), should the City of Portland's pricing policies cause higher rates. However, there are several disadvantages to this alternative:

o Technical and economic feasibility is highly sensitive to water quality and quantity - neither of which are well documented.

- o Demands beyond the year 2000 would probably exceed the safe yield of the aquifer and a supplmental source may be required.
- Costs would increase significantly if treatment for removal of hardness or nitrate were required.

E. CLACKAMAS SUBREGION

Recommendation 20

The Clackamas River service area should be restricted to the existing users except Tigard and Tualatin.

Recommendation 21

Tigard and Tualatin should be encouraged to seek other sources of water (see Chapter 9), and to discontinue their use of the Clackamas River by the year 2000. The use of the Clackamas River should then be restricted to the remaining purveyors who are presently utilizing the Clackamas River.

Rationale

Clackamas Water District, Oregon City, and West Linn and Lake Oswego have water rights filed before the minimum stream flow requirements were adopted. These are adequate to the year 2030.

Tigard and Tualatin, presently supplied by Lake Oswego, do not have water rights on the Clackamas River. If Lake Oswego continues to supply water to these purveyors, Lake Oswego's water rights filed prior to the establishment of the minimum stream flow requirements would be exceeded by the year 2000. Service could continue to Tualatin alone.

Minimum stream requirements do not apply to domestic water use. However, as the intent of these requirements is to safeguard fish and aquatic life, conflict between various uses of the river can be expected to intensify in the future.

Recommendation 22

No new dams should be built on the main stem of the Clackamas River for water supply purveyors. The feasibility of small dams on tributaries to the river should be investigated if stream flows becomes a problem in obtaining water for domestic use.

Rationale

State policy as well as environmental interests prefer the Clackamas River to be maintained as a free-flowing river and its fish, wild-life, recreation, and scenic values preserved. For these reasons,

development of dams on the main stem of the Clackamas River to increase the volume of water available from the main stem of the Clackamas River is infeasible. Small dams located on tributaries may be feasible in the future, and might enhance the fisheries of the river.

Recommendation 23

Upstream logging and development activity should be closely monitored. The purveyors should jointly conduct a monitoring program of the river for trace synthetic organics.

Rationale

Development in the Clackamas watershed is limited. This is partially responsible for the relatively high quality of Clackamas River water.

With the quality of the Clackamas River, an activated carbon treatment requirement is unlikely. However, this could change if logging and development continue in the watershed.

Recommendation 24

The purveyors should actively pursue the initiation of a study to evaluate the groundwater potential in the area, in particular the potential for groundwater from the old Willamette bed.

Rationale

A potentially large groundwater resource exists in the Clackamas area. This resource could possibly be developed as an alternate source in the future to relieve pressure on the Clackamas River. Groundwater resources in the area are not well documented.

Recommendation 25

An informal planning body should be formed that meets regularly to: (1) sponsor groundwater studies, (2) sponsor a Clackamas River basin dam study, and (3) monitor upstream activities and speak out as to the implication of those activities. The Metropolitan Service District could serve as the facilitator. USGS could serve as a technical advisor.

Rationale

The level of comprehensive planning between the purveyors, as well as all users of the Clackamas River, is insufficient given the demands upon the river. A higher level of interaction and development of interests common to all of the purveyors in the subregion is necessary.

F. THE REGION

Recommendation 26

This Water Study Plan should be considered by the Metropolitan Service District as an informational document. Implementation of the recommendations should be the responsibility of individual purveyors. If progress towards the recommendations does not occur, and there is a need for specific actions, MSD should review the Water Supply Plan and consider whether there are metropolitan aspects of municipal water supply in which it should be involved at that time. MSD could facilitate formation of a Clackamas River planning group (see Recommendation 25) and sponsor a regional groundwater study (see Recommendation 27).

Rationale

Several roles for MSD were widely discussed during this study. The study itself was facilitative; there was a general agreement that a prescriptive regional role is not necessary. Water purveyors are already working in the direction of implementing the recommendations contained in this plan. They would prefer to have flexibility in working out arrangements and their flexibility would be reduced if the recommendations were adopted into a required plan. If the recommendations are not followed and there are regional impacts, MSD could, at some future time, reevaluate the plan.

Recommendation 27

Metropolitan Service District should take the lead role in developing a groundwater studies program (see Appendix 6).

Rationale

The development (and unknown impacts) of the 100-mgd well field by the Portland Water Bureau, the need for safe disposal and containment of wastes, and the increasing problems of water supply in rural areas will combine to make groundwater management a very important concern. Unless this is recognized now, groundwater studies will tend to be conducted piecemeal and in reaction to crises rather than in anticipation and prevention of problems. Significant political, economic, and public health benefits will accrue if the proposed studies are conducted in a timely and coordinated manner.

AGENDA MANAGEMENT SUMMARY

TO: MSD Council

FROM: Executive Officer

SUBJECT: Areawide Housing Opportunity Plan; Supplemental Management

Summary

BACKGROUND: This management summary is supplemental to that of the March 8 Council agenda. Changes in the draft AHOP have been formally requested by Clackamas County and Lake Oswego in their letters of participation. The requested changes are summarized as follows:

- 1. Change the definition of "large cities" from 20,000 population to 25,000.
- 2. Delete all references in the AHOP to Lake Oswego as a separate allocation area.
- 3. Incorporate all needs assessment data and goals for Lake Oswego into those of Clackamas County and correct estimates of currently available housing assistance.
- 4. Clarify the AHOP to make certain the percentage and numerical goals are expressly not intended to prevent the setting of higher goals in assistance programs for owner-occupied housing, all Farmers Home Administration programs, and Community Development Block Grant programs.

BUDGET IMPLICATIONS: Same as described in the Agenda Management Summary of March 8.

POLICY IMPLICATIONS: Same as described in the Agenda Management Summary of March 8. The requested changes would not interfere with the AHOP's acceptability under federal regulations.

ACTION REQUESTED: It is the recommendation of the Executive Officer that the Council approve Ordinance No. 79-68 adopting the Final Draft, Areawide Housing Opportunity Plan with the following provisions:

- 1. Change the definition of "large cities" from 20,000 population to 25,000.
- Delete all references to Lake Oswego as a separate allocation area.
- Incorporate all needs assessment data and goals for Lake Oswego into those of Clackamas County.

- 4. Recompute goals based on the above changes in the needs assessment data.
- 5. Add the following language to page 89, Final Draft AHOP, at the end of paragraph #1:

"Goals for owner-oriented housing assistance programs of HUD, all housing assistance programs of Farmers Home Administration, and such other programs as Community Development Block Grants (not involving Section 8 Renter Assistance or Conventional Low Rent Public Housing) may exceed the goals established in the AHOP."

HB:kk 2816A 0033A 3/15/79

BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

For the Purpose of Declaring
Publicly Assisted Housing as an
Area or Activity Having Significant Impact Upon the Orderly and
Responsible Development of the
Metropolitan Area; Adopting the
MSD Areawide Housing Opportunity
Plan (AHOP) for the Portland
Metropolitan Area; and Providing
for Implementation Thereof.

ORDINANCE NO. 79-68
At the request
of Rick Gustafson

WHEREAS, The number of low income households qualifying for public housing assistance in the Metropolitan Area is more than six times greater than the amount of housing which can be provided through available assistance resources and,

WHEREAS, Metropolitan Area low income households do not have adequate areawide geographic choice of low cost housing due to the concentration of low cost housing, primarily in areas of older urban areas, and

WHEREAS, Increasing areawide geographic choice for low income housing has two major metropolitan-wide dimensions: (a) the need to increase the overall amount of available public housing assistance; and (b) the need to achieve a more uniform distribution of publicly assisted housing, and

WHEREAS, A plan for a metropolitan-wide dispersal of assisted housing, with evidence of local jurisdiction willingness to participate, will help the Metropolitan Area compete more effectively for federal housing assistance resources to meet the aforementioned problems, and

WHEREAS, Only the Metropolitan Service District has the areawide jurisdiction necessary to prepare and submit such a plan to the United States Department of Housing and Urban Development, now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT ORDAINS AS FOLLOWS:

Section 1. Publicly assisted housing in the Portland Metro-politan Area is hereby declared to be an area or activity having significant impact upon the orderly and responsible development of the metropolitan area pursuant to Chapter 665, Oregon Laws, 1977, Section 18.

Section 2. The "Areawide Housing Opportunity Plan for the Portland Metropolitan Area (AHOP)," dated March, 1979, which is attached hereto or is on file at the offices of the Metropolitan Service District, is hereby adopted.

Section 3. The "Findings Relating to Statewide Goal Compliance," dated March 8, 1979, which are attached hereto as Attachment "A", are hereby accepted as the statewide goal findings supporting adoption of the AHOP.

Section 4. The comprehensive plans, zoning and subdivision ordinances and land use related actions of local jurisdictions within the Metropolitan Service District shall be consistent with

the provisions of the AHOP adopted herein, and such plans, ordinances and actions shall be reviewable for consistency with the AHOP pursuant to Chapter 665 Oregon Laws 1977, Section 18.

	ADOPTED E	y the Council	of the Metropolitan Serv	ice
District	this	day of	_, 1979.	
			Presiding Officer	
ATTEST:				
Clerk of	the Counc	11		
N. T. a le le				

2606A 0033A

Findings on Compliance with Statewide Goals

Goal #1 - Citizen Involvement

- 1. Inception of the Areawide Housing Opportunity Plan (AHOP) is traceable to a series of Regional Housing Workshops held by the Columbia Region Association of Governments in the Spring of 1976. Substantial public testimony was received concerning areawide housing problems, resulting in a variety of recommendations. They included a proposal for the areawide planning agency to "coordinate a Housing Opportunity Plan for local housing authorities to obtain an additional allocation of Section 8 units."
- 2. During the Summer of 1978, public involvement workshops were held in Hillsboro, Gresham, Portland and Oregon City to afford interested citizens an opportunity to involve themselves in the formative stages of the AHOP.
- 3. The preparation of the AHOP was undertaken with the help of a Housing Technical Advisory Committee that included a broad cross-section of housing interest groups.
- 4. A conference was held February 14, 1979, to acquaint the public with the proposal of the AHOP. It included TV media coverage and was preceded by extensive newspaper coverage.
- City and county participation in the AHOP provides additional citizen involvement through their respective programs.

Goal #2 - Land Use Planning

- 1. Identification of issues and problems related to publicly assisted housing is contained in the following published documents, as cited:
 - a. Summary Report of CRAG Regional Housing Workshops, Spring, 1976, pp. 3-17.
 - b. CRAG Initial Housing Policies, March, 1978, pp. 27 and 32-33.
 - Technical Report, Areawide Housing Opportunity Plan for the Portland Metropolitan Area, March, 1979, pp. 1-2.

- 2. Inventories and other factual information concerning publicly assisted housing are contained in the following published documents, as cited:
 - a. CRAG Initial Housing Policies, March, 1978, pp. 24-27 and 30-31.
 - b. Technical Report, Housing Opportunity Plan for the Portland Metropolitan Area, March, 1979, pp. 11-54.
 - c. Methodology Supplement, Housing Opportunity Plan for the Portland Metropolitan Area, March, 1979, entire document.
- 3. Evaluation of alternative courses of action and ultimate policy choices is contained in the following published documents, as cited:
 - a. Summary Report of CRAG Regional Housing Workshops, Spring, 1976, pp. 17-27.
 - b. CRAG Initial Housing Policies, March, 1978, pp. 23-24 and 28-29.
 - c. Technical Report, Housing Opportunity Plan for the Portland Metropolitan Area, March, 1979, pp. 3-9.
- 4. Coordinaton of the AHOP with local jurisdictions has been secured by seeking letters of participation from all cities and counties within the planning area.

Goal #10 - Housing

- 1. The Areawide Housing Opportunity Plan (AHOP) is intended to improve housing opportunities for low-income households by helping the metropolitan area and its cities and counties secure more housing assistance resources and achieve a more equitable geographic distribution of low cost housing opportunities.
- 2. The AHOP will help the metropolitan area and its cities and counties to "encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households. .. "by increasing income resources of low-income households and/or the supply of housing units affordable by low-income households, and by widening the geographic location of publicly assisted housing.

Goals #3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14 and 15.

A review of the above-listed Statewide Goals indicates that no adverse impacts upon said goals would result from adoption of the Areawide Housing Opportunity Plan.

ORDINANCE NO. 79-68

TITLE Declaring Publicly Assisted Housing as
an Area or Activity Having Significant Impact upon Orderly and Responsible Development of Metropolitan Area; Adopting Areawide Housing Opportunity Plan (AHOP) for Portland Metropolitan Area and Providing for Implementation Thereof DATE INTRODUCED 3-8-79
FIRST READING 3-8-79
SECOND READING 3-22-79
DATE ADOPTED
DATE EFFECTIVE
ROLLCALL
77 17 11

	Yes
Burton	
Stuhr	
Williams	
Berkman	
Kirkpatrick	
Deines	
Rhodes	
Schedeen	
Miller	
Banzer	
Peterson	
Kafoury	

Yes	No	Abst.

BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

amending Budget Ordinance No. 60) to transfer appropriations) within funds)	ORDINANCE NO. 79-69 At the request of Rick Gustafson
THE COUNCIL OF THE METROPOLITAN S	SERVICE DISTRICT ORDAINS
AS FOLLOWS:	
1. Section 4 of Ordinance No. 6	50 is hereby amended for
the fiscal year beginning July 1, 1978, as	shown in the revised
schedule of appropriations, Exhibit A, atta	ached hereto and by refer-
ence made a part of this ordinance.	
ADOPTED by the Council of the Met	tropolitan Service
District this day of, 1979	9
Pre	esiding Officer
Attest:	
Clerk of the Council	· · · · · · · · · · · · · · · · · · ·

DUK:bc 2652A 0033A

METROPOLITAN SERVICE DISTRICT TRANSFER OF APPROPRIATIONS WITHIN FUNDS FOR FISCAL YEAR 1978-1979 Beginning July 1, 1978

1. General Fund	Revised Budget Ord. #64	Transfer Dr (Cr)	Revised Budget
Requirements: Personal Services Materials & Services Capital Outlay Contingency Unappropriated Bal.	\$121,540 114,619 1,345 4,717 525 \$242,746	\$4,717 (4,717) ————	\$121,540 119,336 1,345 0 525 \$242,746
2. Planning Fund			
Requirements: Personal Services Materials & Services Capital Outlay Contingency Transf. to General Fu	\$733,000 1,222,000 2,000 70,000 nd 8,103	(3,000)	\$733,000 1,219,000 5,000 70,000 8,103
	\$2,035,103	0	\$2,035,103

3.	Zoo Fund	Revised Budget Ord. #64	Transfer Dr (Cr)	Revised Budget	
	Administration				
	Personal Services Materials & Services Capital Outlay	\$199,704 149,228 3,967	\$(31,392) 16,511 	\$168,312 165,739 <u>9,248</u>	
	Total	\$352,899	\$ <u>(9,600)</u>	\$343,299	
	Building & Grounds				
	Personal Services	\$ <u>405,716</u>	\$ <u>9,600</u>	\$ <u>415,316</u>	
	Total	\$ <u>708,594</u>	\$ <u>9,600</u>	\$ <u>718,194</u>	
Visitor Services					
Mat	erials & Services	\$217,156	\$23,000	\$240,156	
Con	tingency	\$160,788	\$(23,000)	\$137,788	

No Change for:

Drainage Fund
Solid Waste Fund
Solid Waste Debt Service Fund
Solid Waste Capital Improvement Fund
City/Zoo Fund

DUK:bc 2652A 0033A

ORDINANCE NO. 79-69

TITLE Amending Budget Ordinance No. 60
to Transfer Appropriations
Within Funds
DATE INTRODUCED 3-8-79
FIRST READING 3-8-79
SECOND READING 3-22-79
DATE ADOPTED
DATE EFFECTIVE
ROLLCALL
Yes No Abst. Burton

Burton
Stuhr
Williams
Berkman
Kirkpatrick
Deines
Rhodes
Schedeen
Miller
Banzer
Peterson
Kafoury

Yes	No	Abst.
	 	
 	 	
 		
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AGENDA MANAGEMENT SUMMARY

TO: MSD Council

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FROM: Executive Officer

SUBJECT: Johnson Creek Designation as an Area of Regional Concern

BACKGROUND: The staff has pursued the Johnson Creek designation as directed by the Council in January and are prepared to make some recommendations regarding the City of Portland's petition that was referred to MSD by the CRAG Board before their dissolution.

The "process for defining the regional role" was used by the staff to test the metropolitan significance of Johnson Creek. A summary of observations and conclusions from that exercise are attached (Attachment "A").

In addition, on March 10, staff met with aides to Congressman Bob Duncan and Corps of Engineers staff to discuss the types of assistance the Corps can provide. A meeting to discuss the matter was held in the Congressman's office on March 9 and was attended by MSD staff, Rick Gustafson, Councilor Rhodes, Councilor Schedeen, Corps representatives, City of Portland staff and aides to Congressman Duncan. The types of assistance outlined by Corps staff were as follows:

- 1. Update (post-authorization changes) of the 1972 Channel Improvement Plan (which has been in "inactive" status) to take into account subsequent changes that have occurred in the basin. If funds are available in the Fiscal 1979 budget and there is sufficient local support, the Corps can update the plans with Fiscal 1979 funds (but it is generally recognized that the channel project is only a partial solution to the problems in the basin).
- 2. A basin-level study (planning only) or major elements thereof.
- Authorization and appropriation for a new flood control project as recommended from a basin-wide plan, as per 2 above. (Requires congressional two-stage approval/funding process.) The project could be simply an expansion of the authorized (1972) project in size and extent to reflect future development in the basin and water quality.
- 4. Planning assistance to states ("Section 22" funds).
- Technical assistance such as staff attendance at coordination meetings, review and comment on alternatives, etc.

Use of "special authorization" funds administered by the Chief of Engineers was investigated for the purpose of funding support of "clearing and snagging" but was found to be unavailable for such work where a project has been authorized in the past, as is the case here.

It is not clear which one of the above kinds of assistance or combination thereof MSD should pursue. The decision will depend in part on the kinds of commitments made by MSD and the local jurisdictions. The City of Portland has indicated it will contribute its fair share of the cost of developing a drainage management plan. In addition, MSD has been encouraged by the U. S. Environmental Protection Agency to concentrate its "208" water quality planning efforts in the Johnson Creek basin. These two resources combined can offset a significant portion of the cost of a long-range facility plan for the basin, the extent of which depends on the other local jurisdictions.

With regard to the City of Portland's petition for enactment of development guidelines in the basin, MSD staff have collected comments and suggestions on the guidelines and have prepared a "marked-up" set of the guidelines. The marked up set was distributed to interested parties on March 6. A copy is attached (with cover memorandum dated March 5) (Attachment B).

Another recent staff effort concentrated on determination of the extent of MSD's statutory authority to form Local Improvement Districts, to order individuals to clean debris from creek frontage, and to acquire easements and rights-of-way, all of which were determined to be within MSD's authority.

Meanwhile, staff have been refining the work statement for a "Johnson Creek Flood Control Facility Plan" prepared jointly by City of Portland and MSD staff several months ago. This work, of course, depends greatly on resolution of the funding arrangements, but staff can proceed with the review of previous studies, data and reports for their transferability to the facility planning effort. This is underway now.

Finally, with regard to local jurisdiction coordination, it was the consensus of those present at the March 10 meeting referred to earlier that a Johnson Creek Basin Task Force should be formed along the lines of a concept that has been proposed by the City of Portland staff.

Staff Recommendations

- The Council should declare the Johnson Creek Basin an area of metropolitan significance. (A Resolution for that purpose is attached.)
- 2. A Johnson Creek Basin Task Force should be formed by MSD. Staff should prepare a Resolution for Council action at the next Council meeting. MSD staff should provide technical support to the Task Force.

- 3. MSD should encourage local jurisdictions to require individuals with creek frontage to clear debris from the creek. If local jurisdictions are not successful in getting the cooperation of such individuals, MSD should exercise its authority to do so. (It may be possible to secure easements in exchange for MSD's assuming the responsibility for clearing the creek frontage.)
- 4. The facility plan Work Statement should be referred to the Task Force amd the Council Solid Waste/Public Facilities Committee for refinement and division of task responsibilities among MSD, local jurisdictions and other agencies within a time certain.
- 5. The MSD staff should develop a financial program for planning and implementation through a cooperative effort with the Task Force and the Council Committee. The core of the financial plan should be funding for clearing, snagging and clean-up operations that would provide summer employment opportunities beginning this summer.
- 6. The Task Force and Council Committee should review the development guidelines and make recommendations thereon. (An alternative would be for MSD to enact the guidelines immediately. However, such action would clearly have the effect of pre-committing MSD to administration of the development guidelines without a comprehensive framework or a firm financial base for solving Johnson Creek problems.)

BUDGET IMPLICATIONS: The budget implications of the Johnson Creek designation are related to the extent of the financial commitments made by local jurisdictions, and cannot be clearly identified at this time.

POLICY IMPLICATIONS: The staff recommendations would partially fulfill goals and objectives related to natural hazards, public facilities and services, in-filling of urbanized areas, and economic development.

ACTION REQUESTED: Adoption of the attached Resolution.

TW: kk 2844A 0033A 3/15/79

Enclosures

CRITERIA FOR DECIDING IF THE PROBLEMS OF THE JOHNSON CREEK BASIN ARE REGIONAL AND SHOULD BE ACTED ON BY MSD

This paper has been prepared in application of the process approved by the CRAG Board for defining the regional role. The process has been applied to evaluate if MSD should act in solving drainage and water quality problems of the Johnson Creek Basin. For more detail on the process refer to CRAG publication, "A Process for Defining the Regional Role in the Portland Metropolitan Area," revised December 8, 1979. Additional background and support information can be found in the MSD working paper, "Defining the Regional Role in Solving Problems of the Johnson Creek Drainage Basin," March, 1979.

The primary questions to be addressed in analyzing the need for regional involvement in this issue are listed below.

- Are there drainage problems causing danger to life, damage to property, inconvenience or environmental damage? Is the extent of the problem enough to create a need for action? Are there likely to be increased drainage problems in the future?
- 2. Do the drainage problems affect more than one jurisdiction?
- Are the drainage problems such that the jurisdictions are not able to resolve the problems by themselves? Have the local governments exhausted opportunities to resolve the problem? Do the local governments and/or citizens want MSD to act?
- 4. Are the <u>geographic extent</u> and type of problems such that a basin-wide approach will be most effective?
- 5. Are there significant economies of scale if drainage management is done on a basin-wide basis?

In matters of drainage management there are basically three conditions necessary for consideration as a regional concern. That is, the drainage problem must:

- 1. Be significant in scope;
- 2. Impact more than one jurisdiction; and
- 3. Be unresolvable by the affected jurisdictions.
 - When these conditions exist, additional reasons for involving MSD include:
- 4. Implementation of solutions is multi-jurisdictional;
- 5. Regional economies of scale can be gained; and

6. Basin-wide management and organization is more effective.

The attached application of regional role criteria clearly indicate the regional significance of the problems of Johnson Creek.

Based on these criteria and considerations it appears both appropriate and necessary for MSD to become involved in solving these problems.

APPLICATION OF REGIONAL ROLE CRITERIA TO JOHNSON CREEK

		Yes	No
1.	Benefits of solutions are regional	X	
2.	Problems impact several jurisdictions	X	
3.	Regional action specifically required by law	x	
4.	Regional approach required for funding eligibility		x
5.	Regional economies of scale	X	
6.	Scarce resources to be allocated or secured		X
7.	Regional protection of unique resources		X
8.	Geographic extent requires regional approach for effectiveness	x	
9.	Integral part of other regional programs, plans and policies	X	
10.	Citizen participation best at regional level	·	X
11.	Regional agency technically best qualified		X
12.	Regional fiscal capacity required	x	
13.	Regional standards needed	x	
14.	Regional uniformity needed	x	
15.	Conflict resolution needed	x	
16.	Nees to resolve timing conflicts	x	
17.	Inter-regional		X
18.	Cumulative or long-range impacts	x	
JS:kl 28452 00452	A		

BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

For the purpose of designating) Resolution No. 79-35 the Johnson Creek Basin as an) Introduced by area of metropolitan significance) Jane Rhodes

WHEREAS, In December, 1978, the Portland City Council petitioned the Columbia Region Association of Governments (CRAG) Board of Directors to designate the Johnson Creek Basin as an area of regional concern, and

WHEREAS, The CRAG Board referred the matter to the MSD Council with their endorsement of such designation, and

WHEREAS, The MSD Council acknowledges the concerns of the City of Portland and other local jurisdictions in the basin regarding flooding and pollution problems in the basin and further acknowledges that the above problems and concerns are, because of their impacts upon multiple jurisdictions, of regional significance;

WHEREAS, The Council desires to establish a planning process to address said problems and concerns; now, therefore,

BE IT RESOLVED,

(1) That the Metropolitan Service District Council hereby declares the Johnson Creek Basin to be an area having significant impact upon the orderly and responsible development of the metropolitan area, pursuant to Ch. 665, Oregon Laws 1977,

(2) That the staff recommendations in the attached Agenda Management Summary are hereby approved.

ADOPTED By the Council of the Metropolitan Service District this 22nd day of March, 1979.

Presiding Officer

TW: kk 2857A 0033A

AGENDA MANAGEMENT SUMMARY

TO: MSD Council

FROM: Executive Officer

SUBJECT: Air Quality Planning Program--Execution of Interstate

Planning Agreement and Release of SIP Revision Document

for Review and Comment

BACKGROUND: This Agenda Management Summary addresses two important steps in MSD's air quality planning process:

1. Execution of an Interstate Planning Agreement with the Regional Planning Council of Clark County, and

2. Release of MSD's portion of the draft State Implementation Plan (SIP) Revision document.

Interstate Planning Agreement

On February 28, the Regional Planning Council of Clark County (CCRPC) executed an Interstate Air Quality Planning Work Agreement, which was the product of a cooperative effort of CCRPC and MSD staff. The Agreement, a copy of which is attached, includes several mechanisms for coordinating the air quality planning programs of CCRPC and MSD, and is necessary to meet the U. S. Environmental Protection Agency's grant conditions. The Agreement is recommended by the staff for execution by the Council on March 22, 1979.

The Agreement was forwarded to the AQMA Advisory Committee on March 14, 1979. The deadline for execution of the Agreement imposed by EPA is March 30, 1979. This does not allow sufficient time for formal review and comment by the AQMA Committee or the Transportation Policy Alternatives Committee before the March 22 Council meeting, but the Agreement may be amended later if substantive concerns are raised by either Committee.

Release of Draft SIP Revision Document

The 1979 revision of the SIP for the Portland-Vancouver Air Quality Maintenance Area (AQMA) must be certified by Governor Atiyeh and submitted to EPA by July, 1979. To ensure compliance with this federally mandated deadline, it is necessary for the Oregon Environmental Quality Commission to adopt the SIP Revison by rule in accordance with the Administrative Procedures Act. In addition, MSD must adopt the SIP Revision by Ordinance (according to federal planning guidelines).

The schedule for MSD's processing of the SIP Revision has been dramatically compressed by a recent discovery that DEQ's analysis of the AQMA's future ozone (smog) conditions was incorrect and that the AQMA will not be in attainment of ozone standards by 1982 as was thought previously.

Staff have reviewed the work required to complete the SIP Revision process and the time available. They have reviewed several alternative procedures for MSD's adoption of the SIP Revision and have concluded that the most expeditious procedure would involve three steps, as follows:

- 1. Release of the SIP Revision document by MSD for review and comment no later than April 4, 1979.
- 2. Review of the document by the Transportation Policy Alternatives Committee and the AQMA Advisory Committee prior to the EQC's hearing on this matter, which is scheduled for May 4, 1979.
- 3. Adoption of the SIP Revision document by the MSD Council after the hearing, but before EQC adoption on June 8, 1979.

In order for the document to be released by April 4, it is staff's recommendation that the Council's Transportation Committee be delegated the task of reviewing the document and releasing it for public review and comment. (The Transportation Policy Alternatives Committee can provide input during the period prior to or immediately after the EQC hearing.)

BUDGET IMPLICATIONS: None.

POLICY IMPLICATIONS: It is anticipated that the major substantive policy implications will be related to transportation projects that are already scheduled. By federal law, the SIP Revision must include re-affirmation of commitments to projects which will improve air quality. Otherwise, the SIP Revision is basically a work program or "plan for a plan."

ACTION REQUESTED: Acceptance of the staff recommendations, as follows:

- 1. Execute the Interstate Agreement with the Regional Planning Council of Clark County.
- 2. Delegate to the Council Transportation Committee the task of reviewing and releasing the draft SIP Revision by April 4, 1979.

TW: kk 2842A 0033A 3/15/79

Enclosure

INTERSTATE WORKING AGREEMENT

For Air Quality Planning

Between

REGIONAL PLANNING COUNCIL OF CLARK COUNTY

and

THE METROPOLITAN SERVICE DISTRICT

This Agreement is made and entered into by and between the Regional Planning Council of Clark County, hereinafter referred to as the COUNCIL, and the Metropolitan Service District hereinafter referred to as MSD.

WHEREAS, the COUNCIL has been designated by the Governor of the state of Washington as lead agency for air quality planning in the Washington portion of the Portland-Vancouver metropolitan area pursuant to the Clean Air Act Amendments of 1977; and

WHEREAS, MSD has been designated by the Governor of the state of Oregon as lead agency for air quality planning in the Oregon portion of the Portland-Vancouver metropolitan area pursuant to the Clean Air Act Amendments of 1977; and

WHEREAS, the COUNCIL and MSD must develop transportation/air quality control strategies for their respective jurisdictions as part of the early 1979 revisions to State Implementation Plans (SIP's) for air quality; and

WHEREAS, the COUNCIL possesses expertise with regard to areawide land use planning throughout Clark County; and

WHEREAS, MSD possesses expertise with regard to forecasting areawide air quality/transportation conditions and impacts; and

^{1 ...} INTERSTATE WORKING AGREEMENT FOR AIR QUALITY PLANNING

WHEREAS, the COUNCIL and MSD are committed to the development of compatible air quality control strategies to address the regional airshed problem in accordance with requirements of the federal Clean Air Act; and

WHEREAS, the US Environmental Protection Agency requires the COUNCIL and MSD to establish a mutually agreeable method of dividing federal grant funds for air quality planning before either may receive Clean Air Act Section 175 funds in the future; and

WHEREAS, the COUNCIL and MSD have each established a separate advisory committee to review control measures for developing SIP's which would bring the airshed into attainment of National Ambient Air Quality Standards; and

WHEREAS, these committees, in recognition of the importance of developing these controls in a cooperative manner, have formed an Interstate Conference Committee composed of members of each advisory committee;

NOW, THEREFORE, the COUNCIL and MSD agree, to the extent practicable, to develop consistent transportation/air quality control strategies in the Portland-Vancouver metropolitan area through coordination of communications and decision-making processes; and

FURTHER, in consideration of mutual benefits and requirements to have a regionwide plan for the attainment and maintenance of air quality standards, the COUNCIL and MSD agree to coordinate and cooperate through mechanisms such as the following:

 Coordination of state and federal liaison, work plans and technical studies,

^{2 ...} INTERSTATE WORKING AGREEMENT FOR AIR QUALITY PLANNING

- Exchange of information and data obtained from technical studies and reports,
- 3. Staff participation in advisory committee activities,
- 4. Coordination of advisory committees' schedules, activities and recommendations,
- 5. Coordination of public involvement schedules and activities; and
- 6. Exchange of information obtained from public involvement efforts; and

FURTHER, MSD agrees to provide the COUNCIL with the following services which shall be completed in accordance with a schedule to be agreed upon by MSD and the COUNCIL:

- 1. Mobile emission inventory data for the existing and programmed regional transportation system.
 - a. Total VMT (Vehicle Miles Travelled) for the Clark County portion of the Transportation Planning Area (TPA), as shown on the attached map, Exhibit "A", for current (1977) conditions, and forecasted baseline estimates for 1983 and 2000.
 - b. Emission inventories for hydrocarbons and nitrogen oxides for current (1977) conditions, and forecasted baseline estimates for 1983 and 2000.
 - c. Other reasonably available transportation, air quality and demographic information and data.
- 2. Mobile emission estimates for alternative transportation/air quality control measures as specified by the COUNCIL and agreed to by MSD.

- a. Total VMT for the Clark County portion of the Transportation Study Area,
 - b. Traffic volumes on key links,
- c. Emission estimates of hydrocarbons and nitrogen oxides for the year 1983,
- d. Other reasonably available transportation, air quality and demographic information and data; and

FURTHER, in consideration thereof, the COUNCIL agrees to reimburse MSD for the above services up to \$25,000, said reimbursement to be subject to further delineation of the products listed above as the air quality program progresses; and said reimbursement to be made within sixty (60) days of the MSD's request for payment; and

FURTHER, the COUNCIL and MSD agree to divide future Section 175 grant funds in proportion to the population of their respective jurisdictions; i.e., 14.3 percent for the COUNCIL and 85.7 percent for MSD, through the end of fiscal year 1980; and

FURTHER, the Council and MSD agree to seek additional means by which each may be represented in the other's decision making processes; and

FURTHER, this agreement may be amended at any time by mutual consent of both parties, and may be terminated by either party with prior approval of the Oregon Department of Environmental Quality,

^{4 ...} INTERSTATE WORKING AGREEMENT FOR AIR QUALITY PLANNING

Washington Department of Ecology and the US Environmental Protection Agency, upon thirty 30 days notice. Upon such termination, MSD shall be reimbursed for work accomplished to the date of termination.

ADOPTION

	By the COUNCIL:		By MSD:	
Signature:		· · ·		
Name:				
Title:				
Agency:				
Date:				
TW:gh 2505A 0034A				



527 S.W. HALL PORTLAND, OREGON 97201 503/221-1646

MEMORANDUM

DATE:

March 5, 1979

TO:

Burke Raymond, City Manager, Gresham

David Seigneur, Planning Director, Clackamas County Martin Cramton, Planning Director, Multnomah County Steve Hall, Public Works Director-City of Milwaukie

Mayor Jim Robnett, City of Happy Valley Mike Lindberg, Planning and Development

Administrator-City of Portland

Rick Gustafson, Executive Officer

FROM:

Terry Waldele

Mike Burton Presiding Officer District 12

MSD Council

SUBJECT:

Development Guidelines for Johnson Creek Basin

Donna Stuhr Deputy Presiding Officer District 1

Charles Williamson District 2

Craig Berkman

Corky Kirkpatrick

Jack Deines District 5

Jane Rhodes

Betty Schedeen

District 7 Caroline Miller

District 8 Cindy Banzer

District 9 Gene Peterson

District 10 Marge Kafoury In recent weeks MSD staff have collected comments and suggestions on the "Guidelines for Storm Water Management in the Johnson Creek Basin" and other elements of the petition submitted by the Portland City Council to the CRAG Board in late The Guidelines have been reviewed by MSD Water Resources Task Force members, Corps of Engineers staff and some of the affected local jurisdictions.

The MSD Council has directed the staff to pursue the matter designating the Johnson Creek Basin as an area of regional concern (as requested in Portland's petition) and to report their progress in mid-March. All of the input received to date is being considered by the MSD staff in formulating recommendations to the MSD Council, including a staff recommendation on A "marked-up" set of the Guidelines has been the Guidelines. prepared and a copy is attached.

We are also investigating various potential funding sources. Congressman Bob Duncan has expressed his interest in a cooperative approach to the Johnson Creek problems, and his office has been assisting MSD in seeking funds for the project. On February 23, 1979, Congressman Duncan formally requested a meeting with Corps of Engineers officials to discuss the matter. results of that meeting and other such discussions will be reported to the Council and its March 22, 1979, meeting in a

Memorandum Page 2

progress report by MSD staff. Staff recommendations will also be considered at that time, including the "Guidelines" if appropriate.

If you have any questions on this matter, please give me a call at 221-1646.

TW:bc 2718A D/1

CC: Rick Gustafson
Councilor Jack Deines
Councilor Jane Rhodes
Councilor Caroline Miller
Councilor Betty Schedeen
Maggie Spurling, City of Portland Bureau of Planning
Doug Oblitz, City of Portland, Policy Section
MSD Water Resources Task Force
Jerry Bell
Bill Hughes
Anita Finn

[Exhibit A]

INTERIM GUIDELINES FOR STORM WATER RUN-OFF MANAGEMENT IN THE JOHNSON CREEK BASIN

1	[±.]	The	following policies shall [which] apply basin-wide to any
2		sub	division of four or more lots [Greater-Than-Three-Lots]:
3		A.	BASIN WIDE FLOODPLAIN AND FLOODWAY POLICIES
4			Objective: To manage 100 year floodplains and floodways in
. 5			order to protect their natural function as well as to protect
6			the property of those individuals currently living within
7			and along the floodplain boundary.
8			The Federal Insurance Administration of the Department of
9			Housing and Urban Development has adopted guidelines concern
10			ing the development of lands within the 100 year floodplain.
11			Almost all jurisdictions within the Basin have qualified for
12	ŕ		the [adopted-this] National Flood Insurance Program, and
13			must follow these guidelines. In addition to federal guide-
14			lines, the following policies are recommended for the lands
15			near Johnson Creek.
16			100 Year Floodplain Policies
17			1. All jurisdictions within the Basin must adopt rules
18			and regulations to qualify for the National Flood
19			Insurance Program if they have not done so already.
20			2. Construction and development shall be in such a manner
21			that flow of water will not be restricted. [and-flood-
22		•	elevations-will-not-be-increased:The-capacity-of-the
23			floodplain-shall-not-be-reduced-by-development-act-
24			ivities.]
25			3. Materials which may be inundated shall be of such
26			strength and quality that they will not deteriorate,
	e l		

1			and they must be able to withstand water pressure or
2			the high velocity of flowing water.
3		4.	The finished floor elevations of buildings shall be a
4			minimum of two feet above the 100 year flood elevation.
5		5.	Whenever possible, the floodplain shall be retained as
6			open space and used for recreation or special storage.
7		6.	The dedication of lands within the floodplain is encour-
8			aged if consistent with the future River Loop Park
9			System Plan.
10		Flood	way Policies
11		1.	No new building structures or land fills [which-would
12			impede-storm-flows] shall be allowed in the [wetland]
13			floodway.
14		2.	The floodway should be retained as open space and used
15			[primarily] for recreation purposes.
16	B.	DRAIN	AGE POLICIES
17		Analy	sis of the hydrologic characteristics of the Johnson
18		Creek	Basin suggests that:
19		0	Johnson Creek experiences flash flooding during storms,
20			causing considerable flood damage. This flooding is
21			exacerbated due to increased storm water run-off from
22			urban development within the drainage basin of Johnson
23			Creek.
24		0	With the limited information we have about the Basin,
25			it appears that large amounts of storm water now enter

Johnson Creek through the groundwater from the north

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and by surface run-off from the south.

o An effective means of controlling urban stormwater runoff is by minimizing [reducing] impervious surfaces and providing for natural water percolation where soil conditions permit.

Objective: To minimize the amount <u>and rate</u> of storm water run-off [actually] reaching Johnson Creek. The run-off which cannot be returned to the soil should be directed to the Creek so as not to contribute to the peak flood flow[7] s, or degrade in-stream water quality.

11 Policies

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All new land divisions for single family subdivisions and PUD's or building permits for multi-family, commercial and industrial buildings within the Basin shall provide for stormwater run-off controls including the following:

- Storm water drainage systems shall place emphasis on maximizing natural water percolation, and on utilizing natural drainageways with adequate capacity for surface flows.
- 2. Water from newly constructed roadways shall be prevented from flowing from the road[way] right of way in an uncontrolled fashion.
- 3. Natural drainageways shall be riprapped or otherwise stabilized as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion.

1	4.	Run-off from [areas-of] impervious surfaces [cover]
2		(e.g. roofs, paving, etc.) shall be collected and trans-
3		ported to a natural drainageway with sufficient capacity
4		to accept the discharge.
5	5.	[At-the-discretion-of-the-local-jurisdiction-] S[s]edi-
6		ment retention shall be provided for during the construct-
7		ion phase and shall be installed [constructed] in such
8		a manner within each development to minimize sediment-
9		ation in Johnson Creek during the entire construction
10		cycle.
l 1	6.	The overall drainage system shall be completed and made
12		operational at the earliest possible time during construct-
13		ion.
14	7.	Alterations to major drainageways shall be prohibited
15		except when approved by local jurisdiction engineers
16		for road crossings and drainage structures.
17	<u>8</u> .	Local jurisdictions shall require a developer of a sub-
18		division of four lots or more; PUD's; multi-family,
19		commercial, or industrial developments to submit a
20		drainage plan prior to issuance of any building permit.
21		This drainage plan shall include:
22	•	a. Methods for minimizing the amount and rate of
23		runoff from the development.
24		b. An analysis of detention/storage as an alternative
25		method of stormwater runoff control.
26	9.	The rate of runoff (from the construction site) shall
27		not exceed the predevelopment rate of runoff based on

27

a 50- or 100-year recurrence interval storm as defined
by each jurisdiction.

10. <u>Installation of stormwater management systems will be</u>

the responsibility of the developer.

5 C. VEGETATION POLICIES

Objective: To retain and protect existing vegetation in steeply sloped (20% and above) and landslide prone areas to decrease the potential for erosion, decrease the amount of surface water run-off, to preserve areas of natural percolation and help stabilize landslide-prone areas.

- 1. Riparian vegetation that protects stream banks from eroding shall be maintained or enhanced along major drainageways for a minimum of 20 feet from the channel bottom centerline plus one additional foot[d] for each one percent of bank slope greater than 10 percent; along minor drainageways for a minimum of 10 feet from the channel bottom centerline plus one additional foot for each one percent of slope greater than 10 percent; along seasonal drainageways for a minimum of 10 feet from the channel bottom centerline. This policy should not be construed to mean that clearing of debris from the streambed itself is prohibited; normal clearance of the streambed to allow for unimpaired flow of water is encouraged.
- 2. [At-the-discretion-of-local-jurisdictions] A[a]dditional vegetative retention policies are encouraged. Juris-

1	dicti	ons should [consider-the-following] adopt policies
2	[as-e	xamples-of-what-might-be-initiated-locally: such
3	as th	e following:
4	0	Slope stabilization and revegetation plans should
5	•	be included as part of the developer's grading
6		plans.
7	0	Minimization of removal of vegetation during the
8		construction period, and replacement/enhancement
9		vegetation upon completion of construction.
10	0	Minimum of tree cutting.
1 [±±-	Additional-	Policies-Which-Apply-West-of-162nd-Avenue]
12	[Objective:	To-minimize-run-off-and-sedimentation-and-seek
13	solutions-w	which-will-not-aggrevate-the-flooding-problem-in-the
14	Basin-]	
15	[Generally,	-for-the-area-west-of-162nd,-run-off-is-less-likely
16	to-aggrevat	e-flooding-in-Johnson-Ereek-if-carried-in-a-piped
17	systemHe	owever,-a-variety-of-stormwater-systems-should-be
18	explored-be	ased-on-site-specific-information-and-localized
19	conditions-	-in-Johnson-Creek-and-the-tributaries-feeding-into
20	the-Creek-	A-determination-of-the-precise-system-to-use-in
21	a-specific	-location-should-be-based-on-consultation-with-the
22	local-juri:	sdiction's-engineers-]
23	[In-the-Por	well-Butt-Mt:-Scott-area-of-the-City-of-Portland,
24	all-polici	es-ennumerated-within-this-text-plus,-to-the-extent
25	adopted-by	-Council,-all-other-policies-found-in-the-Powell
26	Butte-Mt	Scott-Bensity-Bevelopment-Manual-apply-]

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1 [HHH:-Additional-Policies-Which-Apply-East-of-162nd-Avenue]
       [Objective:-To-minimize-run-off-and-sedimentation-and-seek
2
       solutions-which-will-not-aggrevate-the-flooding-problem-in
3
       the-Basin-]
       [Local-jurisdictions-must-require-a-developer-of-a-subdivision
5
       of-4-lots-or-more,-PUD's,-multi-family,-commercial-or-indust-
6
       rial-developments-to-submit-a-drainage-plan-prior-to-issuance
7
       of-any-building-permit:--This-plan-must-include-a-method(s)
8
       for-regulation-run-off-discharge-to-the-maximum-amount-feasible.
9
        Under-no-circumstances-can-the-run-off-rate-exceed-the-rate-and
10
        discharge-on-the-site-in-its-natural-state-based-on-engineer-
11
        ing-studies-which-calculate-the-amount-of-impervious-surfaces-
12
        and-added-run-off-created-by-new-construction---Installation
13
        of-storm-water-management-systems-will-be-the-responsibility
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        of-the-developer:]
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MSD COUNCIL ROLL CALL ROSTER

AGENDA LITEM OKA 19-68		MEFTING DATE 3-22-79
Telle Only	AYE	NAY
DISTRICT 5	\checkmark	
Jack Deines		
DISTRICT 6		
Jane Rhodes		· ——
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Betty Schedeen		<u></u>
DISTRICT 8		
Caroline Miller	_ <u>></u> _	·
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Mike Burton		
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MSD COUNCIL ROLL CALL ROSTER

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DISTRICT 2 Charles Williamson	<u>AYE</u>	<u>NAY</u>
DISTRICT 3 Craig Berkman		
DISTRICT 4 Corky Kirkpatrick		
DISTRICT 5 Jack Deines		
DISTRICT 6 Jane Rhodes	X	
DISTRICT 7 Betty Schedeen	4	X.
DISTRICT 8 Caroline Miller	<u>></u>	
DISTRICT 9 Cindy Banzer		
DISTRICT 10 Gene Peterson		
DISTRICT 11 Marge Kafoury		sheln
DISTRICT 12 Mike Burton	<u>></u>	
DISTRICT 1 Donna Stuhr	Total	

MSD COUNCIL ROLL CALL ROSTER

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Marge Kafoury		
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. Mike Burton		· · · · · · · · · · · · · · · · · · ·
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NAME	AFFILIATION/ADDRESS
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Mel Huie	MSD