

COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

BOARD OF DIRECTORS

Minutes of July 27, 1978

Members in Attendance

Vice Chairman James Larkins
Mayor Alan Brickley
Comm. Mildred Schwab
Comm. Barbara Roberts
Coun. Paula Bentley
Mr. Gunner Ingraham
Mr. Clifford Hudsick
Comm. Connie Kearney
Coun. Rose Besserman
Mr. Robert Burco
Mr. Richard Carroll

Staff in Attendance

Mr. Denton U. Kent
Mr. Andrew Jordan
Ms. Judy Bieberle
Mr. James Sitzman
Mr. William Ockert
Mr. John Gregory
Mr. Terry Walüele
Mr. Robert McAbee
Mr. Jack Bails
Ms. Linda Brentano
Mr. Jeff Gibbs
Mr. Ray Bartlett
Ms. Jennifer Sims
Mr. Tim Holder
Ms. Sue Klobertanz
Mr. Neal Van Horn
Ms. Lola Adams
Mr. Chuck Hayden
Ms. Lorelle Bennett
Ms. Brigitte Partington
Ms. Amelia Lanier
Mr. Alan Holsted
Mr. Gary Spanovich
Ms. Barbara Higbee
Mr. Dan Hodge
Mr. Robert Haas
Ms. Pamela Hulse
Ms. Mary Carder

Others in Attendance

Mr. Joe Voboril
Mr. Wally Hobson
Mr. Frank Angelo
Ms. Adrienne Brockman
Mr. Marc Kelley
Mr. John C. Hankee
Mr. Michael Alesko
Mr. Carl Wilson
Mr. Tom Zelenka
Mr. Bruce Halperin
Mr. Dave Fredrickson
Mr. Martin Cramton
Ms. Bebe Rucker
Ms. Colleen Acres
Ms. Lorna Stickel

Board of Directors
Minutes of July 27, 1978

CALL TO ORDER

After declaration of a quorum, the July 27, 1978, meeting of the Board of Directors of the Columbia Region Association of Governments was called to order by Vice Chairman James Larkins at 5:30 p.m. in Conference Room "C" of the CRAG offices.

1. WRITTEN COMMUNICATIONS TO THE BOARD OF DIRECTORS

Vice Chairman Larkins announced that there were written communications in the Agenda packet, one from St. Helens withdrawing from membership in CRAG and the other from Washington County which changed Board delegates. Mr. Bill Bloom has been designated Board member, with Mr. Miller Duris designated as alternate.

Vice Chairman Larkins voiced the thanks of the Board to Mr. Duris for his past service on the CRAG Board of Directors.

2. CITIZEN COMMUNICATIONS TO BOARD ON NON-AGENDA ITEMS

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

3. CONSENT AGENDA

3.1 Minutes of Meeting of June 22, 1978

3.2 A-95 Reviews

3.3 Amendment to FY 1978 Annual Element of TIP - Structure "E" Repair, Banfield/I-5 Interchange (Resolution BD 780701)

3.4 Annual LCDC Progress Review (Order No. 78-8)

Coun. Bentley moved, seconded by Mayor Brickley, that items 3.1, 3.2, 3.3 and 3.4 of the Consent Agenda be approved, with a request of staff that future A95 Reviews contain a notification of the funding source for each item.

Director Kent said staff would take note and provide this information in future reports.

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

Board of Directors
Minutes of July 27, 1978

4. REPORTS

4.1 West Hills Study Area

Mr. Andrew Jordan, CRAG General Counsel, reported that the appeal to LCDC by Multnomah County regarding resolution by CRAG of the West Hills Study Area had been completed. The LCDC Commission determined that the urban designation of Forest Park Estates was in compliance with state goals. The Commission also held that the findings supporting the urban designation of Pana Vista subdivision and a large parcel southeast of Pana Vista were insufficient to establish a Goal #14 Urban Growth Boundary. The Commission rejected the County's request that the CRAG order resolving the study area be invalidated and declared that the findings need to be supplemented before full compliance with Goal #14 could be reached. Mr. Jordan further reported that additional findings are being generated as part of CRAG's Urban Growth Boundary findings project, which is scheduled for completion in August.

Comm. Roberts asked whether public hearings would be held on the new findings prior to action by the Board.

Director Kent explained that the Board could call for public hearings, but that there had already been a lengthy process of public hearings on this particular matter. The new material would only embellish the original report.

Comm. Roberts felt that the opportunity should be given for public input, since this matter had been in process for such a long period of time.

Coun. Bentley commented that the LCDC request had not been extensive, but simply requested additional information.

Comm. Roberts clarified that she was not requesting a full-fledged hearing, but rather an opportunity for public comment on the new findings.

In answer to a request from Coun. Bentley for clarification, Director Kent explained that staff had received a request to proceed rapidly with this case, and to consider it separately from the total Urban Growth Boundary which is scheduled for decision in October. Staff felt that the Board should be in a position to

Board of Directors
Meeting of July 27, 1978

stand behind its original decision at the earliest possible time, in light of the fact that the matter may come to trial before final resolution of the Urban Growth Boundary.

After further discussion, Comm. Roberts moved, seconded by Coun. Bentley, that a public hearing be held at the August Board meeting which would be the same time as submission of new findings, but that testimony be limited to expert witnesses and that it deal only with new findings, and that no previously determined areas or findings be included.

Mr. Hudsick was concerned that a hearing was being scheduled on a matter when neither the Board nor the public had received information.

Director Kent explained that material would be available to the public and would be in the hands of the Board at least a week in advance of the hearing.

Question called on the motion. Mr. Ingraham asked permission to abstain.

All Board members present voted aye except Mr. Hudsick, who voted no. The motion carried.

4.2 Lawsuit Challenging Ballot Measure #6

The Board had been apprised, through the Agenda packet, of the status of a lawsuit filed by two Clackamas County residents against the State, MSD and CRAG, which claimed unconstitutionality of Ballot Measure #6. A Change of Venue has been obtained from Clackamas County Circuit Court to Marion County Circuit Court, where the Judge of that Court vacated a temporary restraining order and denied a preliminary injunction. It is presumed that the permanent injunction and declaratory judgment will go to trial within the next two months. Clackamas County, which is named a defendant in the case, has joined the Plaintiffs in support of the requested injunctions.

There was no Board action requested or taken on this item.

4.3 Transportation Improvement Program - Briefing for August Adoption

The Management Summary included in the Agenda Packet

Board of Directors
Minutes of July 27, 1978

outlined the Transportation Improvement Program (TIP) and explained how federal transportation funds for highway and transit projects in the CRAG region are to be obligated during the period October 1, 1978, through September 30, 1979, (the Annual Element Year). It was pointed out that manpower requirements for the development of the TIP were programmed in the Unified Work Program (UWP) and that the draft TIP indicated programmed projects of \$775 million for both Oregon and the State of Washington.

Coun. Bentley questioned several items in the Report which had been included in the Agenda. Mr. Ockert explained scheduling of projects and how the tables were constructed in an attempt to make the dollar figures understandable.

Coun. Bentley asked that an evaluation of expenditures for the carpool/vanpool project be discussed at the next Board meeting.

Mr. Ockert said it might be possible to have a member of Tri-Met staff make a presentation to the Board at the next meeting.

No action was requested of the Board and none was taken.

4.4 Status of Urban Growth Boundary Findings Project

The Management Summary included in the Agenda packet outlined events leading to designation and justification of Urban Growth Boundaries in Clackamas, Multnomah and Washington counties. It was pointed out that several study areas had been given an intended designation by the Board, and that these intents and other study areas where potential urban designation exists will be resolved by the Findings Project. Also included in the project are the Happy Valley designation and Future Urbanizable policies.

Board members were told that draft findings will be available by the August Board meeting, with public hearings and future Board meetings scheduled to discuss and decide proposed amendments to the Land Use Framework Element based on the findings.

The Board was provided with a summary and an outline of the Findings Project and a list of observations and

Board of Directors
Minutes of July 27, 1978

assumptions important to the Project.

No action was requested of the Board and none was taken.

4.5 Lake Oswego request for Participation in Appeal

Lake Oswego has requested CRAG participation in an appeal to LCDC of a Clackamas County subdivision approval. Through the Management Summary the Board was apprised of the location of the subdivision and events leading up to the Appeal. Staff informed the Board that it appeared that the action of Clackamas County was inconsistent with certain state and regional policies.

No action was requested of the Board concerning this item, and none was taken.

Comm. Schwab arrived at the meeting.

4.6 Process for Defining the Regional Role

Ms. Jennifer Sims reported regarding the issue of the determination of proper local and regional roles. She explained that there has been a lack of clear definition of local and regional roles which has resulted in a piecemeal evolution of regional responsibilities. This situation has fostered unrealistic local expectations and has, in some instances, led to a climate of distrust and misunderstanding between special districts, local jurisdictions and CRAG.

Ms. Sims outlined a working paper prepared by staff, and explained a process for determining regional functions. She said local staff participation in the effort will be encouraged.

Mr. Hudsick asked what the objective of the process was and whether the Board would be asked for approval of a new direction for the regional role.

Ms. Sims explained that, at the present time, work is being done at the staff level. It is anticipated that results of the effort will furnish a logical and consistent basis for formulating local and regional work programs and policies. It is felt that this process will provide a valuable tool for the new MSD Council, and that the Council will gain an insight into the

Board of Directors
Minutes of July 27, 1978

metropolitan aspects of various functions. It will provide a method for evaluating appropriate areas of regional involvement.

Coun. Bentley suggested that this might be of help to local jurisdictions in clarification of regional involvement.

Director Kent explained that this was a mechanism offered by the staff for review, comment and, hopefully, agreement between local jurisdictions and CRAG to provide for more clear-cut decisions. If the Board wished to act formally, that would be appropriate. However, if the Board wished to defer the matter to the new MSD Council, that could be done.

No action was requested of the Board at this time, and none was taken.

4.7 Schedule for Annual Consideration of Amendments to CRAG Goals and Objectives, Plan and Rules

Included in the Agenda packet was a Schedule and Process for Amendments to the Goals and Objectives and the Land Use Framework Element.

Coun. Bentley commended CRAG staff for the ambitious schedule proposed and the preparations leading to a shortened time frame.

Vice Chairman Larkins asked whether the Board would be asked to make a decision on quasi-judicial matters, or if it was planned to again utilize a hearings officer.

Director Kent said it was his understanding the Board had found the use of a hearings officer a fruitful implement for handling quasi-judicial cases. Quasi-judicial versus legislative cases are defined under law and matters fitting the definition of quasi-judicial cases would automatically be assigned to a hearings officer.

No action was requested of the Board at this time, and none was taken.

4.8 MSD Transition Matters

Through the Management Summary, staff informed the Board of actions taken through the month by the Transition Committee. Minutes of committee meetings were

Board of Directors
Minutes of July 27, 1978

included in the Agenda packet.

Coun. Bentley commented that she found inclusion of these minutes very helpful. She felt the work of the Committee had improved and that it was performing a valuable service.

Director Kent informed the Board that the Committee had considered a proposal to structure informational meetings with local jurisdictions in the CRAG area to not only provide additional information about the new MSD structure, but to solicit suggestions on how the new MSD could best interact with local jurisdictions, both in terms of service provision and as to how the Local Government Advisory Committee could best operate. Director Kent explained that CRAG staff would proceed with scheduling of informational meetings in each county, and that other local jurisdictions would be invited to these meetings with the understanding that specific problems or concerns would be directly followed up by staff with the specific jurisdiction concerned.

No action was requested of the Board concerning this item, and none was taken.

4.9 Waste Treatment Management Component Map of Sewage Collection System Service Areas

The Management Summary included in the Agenda packet gave the Board some background on the Waste Treatment Management Component adopted by the Board on June 22, 1978, and outlined a process for resolution of sewage collection system study areas. The new process will delineate service areas through resolution at the technical level and is designed by staff to be in phase with the amendment process for the Goals and Objectives and Land Use Framework Element. It will culminate in amendments to the Waste Treatment Management Component map.

Mr. Terry Waldele pointed out the sewage collection system service areas map for information of Board members, and said that the CRAG staff had been going through a formal evaluation process with local jurisdiction staffs.

No action was requested of the Board concerning this item, and none was taken.

5. OLD BUSINESS

Board of Directors
Minutes of July 27, 1978

5.1 Resolution of Columbia South Shore Study Area (Public Hearing)

Since it was not yet 7:30 p.m., the public hearing was postponed until later in the meeting.

5.2 Third Bridge Feasibility Study

Director Kent explained that the issue of a Third Bridge feasibility study had been raised at the July Board meeting. CRAG staff had reviewed the request and concluded that participation with Washington State in this study was appropriate and consistent with the technical assistance portion of the CRAG Systems Planning effort. Director Kent explained that the work would be done through a contract with the State of Washington.

Coun. Bentley said she supported the staff recommendation with the stipulation, however, that this would in no way bind the Board or individual members to support a third bridge.

Comm. Schwab asked to speak on behalf of Mayor Goldschmidt, saying that the Mayor felt this was an illegal project, and requesting that the issue be held over until August, when he would return.

Coun. Bentley asked if these requests ordinarily required Board action. Mr. Carroll felt they did not and that this type support was available to every member of CRAG, and that it was left to the judgment of the Executive Director.

Director Kent said that, in preparing the management summary for the Agenda packet, staff had attempted to address the points of concern raised in the memorandum distributed by the Mayor at the June meeting. Mr. Carroll had also responded to these points.

There was further discussion by the Board.

Comm. Schwab asked whether the study had already begun without Board approval, or whether it could, in fact, begin without Board approval.

Director Kent explained that formal work had not begun. There had been preliminary discussions with the State of Washington. The CRAG budget included funds for technical assistance with the understanding that projects to be served out of that fund would be selected

Board of Directors
Minutes of July 27, 1978

and approved by staff.

Coun. Bentley asked if the Board would feel more comfortable if a motion was made to approve participation in a feasibility study of a third bridge.

Director Kent said that such a motion would make staff feel more comfortable.

Coun. Bentley moved, seconded by Mr. Burco, that the CRAG staff honor the State of Washington request to provide technical assistance in a feasibility study of a third bridge across the Columbia River as requested by the Washington State Legislature.

Director Kent asked for a clarification that the purpose of the motion was to establish Board approval for this project only, and that this action would not necessarily mean that all requests for technical assistance would, as a matter of course, come before the Board.

It was Board consensus that this was the case.

Question called on the motion. All Board members present voted aye except Comm. Schwab, who voted no. The motion carried.

In answer to a question from Mr. Hudsick, Mr. Carroll indicated that the study should be completed in November.

6. NEW BUSINESS

6.1 Adoption of Personnel Classification and Compensation Plan (Order No. 78-9)

Mr. Robert McAbee, Director of Administrative Services indicated that the Budget Committee had expressed concern that a study of CRAG's classification and compensation plan had not been conducted for at least five years. Therefore, Mr. Gary Foss of GCF Personnel Consultants was retained to conduct such a study.

Mr. Gary Foss described the proposed classification and compensation plan, and delineated charts to more clearly identify the proposal for merit increases for CRAG employees.

Mr. Hudsick asked what mechanism would be used in the future to keep the system viable and whole. Mr. Foss

Board of Directors
Minutes of July 27, 1978

replied that provision had been made for maintenance of the plan. At Mr. Burco's request he elaborated on the salary survey conducted in connection with preparation of new schedules.

Comm. Schwab circulated a memorandum prepared by Mayor Goldschmidt which urged the Board to hold this matter over until after the November election when results of the proposed tax measure would be known.

Mr. Burco commented that he had gone through a substantial lay-off, and had found that there were services which could be cut. He could not see penalizing competent public sector employees by the general climate of things.

Mr. Burco moved, seconded by Coun. Bentley, that Order No. 78-9 be adopted. All Board members present voted aye except Comm. Schwab, who voted no. The motion carried.

A short break was taken.

5.1 Resolution of Columbia South Shore Study Area (PUBLIC HEARING- 7:30 p.m.)

Mr. Jim Sitzman, Director of Natural Resources, delineated the location of the South Shore study area, and said that citizens in that area had formed the Columbia Area Citizens Group to assist in development of a plan for their community. As a result, the Columbia Community Plan was adopted by the Multnomah County Board of Commissioners on June 20, 1978.

Mr. Sitzman continued that CRAG staff had reviewed the Columbia Community Plan and concurred with the conclusion that the study area was more appropriate for urban uses than for agriculture.

Mr. Martin Cramton, Planning Director for Multnomah County, reported on the basis for the county staff recommendation, outlining various forums and hearings which had impacted this decision. He said that the findings had indicated that, even though much of this land was not immediately available for urban development, the conflict with agricultural activity warranted an urban designation.

Since there was no one else who wished to testify, the public hearing was closed.

Board of Directors
Minutes of July 27, 1978

Comm. Roberts commented on the hearings held by Multnomah County, and called attention to the unusual amount of public participation in this matter.

Coun. Bentley commended the Multnomah County Commission and staff on an outstanding job of analysis for this particular area.

Mr. Ingraham moved, seconded by Mayor Brickley, that Order No. 78-7, establishing an intent to designate the Columbia South Shore Study Area urban, be adopted. All Board members present voting aye, the motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Mary E. Carder
Recording Secretary