

MINUTES OF THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

May 10, 1979

Councilors in Attendance

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. Marge Kafoury

Couns. Schedeen and Kirkpatrick  
were absent.

Staff in Attendance

Executive Officer Rick Gustafson  
Mr. Denton U. Kent  
Mr. Andrew Jordan  
Mr. James Sitzman  
Ms. Sue Klobertanz  
Ms. Jennifer Sims  
Ms. Linda Brentano  
Mr. Terry Waldele  
Mr. William Ockert  
Mr. Tom O'Connor  
Ms. Marilyn Holstrom  
Mr. Robert McAbee  
Ms. Peg Henwood  
Mr. Charles Shell  
Ms. Caryl Waters  
Mr. Warren Iliff  
Mr. Merle Irvine  
Ms. Anne Kelly  
Ms. Karen Tweten  
Mr. Richard Brandeman  
Mr. Ed Kushner  
Ms. Mary Carder

Others in Attendance

Mr. Louis H. Bowerman  
Mr. Ted Spence  
Mr. Ken Hamburg  
Mr. Lynn Dingler  
Mr. Edgar Waehrer  
Mr. Ken Rose  
Mr. Paul Bay  
Mr. Steve Lockwood  
Mr. John J. Klosterman  
Mr. James Larkins  
Mr. Robt. Bothman  
Mr. John Platt  
Mr. Winston Kurth  
Mr. Carl Simons

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CALL TO ORDER

After declaration of a quorum, the May 10, 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.

I. INTRODUCTIONS

There were no introductions

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

Chairman Burton reported that he had received a letter from the Clark County Commission thanking the Council for the reception at the Quay, and stating that the Commission was looking forward to further close cooperation with the Metropolitan Service District.

Chairman Burton said he had received a letter from Ron Cease, Director of Public Administration at Portland State, regarding a Creative Regionalism Conference. Chairman Burton said several members of the Council are on the program.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

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

4. CONSENT AGENDA

4.1 Minutes of Meetings of April 12 and 26, 1979.

4.2 A-95 Reviews

Coun. Kafoury moved, seconded by Coun. Stuhr, that items 4.1 and 4.2 of the Consent Agenda be approved. The motion carried unanimously.

5. REPORTS

5.1 Report from Executive Officer

The Executive Officer reported that agreement has been reached with the landlord, within the figures

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approved by the Council in January, to provide additional office space in the building now occupied by MSD. Mr. Gustafson introduced Mr. Edgar Waehrer, space planner, who has been working to produce a better design for space the new offices will occupy.

Mr. Waehrer showed the Council the plans for new and reorganized space, and explained how additional square footage would be utilized.

The Executive Officer reported on progress of legislation of interest to MSD. He said that the Intergovernmental Affairs Committee has scheduled a work session May 14, to study the Solid Waste Franchising and Tax Credit bill.

There will be a hearing on the Urban Growth Boundary bill on May 11.

The Executive Officer reported on the progress of several other bills either sponsored by MSD or of interest to Councilors.

Coun. Rhodes suggested that HB 2846 be split into two parts to separate the issues.

The Executive Officer said he appreciated the suggestion and that he and staff would work to develop a legislative strategy.

Coun. Miller suggested that before the next legislative session, the Council invite legislators to a one day conference to discuss problems of regional government.

The Executive Officer reported on his trip to Detroit. He explained that each year the National Association of Regional Councils (NARC) selects an individual who, as director, has contributed most to regional government. This year NARC selected Denton Kent to receive the Walter Scheiber Award, in recognition of his outstanding leadership in the field of governmental affairs. Mr. Gustafson said being recognized by the Board of one's colleagues is a fine honor.

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Chairman Burton said there were 201 other Councils present, and to be recognized by one's peers was a great compliment.

Chairman Burton continued that there were several items of interest at the conference, and that he would circulate pamphlets he had found useful.

## 5.2 Council Committee Reports

Coun. Williamson reported that the Transportation Committee (JPACT) had met that day. A memorandum had been forwarded to the Council proposing additional appointments to the committee.

Coun. Williamson moved, seconded by Coun. Deines, that the following persons be appointed to represent their agencies on the JPACT:

William Young	Director, DEQ
Bob Bothman	Admin., ODOT-Metro
Richard Carroll	Admin., WSDOT-Vancouver
John Frewing	Tri-met Board of Directors
Lloyd Anderson	Director, Port of Portland
Ken Lewis, Alt.	Comm., Port of Portland

All Councilors present voting aye, the motion carried unanimously.

Coun. Berkman asked for a report from the Johnson Creek Task Force.

Coun. Rhodes reported that the Johnson Creek Task Force had met the first time May 8, and that most of the positions on the Task Force had been filled.

Coun. Rhodes moved, seconded by Coun. Stuhr that the Chairman appoint, and the Council confirm, the following to the Johnson Creek Task Force:

Jane Rhodes, Chairman; Jim Robnett, Mel Paulson, Mike Lundberg/Maggie Sperling (or Karen Baldwin), Winston Kurth, Martin Cramton, Ray Jaren, Sam Anderson, Bob Packard, Bill Bradfield, Ruby Alvord/Lou Bowerman, John Tupper.

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Coun. Rhodes explained that Councilors had been provided with a detailed list of positions, and that there were still three positions to be filled.

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

Solid Waste/Public Facilities Committee: Coun. Berkman reported regarding the public information portion of the Solid Waste/Public Facilities budget, and that a film concerning solid waste was being prepared.

Coun. Berkman said that the committee had studied requests for proposal for engineering studies of proposed landfill sites.

Coun. Berkman continued that he has appointed Coun. Deines to work with staff in selection of a consultant to study the combination resource recovery/farm use report.

Coun. Miller questioned Couns. Berkman and Deines about the impact on the committee of the collectors request to the city of Portland for franchising. She asked that the committee look into the issue of whether MSD should take a position with the City on this matter.

Chairman Burton asked that the Committee look into the matter as suggested by Coun. Miller.

Zoo Committee: Coun. Banzer said the Council had received a written report from the Zoo committee in their packets.

She said public hearings would be held in the fall to start development plans for the Zoo.

Coun. Peterson called attention of the Council to a meeting of the Mid-Multnomah County Future Alternatives committee, to be held Saturday, May 12, to consider alternatives for future incorporation or annexation with East County communities.

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8.2 Resolution No. 79-46, Assigning Oregon City Bypass as Highest Priority Regional Project to Receive New State Matching Fund Commitment

Chairman Burton asked Council advice on moving item 8.2 ahead so that public testimony could be taken on the Oregon City Bypass matter.

Coun. Williamson moved, seconded by Coun. Peterson, that item 8.2 be heard at this time. The motion carried.

Coun. Stuhr said she did not believe in moving items ahead on the agenda - that people counted on matters being heard at a certain time.

Chairman Burton gave Mr. Ken Rose an opportunity to speak concerning transit matters.

Mr. Ken Rose said he is President of Rose City River Transit. He asked to address the issue of transportation. He said river transit would alleviate congestion on traffic corridors, and said he would be pleased to work with the MSD to provide traffic planning on a regional basis.

Chairman Burton asked the Transportation Committee to allow Mr. Rose to make a presentation to that committee, if there was an opportunity.

Coun. Williamson said he had met with Mr. Rose. There has not been an opportunity for him to meet with the committee, but Mr. Williamson has assured Mr. Rose that the transportation committee will meet with him and consider his proposals. The Committee would prefer that Mr. Rose work through staff, so that the committee can have the benefit of a staff recommendation.

Coun. Rhodes moved, seconded by Coun. Peterson, that Resolution No. 79-46, be adopted.

Coun. Williamson said both the Transportation Policy Advisory Committee (TPAC) and the Joint Policy Advisory Committee for Transportation

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(JPACT) have considered this question, and both unanimously approved designation of the Oregon City Bypass as the first project to be funded with State funds.

Mr. Gustafson said this project had been considered for many years and was recognized to be of high priority in the planning process.

Coun. Stuhr cited approval of this resolution as an opportunity for Councilors to demonstrate their consideration of other jurisdictions, and that it was very important to get this high priority project funded.

Coun. Berkman said he would support the resolution enthusiastically.

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

PUBLIC HEARING

6. Ordinance No. 79-71, Adopting MSD's Portion of Oregon Clean Air Implementation Plan (SIP Revisions, Sections 4.2 and 4.3) (First reading)

The public hearing was opened.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 79-71 the first time by title only.

Coun. Miller moved, seconded by Coun. Kafoury, that Ordinance No. 79-71 be adopted.

Coun. Williamson asked that the ordinance be changed to show that it was introduced by the Transportation Committee, rather than by him. He continued that both the TPAC and JPACT had reviewed the documents relating to the SIP, and that the Council had been briefed. Both committees recommended approval.

Chairman Burton asked the Clerk to make the requested change in the ordinance title.

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Councilors questioned Mr. Terry Waldele, Director of Public Facilities, regarding facets of the document.

Mr. John Platt, Executive Director of the Oregon Environmental Council, suggested that the Oregon Oxidant Standard should be referenced in the SIP.

Councilors were concerned at the difference in federal and state standards, and suggested that the committee work with staff to address this matter.

Mr. Carl Simons of DEQ explained the state and federal ozone standards and the congressional amendment which did not require indirect source programs of states.

Councilors were concerned that the State standards were not included in the SIP and asked if there was anything in Federal law which would prohibit MSD from enacting a standard that was more stringent than the Federal standard.

Mr. Jordan said he would look into this matter to see if any preemption existed.

There were no other persons who wished to be heard. The public hearing was closed.

7. OLD BUSINESS

7.1 Ordinance NO. 79-70, Amending Budget Ordinance No. 60 to Transfer Appropriations Within Funds (Second reading)

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 79-71 the second time by title only.

Chairman Burton said it was his understanding that it was not necessary to have a motion on the second reading of the ordinance.

Rollcall vote. All councilors present voting aye, Ordinance No. 79-70 was adopted.



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8. NEW BUSINESS

PUBLIC HEARING

8.1 Resolution No. 79-47, Transmitting Proposed FY 1980 Budget to Tax Supervisory and Conservation Commission (TSCC)

The public hearing was opened.

There was no one present who wished to speak at this public hearing.

The public hearing was closed.

There was Council discussion regarding whether the budget which was being submitted to the TSCC could be revised later.

Mr. Charles Shell, Director of Management Services, said he had spoken with Mr. Gutjahr of the TSCC, and ascertained that the budget should represent programs the Council intends to carry out in the fiscal year. If there are reallocations within the budget, they can be made during the course of the year.

Councilors discussed time constraints and possibilities of holding a special meeting.

Coun. Stuhr suggested that the Executive Officer explain the budget process to the Council.

Mr. Gustafson clarified the role of the TSCC for the Council, and explained the budget process through staff, the Ways and Means Committee and the Budget Task Force.

Chairman Burton pointed out that a supplemental Agenda Management Summary had been prepared by the Chief Administrative Officer to explain revisions of the proposed FY 1980 Budget.

Mr. Kent explained the adjustments required in various funds as a result of revisions.

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Chairman Burton said he was not satisfied to adopt a budget without sufficient contingency funds, and asked that the Executive Officer return to the next Council meeting with some recommendations for cuts to provide for a larger contingency fund. He suggested several areas where he felt cuts could be made to provide up to \$95,000 in contingency.

Councilors were generally in agreement that some cuts might be necessary, but expressed the belief that the Council should only propose a dollar amount, leaving the actual mechanics of the adjustment to staff.

Coun. Banzer suggested that the amount of budget reduction total \$50,000. She said she had been assured there would be increased revenues, and that a \$50,000 reduction should be sufficient. She asked that a mid-year review be made to determine if further reductions would be necessary at that time.

Chairman Burton asked that the Executive Officer report back to Council with options to achieve a contingency in the range from \$50,000 to \$100,000.

The Executive Officer called attention to the addition of two pass through funds - Criminal Justice Assistance Fund and Transportation Assistance Fund. He said those pass through funds had been included to give a total picture of the budget.

Coun. Williamson asked if the resolution should be amended to include these additions.

Mr. Kent said the intent of the resolution was to forward the budget to the TSCC, and that these pass through funds are included in the budget.

Rollcall vote on adoption of Resolution No. 79-47, Transmitting proposed FY 1980 Budget to Tax Supervisory and Conservation Committee. All Councilors present voting aye, the Resolution was unanimously adopted.

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Coun. Banzer asked that the Council give the Executive Officer direction what options were available to revise the budget.

Coun. Kafoury felt a third option, to support the budget as proposed, should be considered.

Coun. Banzer moved, seconded by Coun. Deines, that the Executive Officer bring adjustments to the meeting of the Ways and Means committee to reduce expenditures to develop a contingency of approximately \$50,000.

Executive Officer Gustafson said it was his understanding the Council was asking that he come back with justification for the proposed budget, an option for a \$50,000 contingency and an option for a \$100,000 contingency.

Chairman Burton suggested that those Councilors who had specific recommendations attend the Ways and Means Committee meeting or have those suggestions to the chairman in writing.

Coun. Berkman suggested an amendment to the motion that any comments Council had with reference to the budget should be made available to the Ways and Means Committee or the Executive Officer to clarify the process.

Coun. Banzer refused to accept the amendment as a friendly amendment.

Coun. Miller moved the previous question. Rollcall vote. Williamson, Deines, Rhodes, Banzer, Peterson, Burton voted aye. Berkman, Miller, Kafoury, and Stuhr voted nay. Couns. Kirkpatrick and Shdeen were absent. The motion carried.

8.2 Resolution No. 79-46. See Page 5 of these minutes for action on this item.

9. ANNOUNCEMENTS

Coun. Rhodes explained that she had received a copy of the City of Portland Policy for Energy, and that she had been surprised to find that there were assignments for the MSD included.

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Mr. Williamson said that, at the JPACT meeting, Multnomah County and the Port had requested that MSD look at coordination of emergency energy actions in case of a fuel shortage. Coun. Williamson asked for staff review to see what MSD could suggest at the general meeting.

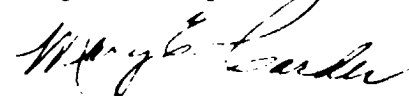
Coun. Stuhr requested that Mr. Steve Lockwood, Chairman of the Air Quality Advisory Committee, be requested to speak to Council regarding committee action in connection with the SIP.

It was Council consensus that Mr. Lockwood should be asked to speak.

Mr. Steve Lockwood said the AQMA committee had not taken a formal position with regard to the SIP. He asked to clarify what Mr. Platt had said regarding the ozone standard. Mr. Lockwood said that it is the staff position that the SIP is for federal purposes and, therefore, need reflect only the federal standard. The committee did address the issue of what ozone standard should be used, but did not take a position. The committee did not recommend that the State continue the .08 standard; that issue is still open. Mr. Lockwood said it is the position of most committee members that the SIP is basically an extension of a request to do some planning work to develop a control strategy for ozone and carbon monoxide.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Mary E. Carder  
Clerk of the Council

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