

COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

BOARD OF DIRECTORS

MINUTES OF JANUARY 26, 1978

Members in Attendance

Chairman Corky Kirkpatrick
Vice Chairman Jim Larkins
Comm. Ralph Groener
Comm. Mildred Schwab
Comm. Dennis Buchanan
Comm. Connie Kearney
Coun. Paula Bentley
Comm. Miller Duris
Mr. Lloyd Anderson
Mr. Clifford Hudsick

Staff in Attendance

Mr. Denton Kent
Mr. Andy Jordan
Mr. Jim Sitzman
Mr. William Ockert
Ms. Judy Bieberle
Ms. Marilyn Holstrom
Mr. Tim Holder
Mr. Jeff Gibbs
Ms. Jennifer Sims
Mr. Michael Huston
Mr. Gary Spanovich
Mr. Keith Lawton
Mr. Steve Siegel
Mr. Mark Sherman
Mr. Rod Sandoz
Mr. Bill Pettis
Mr. John Gregory
Mr. Guy Alvis

Others in Attendance

Comm. Frank Ivancie
Mr. Lans Stout
Mr. Dave Lawrence
Mr. Ted Spence
Mr. David M. Harris
Mr. Steve Lockwood
Ms. Marjorie Stewart
Ms. Bebe Rucker
Mr. Ken Rose
Mr. Eldon Hout
Mr. Dick Arenz
Mr. Robert Bothman
Mr. Tom VanderZanden
Mr. David Seigneur
Mr. Frank Angelo
Ms. Margaret Lewis-Williamson
Mr. John C. Hankee
Ms. Ann Hawkins
Mr. James Savage
Mr. Cary Jackson
Mr. Gunner Ingraham

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CALL TO ORDER

After declaration of a quorum, the January 26, 1978, meeting of the Board of Directors of the Columbia Region Association of Governments was called to order by Chairman Corky Kirkpatrick at 5:30 p.m. in Conference Room "C" of the CRAG offices.

1. WRITTEN COMMUNICATIONS TO THE BOARD OF DIRECTORS

1.1 Executive Director Kent called attention to a communication received from the Board of Directors of Clark County with an attached resolution supporting the I-5 Corridor as an important focus for transportation planning. Director Kent read the Clark County resolution, which cited the importance of the I-5 Corridor, and requested that it be included within CRAG's Transportation Systems Planning process. Director Kent said the staff would take note of this communication and include it in staff planning deliberations.

1.2 A letter was received from Rep. Sandy Richards which spoke to Agenda Item 3.4, Resolution BD 780102. The letter was accompanied by petitions and letters of request supporting the signalization project at 162nd Avenue and Sandy Boulevard. Director Kent said that action taken by the Board in connection with the Consent Agenda would, in effect, speak to this request.

In response to a query by Coun. Bentley, Mr. Robert Bothman of ODOT said it would take about nine months to one year to complete the signalization project.

1.3 A letter was submitted by the '208' Citizens Advisory Committee evaluating the '208' water quality public involvement program.

2. CITIZEN COMMUNICATIONS TO BOARD ON NON-AGENDA ITEMS

There were no citizens present who wished to make presentations to the Board at this time.

3. CONSENT AGENDA

Vice Chairman Larkins moved, seconded by Comm. Groener, that items 3.1, 3.2, 3.3, 3.4, 3.5 and 3.6 be adopted.

3.1 Minutes of Meeting of December 22, 1977

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3.2 A-95 Reviews

3.3 Charles Hosford and Associates, Personal Service Contract

Mr. Anderson asked, regarding item 3.3, the estimated cost of Phase 2 of the contract.

Director Kent explained that this was not to exceed \$500 but that amount would be expended only if it was determined that Phase 2 was required.

3.4 Amendments to FY 1978 Annual Element--Signal Projects, Federal Aid Urban (Resolution BD 780101) and Transitional Quarter Funds (Resolution BD 780102)

3.5 Budget Contingency Transfer

Mr. Anderson questioned whether approval by the Board automatically approved both spending money from a contingency fund and the new money which was equal to that amount.

Director Kent replied that it did not.

3.6 General Assembly Meeting--Set Date

In reference to the General Assembly meeting, Chairman Kirkpatrick announced that the action taken on the Consent Agenda would establish that the General Assembly meeting would be on February 23, 1978, after the regular Board meeting, and would be scheduled for 7:30 p.m.

The question was called on the motion to adopt the Consent Agenda. All Board members present voting aye, the motion carried unanimously.

Chairman Kirkpatrick announced, in connection with the General Assembly meeting, that she had appointed a nominating committee composed of Lloyd Anderson, Chairman, Alan Brickley and Robert Burco. She asked Board members interested in the chairmanship or vice chairmanship to contact the committee.

4. REPORTS

4.1 Presentation of FY 1977 Audit

Mr. James Savage of Coopers and Lybrand, Certified Public Accountants, circulated a Report on Examination

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of Financial Statements and explained various sections of the report and recommendations for improvements in control, grant contracts, travel expenses and collection of accounts receivable. He then circulated a Report to Management, explained findings and recommendations included in the report, and said that his firm believed that implementation of the recommendations would prove beneficial to the operations of CRAG.

Board members questioned some expenditures and what steps should be taken to implement recommendations made by the firm. Director Kent said that changes have been made in responsibility for budget preparation and direct responsibility for financial matters will be with John Gregory. Mr. Savage said that Mr. Gregory had come on board at the last part of the year, significantly upgrading the accounting staff, and that problems will likely disappear as a result of this action.

Mr. Anderson said it might be desirable to have staff prepare a statement concerning each item of recommendation, explaining what, if any, action was proposed. The action did not necessarily have to agree with the auditor's recommendations but should state whether the staff could or could not do what was recommended and, if not, why not. He would like this within a month or two.

It was the consensus of the Board that this should be done.

4.2 Report Regarding Energy Task Force

Comm. Ivancie explained the purposes of the Energy Task Force Committee and described progress made on regional energy issues during the month of December. He outlined testimony given before the United States Subcommittee on Water and Power Resources by officials of the states of Oregon, Idaho and Montana, which spoke to the disparity in rates for Bonneville power between the states, and suggested solutions. He gave a progress report on the question of allocation of the state power for this century and from then on. He said a meeting was planned in Portland for sometime in February and asked those present to attend.

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Mr. Cary Jackson of Comm. Ivancie's staff explained costs for various sources of energy and the effect on the consumers' utility bills.

Mr. Anderson said that, in time, there should be a resolution from the Board taking a position on this matter.

Chairman Kirkpatrick asked that the Board be notified of the date of the next meeting so that members could attend.

4.3 Review of Sherwood and Wilsonville LCDC Cases

Andrew Jordan, CRAG Legal Counsel, reported on LCDC action taken at a hearing January 20 regarding appeals challenging city adopted or county adopted Urban Growth Boundaries. He said the decision on the Wilsonville case was that the city limits could be used as Urban Growth Boundaries until a valid Growth Boundary could be established. The Sherwood case was much more involved. The issues were whether or not Sherwood and Washington Counties had violated Goal #14, and indeed whether cities and counties have any responsibility to carry out Goal #14. That case was not decided and will presumably be decided in February.

In answer to Comm. Duris, Mr. Jordan said that if all cities or counties and CRAG could adopt Urban Growth Boundaries, this region might wind up with many boundaries with no assurance that they would be consistent. The proposed result in the Sherwood case is that, in the CRAG region, there ought only to be one boundary.

4.4 Banfield Transitway Project; Decision Making Process

Mr. Robert Bothman, ODOT, explained problems in coordinating the Banfield project with all major agencies. Federal comments which were due January 20 had not yet been received. Assuming the schedules can be met, a public hearing will be held in April.

Mr. Anderson asked if each agency had to pass a resolution. Mr. Bothman said this was correct. After that happens, the decisions would be brought before the CRAG Board for a resolution. After an Environmental Impact Statement has been prepared and forwarded through

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channels to the federal government, if everything goes according to schedule, the final federal decision should be forthcoming in January, 1979.

4.5 Report on Board Concern Regarding Federal Aid Urban System Preliminary Engineering Commitments; Option for Correcting Financial Shortfalls (Resolution BD 780104)

Director Kent explained that comments on proposed alternatives had been coming in as late as 3:30 p.m. the day of the meeting. For this reason, it was felt this matter should be postponed for a month. There is good agreement on the concept but some differences of opinion on how to proceed with the evaluation process. It was the consensus of the Board that this matter should be postponed until the February 23 meeting.

5. OLD BUSINESS

5.1 Evaluation of Systems Management Projects in Ten Priority Problem Areas

Mr. Bill Ockert, Transportation Director, outlined work done defining Transportation Systems Management (TSM) projects. He said Gary Spanovich, as leader of this program, had done a good job tailoring the projects to the problems. As a result, costs have been reduced to about \$5.4 million from an original estimate of \$9 million. Local jurisdictions are being asked to confirm their intention to secure matching funds, and staff will return to the Board at its February meeting with recommendations for reservation of Interstate Transfer funds.

Comm. Duris asked about the ratio of local match, to which Mr. Ockert replied that it was 14 percent.

Coun. Bentley said she was impressed with the work quality and professionalism of this project. She said staff was to be commended and requested that effort like this go into assisting the jurisdictions in East Multnomah County to allocate the East County reserve.

At this point, Mr. Anderson and Comm. Kearney left the meeting and Mr. Hudsick arrived.

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5.2 PUBLIC HEARING, Washington County Growth Management Task Force (7:30 p.m.) Request to Extend Deadline Establishing Immediate Growth Boundaries and Service District Delineations (Resolution BD 780105)

Ms. Joy Burgess, Chairman of Clackamas County Growth Management Task Force, called attention to the letter of January 9 written to the Board by the Clackamas County Task Force which requested an extension of time for completion of the program. She felt the Task Force provided an excellent link with special districts, neighborhood groups and the citizens of Clackamas County. She suggested a new target date be established, based on the adopted work program of the Task Force and CRAG's compliance schedule which will be submitted to LCDC. She outlined tentative plans of the Task Force and said Clackamas County should play a more active role with all fourteen cities of the County.

Mr. Harry Carpenter, Chief of Clackamas County Fire District #1, submitted a letter from the Board of Directors of the Fire District which he said was concurred in by the Oak Lodge Sanitary District. The Districts recommended dissolution of the Task Force since, in their opinion, the Task Force represented primarily municipalities and was not in the best interest in the regional sense. The letter suggested the planning process should be carried on at the County level with full participation from affected citizenry. The Districts felt the Growth Management Task Force was a reasonable idea, but that membership was too narrow and the majority of people affected were excluded from meaningful participation.

Mr. Dave Lawrence, speaking on behalf of the City Council of Hillsboro, asked that the deadline be extended. The only way the urban services areas could be set properly would be as part of local public facilities planning. Therefore, he recommended that the deadline for urban service areas be tied to local compliance schedules.

Comm. Duris said he wished to concur with the representative from Hillsboro, as well as as other cities and service districts. He said there was simply not time to meet the February deadline.

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Mr. Jim Sitzman, Director of the Division of Natural Resources, presented two alternatives. The present strategy could be continued, or a more definite schedule for determination of Immediate Growth and Future Urbanizable Areas could be adopted. Mr. Sitzman said that with the Interlocutory Order recently issued by the LCDC, the region was offered an opportunity to establish Immediate Growth Boundaries in order to meet the agricultural and conservation provisions of Goal #3. Mr. Sitzman suggested that member jurisdictions be encouraged to define Interim Immediate Growth Boundaries for this purpose by the February meeting, or as soon as possible thereafter.

Comm. Duris felt this would be difficult to comply with because of the ambiguity in the language of the LCDC Order.

Director Kent said he felt there was complete agreement on understanding the implications of the Immediate Growth Boundary, but there was a question as to the frequency and/or timing with which those Interim Immediate Growth Boundaries would be altered. He felt the CRAG staff position would be that once those boundaries were struck in accordance with LCDC criteria, they would not be altered until findings for the Urban Growth Boundary were made in accordance with the LCDC order by CRAG.

Mr. Sitzman continued that it was suggested by staff that applicable Statewide Goals and local plans serve as CRAG's interim future urbanizable policies. At the March meeting of the Board, staff should propose policies for regional Future Urbanizable Areas, which would go into effect at the time the Urban Growth Boundaries were justified to LCDC and certified. This is anticipated to be one year from now.

Another recommendation of staff was for adoption of these policy proposals and designation of Immediate Growth Areas to be scheduled in conjunction with establishment of a valid Goal #14 Urban Growth Boundary. The final recommendation was that Task Force members be polled between now and the February meeting to get an idea of how to proceed with the work of defining Urban Service areas.

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Mr. Larkins asked when these lines would be completed. He felt that three more lines were being drawn which would be in conflict with three that the County already had.

Director Kent explained the LCDC order which gave counties an opportunity to establish an Interim Immediate Growth Boundary to allow development to occur without going through a Goal #3 agricultural exception. Another phase would require that CRAG make findings to establish an external growth boundary. It is estimated that these findings will be made in twelve months. Development areas not included in the interior line would have to go through the exception process. This is complicated by the fact that CRAG established a process for delineation of Immediate Growth Boundaries, with criteria similar to that included in the LCDC order. If it appears that the year period between the Interim Immediate Growth Boundary and the final Growth Boundary findings is working a hardship, CRAG may have to look to the counties for additional help in justifying the Urban Growth Boundary. Director Kent further clarified that the Interim Growth Boundaries are temporary, to allow development in unincorporated areas until CRAG makes findings concerning the overall Growth Boundary.

There was further discussion of the effect of these findings on future development. Chairman Kirkpatrick asked what the CRAG Board could do to ease the burden on persons having to go through a Goal #3 exception. Director Kent said that the way to clarify this would be to authorize staff to enter a test appeal on behalf of CRAG and seek a judgment through the LCDC process.

Comm. Groener urged staff to get on with the process and define the Urban Growth Boundary as quickly as possible.

Coun. Bentley moved, seconded by Comm. Buchanan, that Resolution BD 780105 be adopted. All Board members present voting aye, the motion carried unanimously.

6. NEW BUSINESS

6.1 Time Extension on Resolution of Land Use Framework Element Study Areas (Resolution BD 780109)

Mr. Sitzman reported that fifteen Study Areas had been established as part of adoption of the CRAG Land Use

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Framework Element. Of these, 11 remain unresolved. Some work has been accomplished to bring each of the Study Areas closer to resolution. Section 7(d) of the Framework Element Rules provides that all Study Areas be redesignated Urban, Rural or Natural Resource within one year, which means restrictions on Study Areas will expire February 5, 1978. Staff has been working with member jurisdictions to develop a definite schedule for resolution of remaining Study Areas. Resolution BD 780109 would ask local governing bodies to submit timelines for resolution of remaining Study Areas and authorize the CRAG staff to prepare designation if such timelines are not met.

Coun. Larkins moved, seconded by Coun. Bentley, that Resolution BD 780109, for the purpose of setting a public hearing on amendment of the Land Use Framework Element Rules, Section 7, Study Areas, be adopted. All Board members voting aye, the motion carried unanimously.

Comm. Schwab entered the meeting.

Chairman Kirkpatrick read a letter which was forwarded to the Board by the City of Troutdale saying they were proceeding to resolve their Study Area.

6.2 Timeframe for CRAG Findings on Urban Growth Boundary Resolution BD 780106)

Mr. Sitzman presented a recommended schedule for completing work on Urban Growth Boundaries, in compliance with LCDC goals. He said the schedule allows one year to complete the required Goal #14 (Urbanization) findings and an additional six months to make changes in boundaries, if necessary.

Vice Chairman Larkins moved, seconded by Coun. Bentley, that Resolution BD 780106, for the purpose of establishing a process and schedule for adopting regional Urban Growth Boundaries, together with findings sufficient to satisfy LCDC Goal #14 Considerations and Interlocutory Order No. 77-004, be adopted. All Board members present voting aye, the motion carried unanimously.

6.3 Designation of Air Quality Control Plan Lead Agency Resolution BD 780108

Mr. Ockert described amendments to the Clean Air Act which set a timetable for naming a lead planning

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agency for development of a plan to achieve carbon monoxide and photochemical oxidant air quality standards. The lead agency would define a plan and coordinate planning activities of various technical and transportation planning agencies to prepare an acceptable plan. Mr. Ockert delineated federal criteria for selection of the lead planning agency, and said those criteria pointed toward designation of CRAG as the lead agency in this undertaking. Staff recommended that the Board of Directors adopt Resolution BD 780108, which would designate CRAG as the lead agency for preparation of the Air Quality Control Plan for the Portland metropolitan area.

Mr. John Kowalczyk, representative of DEQ, said DEQ concurred with the recommendation that CRAG be designated lead agency. He called attention of the Board to the fact that there may be no extra funding available, so it might be necessary to reallocate existing resources. He felt CRAG was best qualified to carry out such a program and meet the requirements of the Clean Air Act.

Comm. Duris was concerned about the question of funding, and asked how much technical work would be foisted upon the CRAG staff.

Mr. Kowalczyk explained that the responsibility would be more in terms of management and coordination.

Director Kent said staff had not identified all costs, but the Board had been provided with a breakdown of tasks. He said it now appeared there would be no EPA funding, and funding would have to be readjusted out of UMTA and FWA funds. Dir. Kent said it was a question of whether the Board wished to proceed on a self determination basis with local funds or, as an alternative, recommend that DEQ act as lead agency. The problem of fund availability would remain the same regardless of lead agency designation.

Coun. Bentley pointed out that, according to State statute, CRAG had air quality responsibility, and as a regional planning agency, should integrate air quality planning with other planning efforts. Whether DEQ or CRAG was the lead agency, the bill still had to be paid.

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Comm. Schwab said a letter had been forwarded to the Chairman of the Board from Mayor Goldschmidt. She asked to read this letter into the record.

The letter from Mayor Goldschmidt expressed preference for designation of DEQ as the lead agency, noted that CRAG had other planning priorities, and that DEQ had the technical expertise to conduct the required work. Mayor Goldschmidt commented on the measure to be considered by the voters in May of 1978, and said it was possible there would be a change in the structure of regional planning, which could make it questionable whether the interests of the region would be best served by designation of CRAG as lead agency.

Comm. Schwab said she supported Mayor Goldschmidt's views, and moved, seconded by Comm. Duris, that DEQ be designated the lead agency for an Air Quality Control Plan.

Coun. Bentley argued that with designation of CRAG as lead agency, DEQ would be included as an active participant in the planning process and that designation of CRAG would assure involvement of local officials on the ground floor.

Comm. Groener pointed out that this was a regional issue, not one that should be danced around a state agency, and that if the Board were truly concerned with regional government, it would designate CRAG the lead agency.

Comm. Duris was still concerned with the question of funding, and asked for an estimate of staff time to be involved.

Director Kent said he did not have an estimate, but noted that CRAG currently has a vacant position which deals with air quality.

Mr. Duris was not sure his jurisdiction could support an increase to fund this program. He asked to postpone action until the next Board meeting.

Chairman Kirkpatrick pointed out that there was a deadline of February 7, 1978, for a recommendation to the Governor.

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After further discussion during which it was pointed out that the lead planning agency should also include the Southwest Washington Air Pollution Control Agency to ensure coverage of the entire region, the question was called on the motion to adopt Resolution BD 780108, as amended. Rollcall vote. Schwab, Buchanan and Duris voted aye. Kirkpatrick, Groener, Bentley, Larkins and Hudsick voted no. The motion carried, based on the weighted voting provisions.

Comm. Buchanan and Comm. Duris commented that their vote had been based on the question of availability of funds for the program.

6.4 Addition of Sunset and 217 Interchange to Federal Aid Primary (FAP) Program; Request to Oregon Department of Transportation (ODOT) (Resolution BD 780107)

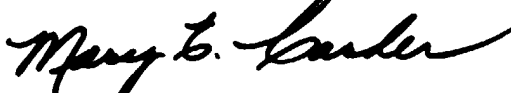
Coun. Bentley moved, seconded by Comm. Buchanan that Resolution BD 780107 be adopted.

It was the consensus of the Board that an oral staff report would not be required, since the Board had discussed this issue many times.

Question called on the motion. All Board members present voting aye, the motion carried unanimously.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,



Mary E. Carder
Recording Secretary

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