

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

April 12, 1979

Councilors in Attendance

Chairman Michael Burton
Vice Chairman Donna Stuhr
Coun. Craig Berkman
Coun. Jack Deines
Coun. Jane Rhodes
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Corky Kirkpatrick
Coun. Marge Kafoury

Couns. Williamson, Schedeen
and Miller were absent

Others in Attendance

Ms. Sharon Derderian
Mr. Ted Spence
Ms. Keiko Matsumura
Ms. Terri Anderson
Ms. Debbie Solomon
Mr. Bradford Rickersby
Mr. Michael Alesko
Mr. Steve Lockwood
Mr. Bob Weil
Mr. Fred Leeson

Staff in Attendance

Executive Officer Rick Gustafson
Mr. Denton Kent
Mr. Andrew Jordan
Mr. James Sitzman
Ms. Judith Bieberle
Ms. Sue Klobertanz
Ms. Jennifer Sims
Ms. Linda Brentano
Mr. Terry Waldele
Mr. William Ockert
Mr. Tom O'Connor
Mr. Dan Hodge
Ms. Marilyn Holstrom
Ms. Mary Carder

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CALL TO ORDER

After declaration of a quorum, the April 12, 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 SW Hall Street.

5.1 Report Regarding Status of Portland International Airport Master Plan

Presiding Officer Burton announced that Chairman Kirkpatrick had requested permission to report on the status of the Portland International Airport Plan out of the Agenda order, since she had another to meeting to attend.

Coun. Kirkpatrick said that she had served for one and one-half years on the Advisory Committee which had worked on the Portland International Airport Plan. She reported that a public hearing will be held on the Phase III summary draft and Environmental Impact Assessment Report on April 23 at 7:30 p.m. Coun. Kirkpatrick said she has copies of the Draft Plan available if anyone needs a copy.

Chairman Burton commented that there had been a good deal of interest in the Airport Plan in his area, and he requested a copy of the draft.

Chairman Burton excused Coun. Kirkpatrick from the Council meeting.

I. INTRODUCTIONS

Coun. Stuhr introduced three Sunset High School students who were in attendance at the Council meeting.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

There were no written communications to the Council.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

There were no citizens present who wished to address the Council.

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4. CONSENT AGENDA

4.1 Minutes of March 22, 1979.

4.2 A-95 Reviews

Coun. Kafoury moved, seconded by Coun. Peterson, that items 4.1 and 4.2 of the Consent Agenda be approved.

Chairman Burton had a question about the order of the minutes. He had allowed testimony on a public hearing after the hearing had officially closed, and this fact was not mentioned in the minutes of that meeting.

Legal Counsel Jordan said that, in a case like this it would be well to mention in the minutes that the testimony had been allowed after closing of the hearing.

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

5.2 Report from Executive Officer

The Executive Officer called attention to an article concerning the new MSD which had appeared on the front page of the March 5 Baltimore Sun. He said Councilors would be furnished a copy of the article.

Mr. Gustafson said MSD had received notification of receipt of an Economic Development Grant from the Economic Development Administration.

Regarding remodeling of MSD quarters, Mr. Gustafson said plans have progressed rapidly and that he would have a report on a final agreement at the next Council meeting. He said it may be necessary to request authorization for additional money at that time.

The Executive Officer reported on the progress of legislation of interest to the Council. He reported

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regarding amendments to HB 2846 that this legislation deals with investment tax credits and will have an effect on negotiations under way with Publishers Paper Company for the Resource Recovery Facility.

Mr. Gustafson reported that a letter had been received from Governor Atiyeh concerning designation of a Metropolitan Planning Organization and progress being made to include Vancouver and relevant portions of Clark County, Washington, in the program. Mr. Gustafson provided Council with copies of the Governor's letter and his response, saying he had invited the Governor to send a representative to the Clark County reception the Council is holding for Clark County and Vancouver officials April 23.

Coun. Berkman asked about the status of the Land-fill Siting Bill. Mr. Gustafson reported that it is in the hands of the Legislative Counsel.

Executive Officer Gustafson introduced Gay Stryker, editor and publisher of the FOZ (Friends of the Zoo) Newsletter. Ms. Stryker distributed copies of the Newsletter to Councilors, who remarked on the fine quality of this first volume of the FOZ publication.

5.3 Council Committee Reports.

Local Officials Advisory Committee: Chairman Burton reported that the Local Officials Advisory Committee (LOAC) had met recently. They had selected two members to meet with Couns. Burton and Stuhr and members of staff to formulate recommendations on organization of the committee. The next meeting of the committee is set for May 23.

Ways and Means Committee: In the absence of Coun. Kirkpatrick, Coun. Deines reported that the Ways and Means Committee had appointed a Task Force, headed by Coun. Miller, to study the Interim Personnel Rules.

Coun. Deines reported that the Ways and Means Committee has had two meetings and expects to complete preliminary work on the budget in three more meetings. Meetings have been scheduled for

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the Budget Task Force and it is planned to submit the budget to the Council at the first meeting in May.

Chairman Burton commented that the budget represents the transition by combining both MSD and CRAG budget processes. He suggested that Councilors go to Budget Task Force meetings to make recommendations so that the Council may receive a final budget.

Coun. Rhodes told the Council that the Ways and Means Committee had discussed the Council Per Diem allowance, and that this matter would come before the Council.

Transportation Committee: Coun. Stuhr reported that the Transportation Committee had met and had decided to include representatives of ODOT, Washington DOT, Tri-Met, Port of Portland and about five to seven representatives from local jurisdictions of approximately four counties and three cities. The committee is now soliciting volunteers from jurisdictions to serve on that committee. Voting procedures will be decided at the next committee meeting, but they are leaning toward a method whereby everyone would have a vote. The role of elected and appointed officials will also be decided at that meeting, as well as defining the relationship of TPAC and JPACT.

Coun. Stuhr said the committee felt policy alternative committees should focus on uncovering policy issues and that these issues should be brought to the Council for consideration.

At the Transportation Committee meeting, an item concerning a project cost overrun and request for transfer of funds was presented and it was felt that this matter was urgent. Therefore, Coun. Stuhr requested that the Council consider the matter at this meeting.

Chairman Burton ruled that the item could be considered when other Council business had been completed.

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Coun. Kafoury asked if the question of a vote on the Transportation Committee was not a question of policy.

Chairman Burton said he had intended to speak later to that question.

Zoo Committee: Coun. Banzer reported that the Zoo Committee will meet April 19, and that an agenda for that meeting has been forwarded to Councilors. The Committee is considering a promotional program for the Zoo.

Planning and Development Committee: Coun. Kafoury reported on progress made by the Planning and Development Committee. The committee meets regularly on the 2nd and 4th Monday of each month at 11:00 a.m. At the first meeting the committee concentrated on discussion of the Urban Growth Boundary and has endorsed proposed legislation clarifying MSD authority to enforce the UGB. The Committee plans to draft a Plan Review Manual and work sheets, review land marketing, housing and criminal justice advisory committees, review goals and objectives techniques and determine "What's regional."

Chairman Burton emphasized that the proposed legislation is not requesting clarification of the Urban Growth Boundary, but clarification of the Council role, as it relates to the Urban Growth Boundary.

Solid Waste/Public Facilities Committee: Coun. Berkman reported that the committee plans to meet on Tuesday at 3:00 p.m. on the weeks alternate to Council meetings. The committee is considering a number of items relative to the landfill siting process. It is continuing discussions relative to the Resource Recovery project.

Coun. Berkman reported that MSD has been successful in applying for an EPA grant. He also reported

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that the committee has received a request for limited landfill on NE 82nd Avenue.

A short break was taken.

6. OLD BUSINESS

6.1 Resolution No. 79-37, Forming Johnson Creek Task Force.

Coun. Deines moved, seconded by Coun. Kafoury, that Resolution 79-37 be adopted.

Coun. Rhodes reported on steps taken by groups in the Johnson Creek area toward relief of annual flooding. She said it would be necessary for local jurisdictions to contribute toward solution of the problem and that the city of Portland had agreed to contribute \$100,000.

Coun. Rhodes recommended that the Council support formation of a Johnson Creek Task Force.

Councilors discussed the proposal. Chairman Burton suggested that the Council member should be a voting member, with the staff person acting as support to that member. He moved that line 8 in the paragraph pertaining to composition of the Task Force, be deleted.

Coun. Rhodes suggested, and it was agreed, that this could be accomplished by consensus. It was the consensus of the Council that this deletion be made.

The Executive Officer said Terry Waldele would be the lead MSD staff person on the project.

Rollcall vote. Coun. Peterson, Kafoury, Burton, Stuhr, Berkman, Deines, Rhodes and Banzer voted aye. Coun. Williamson, Kirkpatrick, Schedeen and Miller were absent. The motion carried unanimously.

7. NEW BUSINESS

7.1 Resolution No. 79-38, Endorsement of CRAG Urban Growth Boundary Findings for Plan Review Criteria

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Coun. Berkman moved, seconded by Coun. Peterson, that Resolution No. 79-38 be adopted.

Coun. Kafoury said the Planning and Development Committee had recommended approval of this Resolution to the Council. Passage of the resolution will clarify regional assumptions.

Chairman Burton said passage of the Resolution would assure jurisdictions that MSD was not going to change the rules in midstream.

Councilor Berkman enthusiastically supported the resolution.

Rollcall vote. Couns. Peterson, Kafoury, Burton, Stuhr, Berkman, Deines, Rhodes and Banzer voted aye. Couns. Williamson, Kirkpatrick, Schedeen and Miller were absent. The motion carried unanimously.

7.2 Award of Supply Contracts for Timothy Hay and for Primate Feed.

Mr. McKay Rich, Assistant Director at the Zoo, reported that sealed bids were opened on March 30 for timothy hay to be used as elephant feed and on April 11 for primate feed. Bids were received March 30 from Anderson Hay and Grain Co., Inc., and Ward Rugh, Inc. Low bid was that of Ward Rugh for \$88.00 per ton, or a total for one year of \$16,280. Bids received April 11 for primate feed were from Hills Rivinia for .3316¢ per pound for a total price per year of \$7,295.20, and from Animal Specialties for 24¢ per pound for a total price per year of \$5,280. Staff recommends award of the bid to the low bidder in each case.

Coun. Stuhr moved, seconded by Coun. Rhodes that a contract be awarded to Animal Specialties for primate feed.

Coun. Peterson asked if it was necessary for the Council to approve these items if they were in accordance with the budget.

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

Coun. Rhodes moved, seconded by Coun. Deines, that the Council accept the bid of Ward Rugh for timothy

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hay. All Councilors present voting aye, the motion carried unanimously.

7.3 Authorization of \$75,250 from Interstate Transfer Contingency Fund for Cost Overruns on Construction for the Progress Off-Ramp

Mr. Bill Ockert, Director of the Transportation Department, said the Transportation Committee had met that morning and had discussed the requested transfer of funds for the Progress Off-Ramp and had voted to request Council approval. Mr. Ockert explained that the urgency was a result of the timeframe for putting the project through the various agencies in order to start construction in the present season.

Mr. Ockert explained that overruns are reviewed by staff, to make sure the project is not changed from the original and meets the need.

Mr. Ted Spence of ODOT, explained what happens when a project is put out for bid, and the steps it must go through before being scheduled for construction.

Coun. Banzer said the Council had voted on an entire package of projects at a recent meeting, and that this project was just one of a package. She asked if the committee would be forwarding other projects to the Council for adjustment.

Coun. Banzer asked that the Transportation Committee become involved in setting priorities regarding which projects will be assured of funding and which will be put on the "back burner."

Coun. Peterson moved, seconded by Coun. Stuhr, that the Council adopt Resolution No. 79-39, Amending the Transportation Improvement Program (TIP) to Authorize \$75,250 of Interstate Transfer Funds from the Contingency Account for Cost Overruns on the Progress Off-Ramp Construction Project. All Councilors present voting aye, the motion carried unanimously.

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Mr. Ockert explained use of the contingency fund through categories. Within the categories it is a first come/first served matter. However, Mr. Ockert felt the Transportation Committee should discuss whether the first come/first serve basis is a good policy.

8. ANNOUNCEMENTS

Chairman Burton reminded the Council of its meeting with Clark County and Vancouver, Washington on April 23.

Coun. Stuhr reminded Committee Chairs that they should outline their duties with the staff of each of the Policy Alternative Committees.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Mary E. Carder
Clerk of the Council

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