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**MINUTES OF THE COUNCIL
METROPOLITAN SERVICE DISTRICT**

August 23, 1979

Councilors in Attendance

Chairman Michael Burton
Vice Chairman Donna Stuhr
Coun. Craig Berkman
Coun. Corky Kirkpatrick
Coun. Jane Rhodes
Coun. Betty Schedeen
Coun. Caroline Miller
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Marge Kafoury

Couns. Williamson and Deines were absent.

Staff in Attendance

Executive Officer, Rick Gustafson
Mr. Denton U. Kent
Mr. James Sitzman
Mr. William Ockert
Ms. Judy Bieberle
Ms. Caryl Waters
Ms. Peg Henwood
Ms. Marilyn Holstrom
Ms. Sue Klobertanz
Ms. Linda Brentano
Mr. Tom O'Connor
Ms. Karen Hiatt
Ms. Jennifer Sims
Mr. Robert McAbee
Mr. Charles Shell
Mr. Terry Waldele
Mr. John Gregory
Ms. Michele Wilder
Mr. Rod Boling
Mr. Warren Iliff
Mr. McKay Rich
Mr. Jack Bails
Mr. Lynn Dingler
Ms. Mary Carder

Others in Attendance

Jeff and Kim Bennett
Ms. Diane Spies
Mr. Rick Carlson
Sharon and Greg Kullberg
Mr. Dave Bryan
Mr. Tracy Watson
Ms. Linda Macpherson
Mr. Ron Cease
Mr. Ted Spence
Mr. Bob Bothman
Mr. Larry Preutt
Ms. Bebe Rucker
Mr. Steve Lockwood
Mr. Phil Adamsak
Carter and Mary Stanley
Mr. John MacGregor
Mr. Richard Daniels
Mr. Michael Alesko
Ms. Ardis Stevenson
Ms. Georgia Bechtal
Ms. Zola Gredvig
Mr. Dick Arenz
Mr. Burton Weast
Mr. Kevin Hanway
Mr. Dick Smelser
Mr. Frank Myers
Mr. Larry Byers

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CALL TO ORDER

After declaration of a quorum, the August 23, 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 Room 296 of Portland State University Smith Center, Portland, Oregon.

1. INTRODUCTIONS

There were no introductions.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

There were no written communications to the Council to be introduced at this time.

3. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

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

Chairman Burton announced that the next meeting of the Council will commence at 5:30 p.m. for an informal meeting of the Council, and the regular meeting will start at 7:30 p.m. rather than 7:00 p.m. The Council will continue with a schedule of an informal meeting at 5:30 p.m. on the second Thursday of each month with the regular meetings starting at 7:30 p.m., and a regular meeting only, at 7:30 p.m. on the fourth Thursday of each month.

4. CONSENT AGENDA

4.1 Minutes of the meeting of July 26, 1979.

4.2 Contracts

Coun. Berkman moved, seconded by Coun. Stuhr, that all items on the Consent Agenda be approved.

The Executive Officer called attention to the contract for the Beaver/Otter Exhibit and said that the firm of Jones and Jones, Architects, had been chosen out of eight firms which had bid, and asked that the Council approve that contract this evening.

All Councilors present voting aye, the motion carried unanimously.

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5. REPORTS

5.1 Report from Executive Officer.

The Executive Officer asked Mr. Warren Iliff to report on a study that had been conducted for the Zoo concerning attitudes of visitors to the Zoo.

Mr. Iliff said that the Council had been provided with a copy of the material prepared by the consultant, who had said that through study of visitor attitudes the staff was trying to analyze the performance of the Zoo and orient this to preferences of persons coming into the Zoo. The study provides a good insight into perceptions people have about the Zoo.

The Executive Officer said that this was the only item he had on his report.

5.2 Council Committee Reports

Planning and Development Committee: Chairman Burton called on Coun. Kafoury to report on the Planning and Development Committee. He said that she would be excused to attend another meeting; therefore, he asked that she give the report on the UGB at this time.

- 5.3 UGB Acknowledgment: Coun. Kafoury said that Resolution No. 79-83 adopts a report prepared for presentation to LCDC on September 6, 1979. The report is in reply to five areas of concern addressed by LCDC. It was reviewed by the Planning and Development Committee on two occasions, reviewed by LOAC, by the three counties, and by several city representatives in the MSD region. She pointed out that policies and guidelines for control of urban sprawl commanded the most attention in these Committee meetings. At this time the manner for resolving issues regarding the "Agricultural Soft Areas" remains unresolved. The Planning and Development Committee had discussed this issue at length and could not reach a conclusion.

The Executive Officer told the Council that staff and Councilors had met with LCDC in July to testify in favor of the UGB. At that time LCDC outlined five areas it wished MSD to address. LCDC additionally required that MSD staff meet jointly with the staff of DLCD. The staffs have met several times jointly and have reached a mutually agreed upon recommendation. The staffs have also committed to request that the local governments agree to

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the recommendations as well. On September 6 MSD will propose that LCDC acknowledge the UGB as submitted. At that time MSD will provide a thorough and adequate report on the five questions LCDC proposed that MSD answer. The Executive Officer informed the Council that two of the three counties in the District have prepared resolutions supporting acknowledgment of the UGB and supporting strong conversion policies.

The Council is requested to make two commitments: one, that the policies outlined are guidelines, and two, that the Council would either ensure that local governments followed the guidelines in development of their comprehensive plans or the Council will enforce those guidelines for non-compliant jurisdictions within the MSD Boundary. With these strong commitments it is felt that MSD can legitimately ask for acknowledgment of the UGB in September.

There is one point on which the two staffs do not agree. That is in reference to the Agriculturally Soft Areas (ASA). The DLCDC staff feels that the Boundary cannot be acknowledged until confirmation policies are actually enforced. MSD staff estimates that it would be six to nine months before confirmation policies could be adopted as part of locally adopted comprehensive plans. The DLCDC will recommend that final action on the Boundary be delayed until all those policies are in force. DLCDC staff has also proposed that when an amendment of the Boundary occurs in the Clackamas County area, there must be an equal reduction of acreage in another portion of the metropolitan area boundary. MSD staff does not support such a provision and argues that the amendment to the Boundary would not depart from findings presented earlier to the Commission. It should not be necessary to make adjustments elsewhere in the Boundary in exchange for such an adjustment in Clackamas County. The Executive Officer recommended that Council indicate to LCDC on September 6 that MSD has amendment procedures to handle proposed amendments without making reductions in the Boundary elsewhere and that MSD is committed to enforcing the conversion policies, which MSD can do without local government approval. MSD wants to give local governments a chance to present their plans for review at a later date. The Executive Officer said that, other than those differences, the two staffs were in agreement.

Mr. Jim Sitzman reviewed the report and expanded on several of the policies in it. He explained that some

deletions and revisions had been made after the meetings with MSD Committees and with counties within the jurisdiction. There are two areas where staff would request that Council give direction, and staff has included alternatives in the report. He explained that in connection with the ASA's, a number of alternatives had been listed, and that staff recommended Alternative No. 2. He said there was agreement between the two staffs on Option B. Mr. Sitzman requested Council consideration of Alternative 2, Option B.

Coun. Kafoury moved, seconded by Coun. Peterson, to adopt Resolution No. 79-83, Supporting Acknowledgment of the MSD Urban Growth Boundary by Submitting a Response to LCDC's Five Questions and Pledging to Implement Certain New Policies on Management of Urban Land.

Ms. Diane Spies, an attorney representing three property owners, spoke in connection with the Resolution and expressed concerns about the various alternatives. She strongly urged that the Council support staff in regard to the UGB delineation. She said the property she represented was zoned industrial and Washington County supported that it remain industrial. This property had already been committed to urban services, but it is in the ASA.

Councilors questioned Ms. Spies about the location of the property, what types of businesses would be built and how many jobs would be provided through industrial building on this site.

Mr. Burton Weast circulated written testimony prepared by the Home Builders Association of Metropolitan Portland. He suggested several word changes to the UGB Management Policies document. On page 5 of the report under Policy Guidelines No. 1, he requested removal of the words "and transit." He said this seemed to imply that a concern was directed toward Tri-Met and not towards transportation in general. Mr. Weast continued that on page 6 the paragraph concerning the appeals process should be deleted.

Regarding wording at the top of page 7, Mr. Weast said that it was his understanding that staff had suggested that there be an exception for natural terrain.

The developers had expressed concern that local jurisdictions would allow a developer less units per acre than was allowed by MSD. There was discussion about this matter

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and Mr. Weast suggested that the third sentence down on the page could be changed by the addition of the word "final" before the word "approval." Mr. Sitzman said he had no problem with the suggestion.

Regarding Section 4, Mr. Weast suggested that Council, when developing urban policy, look at creating major and minor boundary amendments. Mr. Weast said that he felt that the changes made in the policy had been appropriate and he would strongly urge that this language be left in. It made clear to LCDC what MSD was going to do.

There was Council discussion concerning local government requirements that did not meet those of MSD. Mr. Weast suggested that local governments be required to provide findings whenever they found it necessary to impose requirements contrary to those of MSD. Mr. Sitzman said this was a difficult area in that the discussion concerned "average" densities. The developer could not be expected to meet average densities. Mr. Weast said that what was required was a statement that jurisdictions imposing densities contrary to MSD requirements would be required to provide findings. Coun. Miller said she felt that this needed to be addressed. Mr. Kent agreed that Mr. Weast had made a good point--that local governments would have to meet the average densities or show findings why they did not.

Mr. John MacGregor of the Port of Portland Planning and Research Division felt that the wording of the document was vague, especially as it related to industrial development. He said that the Port was planning to develop Rivergate as industrial land and that they had a specific problem with Guideline Nos. 1 and 2. He would hope that after taking action on these broad policies the Council would look quickly toward development of an implementing role.

Mrs. Ardis Stevenson, representing Clackamas County, spoke in support of MSD developing strong conversion policies and in support of the development of the Boundary. She pointed out that much of what was before the Council was included in the Clackamas County Draft Comprehensive Plan. The Clackamas County Plan did recommend a ten acre minimum lot size and Clackamas County was in favor of this Guideline.

Mrs. Stevenson outlined amendments that Clackamas County would support.

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Mr. Terry Morgan, an attorney representing the Happy Valley Landowners Committee, presented written testimony. He discussed the Policy Guidelines and proposed substitute language for several of the Guidelines. Mr. Morgan summed up his testimony by suggesting that the Council withdraw its request for acknowledgment of the UGB. He said that the boundary which was adopted does not lay a proper planning foundation for accommodation of urban needs inside the boundary and in fact does not include enough land in Clackamas County. Mr. Morgan felt that the proposed Policy Guidelines imposed further restrictions on development inside the boundary without providing corresponding means for the accommodation of short-term housing demand. Councilors questioned Mr. Morgan regarding his concerns.

Mr. Edward Mitchell, representing the Oak Lodge Community Council, asked what would be the criteria to determine when there had been enough growth in the community. Chairman Burton said that through the comprehensive plan process, local communities make that decision. Mr. Sitzman concurred and added that the local government is required to meet state goals. In addition to the MSD review, the state would review local plans to make sure they are in compliance.

Coun. Stuhr did not think that the questions had been answered, and she was not sure that they could be answered. She felt it was a local responsibility to come up with some happy medium. She did not think that this Council meeting was the appropriate place to discuss these matters.

Coun. Berkman asked Mr. Kent and Mr. Sitzman, if in light of the comments made this evening, they would be comfortable to proceed with making a recommendation at this meeting. Mr. Sitzman replied that he felt some suggestions for amendment would improve the document and he thought that the Council should proceed. Mr. Sitzman said he would not support that MSD should withdraw and start over.

Mr. Kent agreed with Mr. Sitzman's statement. He said some input had been of value and would improve the document. Through this discussion the Council had been attempting to honor the citizen input process. Mr. Kent pointed out that these were Guidelines and that they were not ironclad edicts. The Guidelines would be subject to local jurisdiction processes and to the citizen involvement process.

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Chairman Burton suggested that Council discuss an amendment to include alternative actions on the ASA's.

After discussion, Coun. Rhodes moved, seconded by Coun. Kirkpatrick, that the motion be amended by recommending that Alternative 2, Option B, be inserted into the testimony. All Councilors present voting aye, the motion carried unanimously.

Coun. Miller said that there were at least three areas that Mr. Weast had recommended that she would like to see in the final document.

Coun. Miller moved, seconded by Coun. Banzer, to amend the document on page 5 to delete the words "and transit" and put a period after "including schools."

Coun. Rhodes said that transportation plans include the importance of mass transit. She would not want that reference eliminated from the criteria of the document.

Coun. Stuhr agreed with Coun. Rhodes comments.

Coun. Banzer moved, seconded by Coun. Stuhr, to amend the motion to read "and orderly mass transit opportunities."

Coun. Miller explained that deleting the language was not deleting the transit. She said that it would not eliminate public transportation, but dropping the language would give a greater flexibility.

After Council discussion, Coun. Banzer withdrew her amendment.

Roll call vote on Coun. Miller's motion to amend. Couns. Schedeen, Miller, Banzer, Berkman and Kirkpatrick voted aye. Couns. Peterson, Burton, Stuhr and Rhodes voted nay. The motion carried.

Coun. Berkman moved, seconded by Coun. Peterson, to delete the wording "including schools." He felt that providing for public facilities and services was inclusive enough and that the document would be improved if the words "including schools" were deleted. Coun. Rhodes said that the definition of public facilities did not include schools and she felt strongly that schools should be considered. Mr. Sitzman said that there was a tendency to think of public facilities and services as being water and sewer. This language had come out of a discussion with state staff.

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Coun. Banzer said she had nothing against schools, but she did feel that this did not address a planned community development and she did not think it was the responsibility of the developer to assure that the school district would be able to finance new schools. She clarified that her vote to strike this phrase was not a vote against schools. Vote taken on the motion. All Councilors present voted aye except Coun. Rhodes who voted nay. The motion carried.

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Coun. Miller said that if it was at all possible, language should be inserted that would include MSD in the appeals process. Mr. Weast suggested that the language in the document be deleted. This would solve the problem.

Coun. Miller moved, seconded by Coun. Peterson, to delete the section at the top of page 6 which reads: "Appeals alleging violation of this policy shall utilize the normal LCDC or land use court option for appeal."

There was discussion of how citizens would know that they could make appeals under the Administrative Rules. Chairman Burton said these Guidelines are directed to local governments and that the governments understand the appeals process.

Question called on the motion. All Councilors present voted aye, except Coun. Rhodes who voted nay. The motion carried.

Coun. Miller moved, seconded by Coun. Peterson, that staff insert an addition to the footnote at the bottom of page 6 which reads: "When developments are approved for density lower than the density specified by MSD, the approving authority will enter findings why the MSD density would not apply."

There was discussion of whether or not local jurisdictions should be required to meet density requirements.

Question was called on the motion. All Councilors present voted aye, except Coun. Rhodes, who voted nay.

Coun. Stuhr moved, seconded by Coun. Peterson, that the language at the top of page 7 be amended after the word "review" in the second sentence to add the statement "except for land with unique topographic or natural features." On line 3 add the word "final" between "with" and "approval." All Councilors voting aye, the motion carried unanimously.

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Coun. Peterson moved, seconded by Coun. Berkman, that on page 6, Policy Guideline No. 3 (a) be amended to read: "...complies with the local plan that has been acknowledged by LCDC" deleting the portion "which meets MSD's review for residential densities," and Policy Guideline No. 3 (b) be amended to read: "...prior to acknowledgment complies with average residential densities...."

Coun. Banzer asked how this would affect the policy relating to minimum lot sizes. Mr. Sitzman explained that instead of deciding the matter, MSD would need to wait until LCDC approved the density. It might be possible that LCDC would approve something greater or lesser than MSD had approved. There was further Council discussion of the impact of this motion.

Councilors questioned Mr. Sitzman about the proposed amendment and whether he would recommend that it be approved. Mr. Sitzman said that current language would allow MSD to move more quickly.

Question called on the motion as stated. All Councilors present voted nay, except Coun. Peterson who voted aye. The motion failed.

Coun. Miller asked if it would be necessary to identify major and minor boundaries. Mr. Sitzman replied that this would not be necessary.

Mr. Sitzman called attention to one other item that had been recommended for amendment by the Air Quality Advisory Committee under Guideline No. 4.

Coun. Rhodes moved, seconded by Coun. Miller, to amend Guideline No. 4, the next to the last line in paragraph 3, to read: "...connected to a future sewerage system, except in the case of single housing units on lots of record,..." All Councilors present voting aye, the motion carried unanimously.

Chairman Burton said that it had been suggested by Mr. Morgan to withdraw the request to LCDC for approval of the UGB. It was Council consensus that the Council should proceed with the request for approval.

The question was called on the main motion as amended. All Councilors present voting aye, the motion carried.

A short break was taken.

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Coun. Berkman left the meeting.

5.2 (continued)

Ways and Means Committee: Coun. Kirkpatrick said that there were a number of things relating to the Ways and Means Committee that would be discussed later on this agenda. She announced that there would be a special meeting of the Ways and Means Committee September 4 at 5:00 p.m. The Committee would discuss composition of a Finance Task Force which would be working to develop a very specific charge relating to financial matters and to consider expenses for Councilors.

Solid Waste Committee: Coun. Rhodes said that several things had been accomplished at the last meeting of the Solid Waste Committee. A proposal for a recycling drop center had been approved, which will be before the Council at its next regular meeting.

JPACT: Coun. Stuhr reported that there were several items on the agenda that had been acted on by the JPACT Committee and that Mr. Ockert would report when those items came up on the agenda.

Zoo Committee: Coun. Banzer commented that there were two Zoo items on the agenda that would be discussed later in the meeting.

5.4 A-95 Review Report: There was no discussion on this matter and no action required.

6. OLD BUSINESS

6.1 A-95 Gresham Plaza Review: Mr. Kent said that in light of action taken by the Council at its last meeting, staff had done additional research and had arranged for a coordination meeting with representatives of the city of Gresham, the project sponsor, the project developer, Coun. Schedeen, and staff. There was a review of the process by which this application reached MSD. Mr. Kent said it appeared that there had been mixed signals as to the availability of financing. Those attending this meeting discussed the prospect of funding during the remainder of this fiscal year from federal sources and the prognosis from HUD officials that there was probably a 30 percent chance of funding. There was discussion of possible ways to finance this project without jeopardizing the jurisdictions in the region. Staff has agreed to pursue some

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alternatives with other jurisdictions to see if there is a possibility that the allotment of units might be transferred to Gresham from other jurisdictions to supplement the requested units above the 91 approved by the Council. It was also pointed out that the city of Gresham is reconsidering participation in the AHOP, since this would help the City to be eligible for allocation of bonus funds. Mr. Kent said that at this point the application is not ready for review and therefore there is no action required by the Council.

Chairman Burton asked how signals became crossed. Mr. Kent said there was a mixed communication between the State Housing Authority and the Department of Housing and Urban Development as to the availability of funds to support this request.

Coun. Schedeen thanked the Chairman and the Council for showing concern for a jurisdiction that was in need, and thanked the staff for their work on a project that had reached the Council prematurely. She said this was a fine example of the ability of the Council to assist jurisdictions and that the staff had worked hard to support the City interest in this project.

Mr. Jim Keller of the city of Gresham said that Mayor Myers was writing a letter to the Housing Committee of the city of Gresham requesting that it reconvene so that it could be explained in detail exactly what participation in the AHOP could mean to the City of Gresham. Mr. Keller said that Mayor Myers would suggest that the Committee recommend to the City Council of Gresham that it request membership in the AHOP.

Coun. Peterson left the meeting.

7.1 Resolution No. 79-75, Establishing Classification and Compensation Plan for the MSD and Providing Cost of Living Adjustment for Fiscal Year 1980.

Coun. Kirkpatrick moved, seconded by Coun. Kafoury, that the Council adopt Resolution 79-75.

Coun. Kirkpatrick said the Ways and Means Committee had reviewed the Compensation Plan and had determined from staff that there had been a thorough process to determine whether any changes were required, and to determine what concerns staff might have.

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Mr. Charles Shell said that the Council had two issues before it--the Classification and Compensation Plan, and the Cost of Living increase. Since the merger of MSD and CRAG, the organization had been working under two compensation plans. This study would pull all classifications in the new organization into one cohesive plan.

Mr. Shell explained that the Cost of Living increase proposed was for \$350 + 6%, which would average to 8% overall. He pointed out that the budget implications were spelled out on the second page of the Management Summary. Mr. Shell said that the proposed Cost of Living increase could be absorbed in the present budget.

Coun. Miller noted that the proposals in this report introduced a new term, "anniversary," which had not been defined in the Personnel Rules. In checking with the General Counsel she found that it was his opinion that the word "aniversary" should be included in the definitions and that he would draft a resolution to amend the Personnel Rules to reflect the new language.

Ms. Vickie Grimes read a statement from the Employees Association Steering Committee. She said that the Association supported the Cost of Living increase, the reference to the temporary employees, the salary plan, and recommended adoption of the Compensation and Classification Plan. She said, however, that there were employees who felt that there should be further study of of the Classification Plan.

Chairman Burton asked for specific concerns, or what the Association suggested should be the subject for review.

Ms. Grimes said that employees felt there needed to be further study of the Plan and that the Council should be aware that there was an employee morale problem.

Coun. Miller asked if she was correct that the concerns impacted two employees. Ms. Grimes said that two employees had been specifically downgraded. She did not know if there were others who were dissatisfied.

Coun. Banzer said she had some concerns. She said that she had been told that there would be an impact on the Contingency Fund and that there would be only \$17,400 left in the contingency. She said that it had been mentioned at the retreat that employee morale was very low and she

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felt that the concerns regarding the Plan were contributing some to that low morale. Coun. Banzer said she had serious concerns toward the equitable and fair treatment of women and that these concerns needed to be addressed.

There was discussion by the Council of the reclassification of positions and questions concerning when another reclassification could occur.

Mr. Kent explained that there is a charge that the Council call for yearly evaluation of the Plan. Chairman Burton asked what the impact would be if the Council sent the Plan back for further study. Coun. Kirkpatrick said it would be necessary for the Plan to be returned to the Ways and Means Committee. In that case the Committee would need direction as to what they were expected to do. She said that if the Committee tampered with one section it would throw the entire Plan out of focus.

The Executive Officer explained that there were two aspects to the problem of morale, one of which was the morale question discussed at the retreat. He appreciated the concern that Council had shown. However, the Council was aware there had already been two personnel studies and that it had been proposed that these be merged into one after January 1. What had been accomplished was that there was now a complete single Plan for the whole organization. If the Council was concerned what it could do for staff morale, this study should be approved now with the understanding that all MSD positions would be reviewed on a regular basis. Council concerns about the Plan could not be resolved fairly and objectively at this time.

Chairman Burton was willing to accept this argument and called for the question on the motion.

All Councilors present voted aye, except Coun. Banzer who voted nay. The motion carried.

7.2 Primate House Construction: Coun. Banzer asked Mr. Iliff to explain the matter of the bid award.

Mr. Iliff explained that after many months of intensive work, documents for the primate project were completed and the project was advertised for bids. On August 21 the bids were opened. A single bid was received on the primate project which was for \$2,045,000. The original amount budgeted for the project was \$1,500,000. Because this bid is in excess of the budget and because it is

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desirable to have two or more responses, staff recommended that the bid be rejected and staff be instructed to seek alternative means of pursuing the project.

Council discussed the matter of insufficient bids being received and the estimated excess cost of the bid. Coun. Miller said that she had found that often companies failed to bid because there was not sufficient lead time in developing the bid. Mr. Iliff said that there had been a reasonable time, but that he would find out if that had been a problem, and if necessary, staff could rectify that problem.

Coun. Rhodes moved, seconded by Coun. Miller, to reject the bid for the primate house. All Councilors present voting aye, the motion carried unanimously.

7.3 Resolution No. 79-76, Authorizing Execution of Agreement with Friends of Washington Park Zoo.

Coun. Banzer moved, seconded by Coun. Miller, that Resolution No. 79-76 be adopted.

Coun. Banzer said that the Zoo Committee had studied the agreement with Friends of the Zoo and recommended its adoption.

The vote was called on the motion. All Councilors present voting aye, the motion carried unanimously.

7.4 Resolution No. 79-77, Amending Interim Transportation Plan (ITP) and Functional Classification Plan.

Mr. Bill Ockert commented that there had been a typographical error in the Attachment to the Resolution. The recommended classification in the first item (Division Street) should be changed from "minor arterial" to "collector street."

Coun. Kafoury moved, seconded by Coun. Schedeen, that Resolution No. 79-77 be adopted. All Councilors present voting aye, the motion carried unanimously.

7.5 Resolution No. 79-78, Amending Fiscal Year 1980 Unified Work Program (UWP).

Mr. Ockert said that JPACT had recommended changes in funding sources for the Development Plan to allow Clark County to develop a short-range Transit Development

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Program. Amendment of the UWP will allow efforts to specifically address short-range transit planning concerns.

Coun. Miller moved, seconded by Coun. Schedeen, that Resolution No. 79-78 be adopted. All Councilors present voting aye, the motion carried unanimously.

7.6 Resolution No. 79-79, Amending Transportation Improvement Program (TIP) to Increase Funding Authorizations for Two Projects.

Coun. Kafoury moved, seconded by Coun. Schedeen, that Resolution No. 79-79 be adopted.

Coun. Rhodes said she felt strongly that the Transportation Committee needs to find another way to handle these cost increases rather than a first-come first-served approach. She felt that other policy options need to be evaluated.

Coun. Kafoury agreed, and said she had a problem making funding decisions on projects that might take money away from other projects.

Mr. Ockert said the Committee had discussed these two projects as well as a number of other projects experiencing cost increases. He explained that their rationale was that the two projects were well along and ready to go to bid. Therefore, it would be difficult to scale them down or re-evaluate them.

Coun. Burton felt that there should be some Committee discussion of the whole categorization process. Mr. Ockert said that JPACT had discussed this process and intended to follow up on the Council suggestions.

A vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.7 Resolution No. 79-80, Adopting 1980 to 1983 Transportation Improvement Program (TIP) and FY 1980 Element.

Coun. Rhodes moved, seconded by Coun. Kafoury, that Resolution No. 79-80 be adopted.

Mr. Ockert explained the purpose of the TIP and described how the plan would be implemented. He explained that an Air Quality Consistency Statement accompanied the TIP document which will be adopted in conjunction with the TIP.

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

- 7.8 Resolution No. 79-81, Requesting Designation of MSD as Metropolitan Planning Organization (MPO) For Transportation Planning, A-95 Clearinghouse, Air Quality Planning Lead Agency, "701" Planning Organization, "208" Planning Agency, and Law Enforcement Assistance Administration Planning Agency.

Coun. Miller moved, seconded by Coun. Schedeen, that Resolution No. 79-81 be adopted.

All Councilors present voting aye, the motion carried unanimously.

- 7.9 Resolution No. 79-82, Allowing Predominantly Grant Funded Positions To Be Filled As Exceptions To Freeze on Vacant Positions.

Chairman Burton said that he had been concerned that it was necessary to continually request exceptions to the hiring freeze. Some of the positions requesting an exception were 100% federally funded positions with no local match required. He felt that if there was no more than \$1,000 per year of required agency funds, the position could be exempted from the hiring freeze and filled without further Council approval. Chairman Burton introduced a resolution to this effect.

Coun. Stuhr moved, seconded by Coun. Kafoury, that Resolution No. 79-82, Allowing Predominantly Grant Funded Positions to be Filled as Exceptions to Hiring Freeze, be adopted.

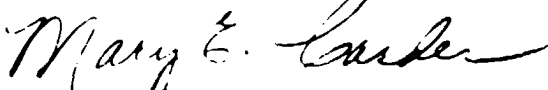
All Councilors present voting aye, the motion carried unanimously.

8. ANNOUNCEMENTS

There were no announcements to be made at this time.

ADJOURNMENT

Respectfully submitted,



Mary Carver
Clerk of the Council

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