

COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

BOARD OF DIRECTORS

Minutes of September 28, 1978

Members in Attendance

Chairman Corky Kirkpatrick  
Vice Chairman James Larkins  
Mayor Neil Goldschmidt  
Comm. Barbara Roberts  
Coun. Paula Bentley  
Comm. William Bloom  
Mr. Clifford Hudsick  
Mr. Donald Jones  
Comm. Connie Kearney  
Coun. Rose Besserman

Staff in Attendance

Mr. Denton U. Kent  
Mr. Andrew Jordan  
Ms. Judy Bieberle  
Mr. William Ockert  
Mr. Terry Waldele  
Mr. James Sitzman  
Mr. Robert McAbee  
Ms. Brigitte Partington  
Ms. Marilyn Holstrom  
Ms. Barbara Higbee  
Mr. Jeff Gibbs  
Mr. Richard Brandman  
Mr. Keith Lawton  
Mr. Terry Moore  
Ms. Sue Klobertanz  
Mr. Bob Haas  
Mr. Gary Spanovich  
Ms. Mary Carder

Others in Attendance

Ms. Linda Macpherson  
Mr. David R. Seigneur  
Mr. Paul Bay  
Mr. Frank Angelo  
Mr. John Hankee  
Mr. Carl Wilson  
Mr. Steve Lockwood  
Mr. Arthur J. Schlack  
Ms. Bebe Rucker  
Mr. Richard Shaffer  
Ms. Sandy Coats

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CALL TO ORDER

After declaration of a quorum, the September 28, 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

There were no written communications to the Board of Directors.

2. CITIZEN COMMUNICATIONS TO BOARD ON NON-AGENDA ITEMS

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

3. CONSENT AGENDA

3.1 Minutes of Meeting of August 24, 1978

3.2 A-95 Reviews

3.3 Amendment to FY 1979 Annual Element of Transportation Improvement Projects to move FY 1978 unobligated FAU projects to FY 1979 Annual Element (Res. BD 780903)

3.4 Request that Interim Transportation Plan (ITP) be revised to include a proposed industrial arterial in the Columbia Community area. (Res. BD 780901)

3.5 Change in Meeting Schedule (Due to conflict with holidays it was recommended that the November and December Board meetings be scheduled for the third Thursday of November and December, rather than the fourth Thursday).

Comm. Bloom moved, seconded by Vice-Chairman Larkins, that Items 3.1, 3.2, 3.3, 3.4, and 3.5 of the Consent Agenda be approved. The motion carried unanimously.

4. REPORTS

4.1 MSD/CRAG Transition Matters

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#### 4.1.1 General Transition Matters

Mr. Denton Kent, Executive Director, reported that a formal meeting of the transition committee had not been held since the last Board meeting. In accordance with action taken at the last committee meeting, consultant contracts had been developed to deal with three major areas of concern. Total costs of the contracts had been negotiated below the amount authorized by the Boards of CRAG and MSD.

Director Kent said the consultants are proceeding according to schedule and the reports will be available in draft form by October 11. Concerning state and federal planning designations, he reported that after a meeting with representatives of state and federal agencies, it appears that designations currently held by CRAG would be preserved for the new MSD until September of 1979.

Coun. Bentley asked whether there had been discussion of how local jurisdictions would retain regional involvement with MSD.

Director Kent replied that this matter had been discussed by the Committee and that a letter would be going out over the signature of the CRAG Chairman giving each jurisdiction in the CRAG region a summary of MSD and its functions under the ballot measure, and the legislative provisions relative to coordination with local jurisdictions. Staff will be meeting with each jurisdiction expressing an interest in working on this matter, to receive input.

Mayor Goldschmidt expressed concern about the possibility of LCDC being abolished through passage of ballot measure #10, and the effect of this, relative to City Home Rule, on the powers of the new MSD.

Mr. Andrew Jordan, CRAG General Counsel, expressed the opinion that CRAG's enabling legislation, which authority will pass to MSD, is not dependent on LCDC legislation.

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Mayor Goldschmidt asked that CRAG General Counsel forward to him comments concerning the effect of the legislation on the City's home rule powers.

#### 4.1.2 Discussion of Clark County and Vancouver, Washington Participation in New MSD Structure

Director Kent reminded the Board that this item had been scheduled for the August Board meeting, but had been held over since Clark County representatives could not be present at that meeting.

Director Kent reviewed the written response which had been prepared pertaining to the new MSD, and said there were no provisions in the legislation included to permit policy level participation by Clark County and Vancouver as there are under the current CRAG legislation. He said staff had held several discussions with representatives from Clark County and Vancouver and had researched legal possibilities for a basis for them to serve as voting members of the MSD Council.

Comm. Kearney thanked CRAG staff for the clear and concise answers to questions she had posed concerning Clark County's relationship with the new Council. She said Clark County legal counsel had come to the conclusion that there was no room for Clark County on the MSD Council. Therefore, Clark County will seek designation as an MPO for the Clark County region. She said Clark County would be willing to participate in any advisory committee, if requested.

Coun. Besserman said the city of Vancouver had come to the same conclusions as Clark County.

Mayor Goldschmidt suggested that the States of Washington and Oregon seek skilled private citizens to investigate means of interstate cooperation. As the legislation is presently written, local jurisdictions do not have direct representation on the Council. In terms of cooperation with the State of Washington, Mayor Goldschmidt felt the legislation creating the new MSD was a step backward.

Chairman Kirkpatrick said she would be willing to support a legislative change if the representa-

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tives of Washington State expressed an interest in such change.

Coun. Bentley felt the new Council would look with more favor toward action to include Clark County and Vancouver with a strong recommendation from the present CRAG Board.

Comm. Kearney said she felt such expressions were premature at the present time.

Chairman Kirkpatrick suggested that a committee be formed of citizens from both sides of the river so that there would be a basis to study alternatives. It was the consensus of the Board that this be done.

4.2 Status of Board Actions Regarding Authorization of Interstate Transfer Funds (Res. BD 780902)

Mr. William Ockert, Director of Transportation, outlined the need for an accurate determination of Transfer Fund projects requiring further Board action. He called attention to a staff report which enumerated past Board actions regarding Interstate Transfer Funds and categorized projects according to further required action.

Coun. Bentley commended the staff for their work in preparing an excellent report. She moved, seconded by Coun. Larkins, that Resolution BD 780902, For the Purpose of Establishing Interstate Transfer Projects Requiring Further CRAG Board Action, be adopted. The motion carried unanimously.

4.3 Program to Familiarize Cities with Availability of Surplus Property

Ms. Marilyn Holstrom, Local Government Assistance Coordinator, reported that the General Services Administration Federal Surplus Property Program makes available to designated organizations and agencies, property the federal government no longer needs. Only a small number of cities have utilized the program due to such reasons as non-familiarity with the program and insufficient notification regarding available stock.

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Ms. Holstrom explained that her division had developed a program intended to familiarize cities with the program and provide them with current information concerning availability of items. To this end a CRAG staff member will regularly visit the warehouse and keep jurisdictions informed of articles which may meet their needs.

Comm. Roberts asked if this program also applied to counties. Ms. Holstrom replied that counties were indeed included in the program.

It was the consensus of the Board that this was an excellent program which will fulfill a need voiced by various jurisdictions.

#### 4.4 Status of Air Quality Planning Program

In the Agenda Management Summary Mr. Terry Waldele had informed the Board of activities of the advisory committee to the Oregon Department of Environmental Quality and development of CRAG's air quality planning program since being designated as "lead agency."

Board members questioned Mr. Waldele concerning the make-up of representation on the advisory committee.

Mr. Hudsick asked about the compliance schedule for federal funding and the effect of any delay.

Mr. Waldele said that, should funds not be available as scheduled, the depth of the analysis would be hampered but the deadline would have to be met.

Director Kent explained that EPA had been contacted concerning advanced funding. Another aspect concerned staffing problems. CETA funded positions have not been filled due to impending changes in the CETA program. Staff is attempting to fund those positions through salary savings from other vacancies, and it is hoped that funds can be drawn down or costs incurred on the premise of EPA reimbursement.

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There was no action required on this matter.

#### 4.5 Compilation of Existing CRAG Policies

The Agenda management summary indicated that a CRAG policy catalogue had been compiled to include all CRAG's existing policies in one document. The intent of the document was to furnish baseline policy statements to local jurisdictions to guide the local planning process; help clarify the regional position by providing organized and understandable policy statements; aid in identifying weak policy areas and become a benchmark for formulating or modifying agency policies.

This item was informational and no action was required.

### 5. OLD BUSINESS

#### 5.1 Process for Dealing with Cost Overruns of FAU and Interstate Transfer Funded Transportation Projects (Res. BD 780805)

Mr. William Ockert reminded those present that the Board, at its August meeting, had requested that staff draft procedures for dealing with cost overruns, and criteria for use of the contingency account. A report was prepared by staff to outline a proposed system for dealing with cost overruns on Interstate Transfer and Urban System Projects. Both the Transportation Improvement Program Subcommittee and Transportation Technical Advisory Committee endorsed the procedures.

Approval of the new procedures will allow CRAG to closely monitor transportation funds, while allowing local jurisdictions to set priorities within an overall regional framework. New contingency amounts have been allocated within seven categories.

Mayor Goldschmidt stated that the City has just encountered a major cost overrun problem in connection with widening of Powell Boulevard. He

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thought the proposed system was a good one, and that it would enable jurisdictions to meet major requirements.

Mr. Ockert outlined cost overrun guidelines for Interstate Transfer and Federal Aid Urban Projects.

Coun. Bentley referred to Item #8, "Federal participation in unforeseen costs encountered after a bid is accepted and would be recommended," in the FAU report, asking if it was unrealistic.

Mr. Ockert explained that it was appropriate that when unforeseen circumstances arose, the jurisdictions should not be required to cover all of those costs, but that there should be federal participation.

Mayor Goldschmidt asked who in the region would pay for this extra cost. Is this a trade, using funds from other projects, or funds of the jurisdiction responsible for the project.

Mr. Bob Bothman of Oregon State Highway Department, said the state has an agreement with local jurisdictions on who is to pick up the difference.

Mr. Ockert pointed out that FAU Funds used for this type of overrun would necessarily come from funds set aside for other FAU funded projects because of the constraint on the amount of federal funds available to the region.

Mayor Goldschmidt echoed Coun. Bentley's concern regarding the method used to determine the need for further funds. He felt matters of this nature should come before the Board for authorization of expenditure of further funds.

Mr. Ockert suggested that wording could be added to limit administrative adjustments to 10% or \$250,000, whichever was less.

Mayor Goldschmidt moved, seconded by Coun. Bentley, that Staff Report #29 attached to Resolution BD



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780905 be amended to reword #8 on page 10 as follows:

"Federal participation in unforeseen costs up to ten percent of the authorized cost or \$250,000, whichever is less, which are encountered after a bid is accepted would be allowed and accounted for administratively. Federal participation in unforeseen costs above this amount would require official MPO amendment of the TIP."

The motion carried unanimously.

Mayor Goldschmidt moved, seconded by Coun. Bentley, that Resolution BD 780905, as amended, be adopted. Motion carried unanimously.

5.2 Safer Off-System Road Program and Use of its Contingency Fund (Res. BD 780906)

Mr Ockert related that in January of 1977 the CRAG Board had established priorities for a Safer Off-System Road Program which included fourteen projects estimated to cost \$580,830. At that time the federal government made \$670,00 available for the program. The surplus of \$89,170 was set aside by CRAG as a contingency account. Due to inflation, the authorized projects have increased in cost, causing the TIP Subcommittee to recommend use of the contingency fund to cover some of these added costs. TTAC has reviewed and approved this recommendation.

Coun. Larkins moved, seconded by Coun. Bentley, to adopt Resolution BD 780906 for the purpose of reallocating funds to the Safer Off System Fund. Motion carried unanimously.

5.3 Release for Public Hearing of Amendments to Land Use Framework Element and Approval of Hearings Procedures (Order No. 78-12)

Mr. Peter MacIver, Natural Resources Division, delineated for the Board the areas petitioned for amendment, saying there had been sixteen petitions

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received, and three proposed by staff. One petition had been withdrawn. Mr. MacIver explained that Board rules provide that the Goals and Objectives and Land Use Framework Element are to be reviewed, and if necessary, amended on an annual basis.

All petitions received were summarized in the agenda, with preliminary staff findings included. Following hearings, testimony will be summarized and final staff findings and recommendations prepared for each petition.

Director Kent explained that Agenda Items 5.3 and 5.4 are before the Board to comply with the annual process provided by CRAG in accordance with state statutes requiring that a hearing be scheduled in each of the counties in the jurisdiction. Meetings have been scheduled for October 4, Multnomah County, October 5, Washington County and October 9, Clackamas County. The procedures are identical to those used at last year's public hearings.

Director Kent continued that there was one major change to the agenda material previously distributed. This pertained to Amendment #13 concerning an area adjacent to Troutdale. This was originally not recommended for public hearing, but after research of the statutes it was ascertained that the petition must be released for public hearing, although the decision may be considered along with resolution of the adjoining study area.

Comm. Roberts questioned the staff recommendation in relation to Petition #10 concerning Sauvie Island in Multnomah County.

Mr. Jim Sitzman explained two reasons for the staff recommendation: a) the present and planned uses are consistent with a natural resource designation; b) staff understanding that the County mapping of a rural area did not coincide with the County plan descriptions of a rural area in the text.

Director Kent explained that the urban growth boundary process is scheduled for completion in

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October. Therefore, with the exception of the four areas which will be dealt with in quasi-judicial hearings, the remainder can go to LCDC in November.

Comm. Roberts requested that Petition #10 be released for public hearing.

Mr. Jim Sitzman explained why staff had not recommended it for public hearing, and felt this could be worked out by staff.

Comm. Roberts said she would feel more comfortable if she was sure there was no conflict. She moved, seconded by Comm. Bloom, that Petition #10 be released for hearing. The motion carried unanimously.

Coun. Bentley moved, seconded by Comm. Roberts, that Petition #13 also be released. The motion carried unanimously.

Coun. Bentley expressed concern about how land use designations are used by the tax assessor, and indicated that there is a need for some type of tax adjustment for future urbanizable land.

After some discussion of this matter Coun. Bentley requested that some clarification be sought from tax assessors of the three counties regarding criteria they use to assess lands within the future urbanizable area.

Director Kent said CRAG staff would contact them and try to work out an informational report for the Board.

Coun. Bentley requested that staff report on this matter by the next Board meeting.

Comm. Roberts also felt this question should be raised in the three counties.

Mr. Jordan said the assessor is going to depend on local comprehensive plans rather than the regional plan. He explained how each jurisdiction could

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zone property so that the assessor would recognize that it could not be built upon immediately.

Coun. Bentley moved, seconded by Vice-chairman Larkins, that Order #10, In the Matter of Releasing Proposed Amendments to the Land Use Framework Element for Public Hearings, including Item #10 and Item #13, be released. The motion carried unanimously.

5.4 Release for Public Hearing of Proposed Resolution of Study Areas (Order No. 78-13)

Mr. Peter MacIver pointed out to the Board that the resolution of all study areas with potential urban designations is a prerequisite for completion of the regional Urban Growth Boundary Project. He delineated the location of the remaining study areas as:

1. Hillsboro
2. Happy Valley and Unincorporated Enclave
3. Canby
4. Columbia South Shore
5. Troutdale
6. Wilsonville
7. Rock Creek

Vice-chairman Larkins moved, seconded by Comm. Bloom, that Order No. 78-13 in the Matter of Releasing Proposed Study Area Findings for Public Hearings, be adopted. Motion carried unanimously.

6. NEW BUSINESS

6.1 Authorization of Interstate Transfer Funds for Preliminary Engineering for Going Street Noise Mitigation Project (Res. BD 780904)

Mr. Ockert said that this project is not considered to be a new project by staff. It deals with mitigation of noise produced by traffic to Swan Island. TTAC has reviewed and approved this project.

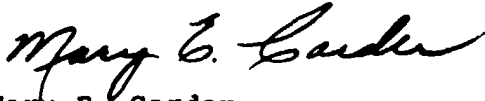
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Mayor Goldschmidt explained the need for this project, and requirements for an environmental impact statement.

Vice-chairman Larkins moved, seconded by Mr. Hudsick, that Resolution BD 780904, Authorizing Interstate Transfer Funds for Preliminary Engineering on the Going Street Noise Mitigation Project, be adopted. Motion carried unanimously.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,



Mary E. Carder  
Recording Secretary

mec  
6-15