

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

September 13, 1979

Councilors in Attendance

Chairman Michael Burton
Vice Chairman Donna Stuhr
Coun. Charles Williamson
Coun. Corky Kirkpatrick
Coun. Jane Rhodes
Coun. Betty Schedeen
Coun. Caroline Miller
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Marge Kafoury
Coun. Jack Deines

Councilors Not In Attendance

Coun. Craig Berkman

Staff In Attendance

Executive Officer Rick Gustafson
Mr. James Sitzman
Ms. Judy Bieberle
Mr. McKay Rich
Ms. Peg Henwood
Ms. Michele Wilder
Mr. John Gregory
Mr. Charles Shell
Mr. Jack Bails
Mr. Mel Huie
Ms. Mary Carder
Mr. Merle Irvine

Others In Attendance

Mr. R. W. Blunt, Jr.
Ms. Mary Elizabeth Blunt
Ms. Robin Lipps
Ms. Betty J. Whitehead
Mr. Bob Weil
Mr. James Wayland
Mr. Walter V. Stronach
Ms. Linda Simard
Mr. Rune Simard
Mr. Ron Dechter
Ms. Diane Dempster
Mr. Jack Miller
Mr. Mark Clemens
Mr. Bert Moss
Ms. Linda Macpherson
Mr. Ray Steinfeld

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CALL TO ORDER

After declaration of a quorum, the September 13, 1979, meeting of the Council of the Metropolitan Service District (Metro) was called to order by Presiding Officer Michael Burton at 7:30 p.m. in the Council Chamber, 527 S. W. Hall, Portland, Oregon.

1. INTRODUCTIONS

There were no introductions.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

Chairman Burton commented that he had received a communication from the Regional Planning Council of Clark County (RPC). He said that there have been discussions concerning the possibility of formation of a Bi-State Symposium to be sponsored by Metro and RPC. Chairman Burton said he would have further information for the Council on the Bi-State Symposium at a later date.

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

Chairman Burton said that Mr. Jim Allison, President, Washington County Landowner's Association, had asked to be heard at this time on the agenda.

Mr. Jim Allison circulated a letter to Council which he asked be read into the record. Mr. Allison said that the Metro Council, by its action of August 23, had advised Washington County that, if it did not voluntarily impose a 10 acre lot size restriction within the UGB by July 1, 1980, Metro would use the authority granted it to enforce that policy, or one that is equally strong. Mr. Allison said that his association did not question the legal authority of Metro to enforce regional goals, but he stated that Metro was required by LCDC Goal #1 to make use of existing local citizen involvement programs established by counties and cities. Mr. Allison said he believed that Metro had violated Goal #1 by its action of August 23, and he advised the Council that a formal appeal of that action would be filed with LCDC as soon as necessary legal documents could be prepared.

There were no other citizens who wished to communicate to

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the Council at this time.

4. CONSENT AGENDA

4.1 Minutes of the meeting of August 9, 1979.

4.2 A-95 Review directly related to Metro.

4.3 Contracts.

Chairman Burton asked that item 4.1, Minutes, be taken separately on the Consent Agenda.

Coun. Peterson said he had an item pertaining to the minutes that he felt needed correction. He noted that on page 6, the third paragraph, should read "existing community hospitals near their homes," rather than "at their homes."

Coun. Banzer asked to make a change on page 3. She said that Mr. Ettinger had now determined that there are 1,700 empty beds available in the average day in our community, rather than the 674 that were previously thought to be available.

Coun. Kafoury moved, seconded by Coun. Schedeen, that item 4.1 be approved, as amended.

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

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that items 4.2 and 4.3 of the Consent Agenda be approved.

All Councilors present voting aye, the motion carried unanimously.

5. REPORTS

5.1 Report from Executive Officer

The Executive Officer reported on action taken by the LCDC at its meeting of September 7, involving the Metro Urban Growth Boundary. Mr. Gustafson said that the LCDC had voted in support of acceptance, but had issued a Continuation Order for 90 days which required that Metro reformat the information submitted to further justify the market factor. The Executive Officer said that Metro staff had felt that local

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governments would not have time for citizens to review the conversion policies before the expiration of the 90-day period. It would take until July of 1980 for full citizen participation in adoption of the conversion policies. LCDC agreed with that position and said that the Metro commitment to enforcement of the guidelines was sufficient to proceed to acceptance. Justification will take additional work by staff; therefore, the Executive Officer asked that the Council accept the recommendation of LCDC, instruct staff to develop the information requested by LCDC, hold public hearings and resubmit the Metro findings to the Commission for acceptance within that 90-day period.

Coun. Kafoury moved, seconded by Coun. Schedeen, that the Council accept the report from LCDC and instruct staff to undertake the process outlined by LCDC within the 90-day period allotted for this process.

Coun. Rhodes asked if the Council had any choice.

The Executive Officer explained the action that had taken place at the LCDC proceeding and said that three different proposals were set forth in the same report. It had been difficult for staff to figure out which was the recommendation. The Executive Officer said the Council did have the choice of saying it would not submit this report within that time period. However, LCDC had made it very clear that they have made a commitment to accept the UGB if Metro follows the process they have outlined.

Chairman Burton said he felt that LCDC was primarily asking for further findings.

The Executive Officer explained the commitment to reconversion policies and said that hearings would be conducted within the next 60 days which would clarify the Metro findings. Metro's commitment was very strong in favor of allowing local jurisdiction review of these policies.

Council discussed the LCDC recommendations and the affect LCDC requirements will have on staff work programs.

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

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The Executive Officer reported that the Environmental Protection Agency had approved the Metro Urban Policy grant.

5.2 Council Committee Reports

Zoo Committee: Coun. Banzer said that the Zoo would have a series of public hearings starting in October. She circulated copies of locations where these hearings would be held and asked that Councilors attend the hearings scheduled in their districts.

Public Facilities Committee: Coun. Deines said that Councilors had received a copy of the minutes of the past meeting of the Solid Waste/Public Facilities Committee. The Committee is continuing to work on landfill siting. Coun. Deines pointed out that discussion of a recycling drop center was scheduled later on the agenda. The next meeting of the Solid Waste/Public Facilities Committee will be Tuesday, September 18, and Coun. Deines asked interested persons to attend.

JPACT Committee: Coun. Williamson said that JPACT had just met the morning of the Council meeting. He reported that most of the items discussed at the JPACT meeting would be before the Council at its next meeting. Coun. Williamson reported that five persons have been selected for appointment to TPAC and names of those appointees will be before the Council for approval.

Planning and Development Committee: Coun. Kafoury said that at the last meeting of the Planning and Development Committee, discussion had centered around a special agreement with Tri-Met for the purpose of allowing Tri-Met to review local comprehensive plans for their transit impacts. The Committee approved the concept of the agreement which will go back to Tri-Met and subsequently will come before the Metro Council for approval. The Planning and Development Committee studied the goals and objectives program proposed for adoption and will make a recommendation to the full Council at its next meeting. The Planning and Development Committee reviewed the Multnomah County Plan which is before Metro staff for review. This will also come before the Council for action at the next Council meeting.

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Ways and Means Committee: Coun. Kirkpatrick said the Ways and Means Committee will meet Tuesday, September 18 at 5:00 p.m. At that time they will discuss rules to permit Metro to become its own contract review board. The Committee will also discuss the framework for the first Finance Task Force meeting. The budget for FY 1981 and the finance report arrangement will be reviewed to determine the kinds of information to be included in the first quarterly report.

Coun. Peterson asked for a report on the Local Officials Advisory Committee. Chairman Burton said there was a full report in the agenda and if there were any questions he would be glad to answer them.

Coun. Stuhr reported regarding Citizen Involvement that she had just received a great deal of information from staff and that she would be making monthly reports in the future.

6. NEW BUSINESS

6.1 Resolution No. 79-84, Approving a Charge to the Finance Task Force and Appointing Members to the Task Force.

Coun. Kirkpatrick moved, seconded by Coun. Williamson, that Resolution No. 79-84 be adopted.

Coun. Kirkpatrick said that the Ways and Means Committee had looked carefully at the balance of membership on the Finance Task Force and the Charge to that Task Force. The Committee believed that the Task Force needed to be told what was expected of them. Coun. Kirkpatrick felt the work program had been very fully set forth in the Charge.

There being no discussion, the question was called on the motion. All Councilors present voting aye, the motion carried unanimously.

Chairman Burton named those persons he was proposing for appointment to the Task Force. They were as follows:

Mr. Frank Roberts
Mr. Roy Rogers
Mayor Alan Brickley
Ms. Joan Smith
Representative Glen Otto

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Mr. Mike Ragsdale
Commissioner Earl Blumenauer
Mr. Chuck Williams

Chairman Burton said that he would have additional names of persons to be included on the Task Force at a later date.

Coun. Peterson moved, seconded by Coun. Schedeen, that the appointments recommended by the Chairman be approved. All Councilors present voting aye, the motion carried unanimously.

6.2 Resolution No. 79-85, Supporting Recycling By Providing Recycling Drop/Receiving Centers and Amending the Solid Waste Management Plan.

Coun. Schedeen moved, seconded by Coun. Stuhr, that Resolution No. 79-85 be adopted.

Coun. Deines reported that the Solid Waste/Public Facilities Committee had received letters in support of the recycling center from the City of Portland Department of Public Works, State of Oregon Department of Environmental Quality, the Portland Recycling Team, City of Oregon City, Teamsters and Chauffeurs Local No. 281, City of Beaverton, Oregon Recyclers, City of Portland Neighborhood Environment Coordinator, and Beaverton School District No. 48.

Coun. Kafoury said she strongly supported this effort. She asked for a comparison between the drop centers located in the region and the service performed by Clodburst and Sunflower Recycling Centers.

Mr. Irvine said that the drop centers will receive material that is source separated. What the Committee envisions is a system where areas that do not have collection of source separated waste would be provided a convenient facility for the homeowners to deposit their separated waste. Through studies it has been ascertained that the public does want to recycle and to clean up the environment. Mr. Irvine said that the solid waste management plan outlines the goal of waste reduction through implementation of resource recovery, source separation and recycling. The impact of waste reduction is significant, since it will result in extended landfill site life, increased collection efficiency and energy conservation. Staff has prepared an analysis of the

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necessity for an organized districtwide recycling program called the Recycling Drop/Receiving Centers Proposal.

Mr. Irvine outlined the phases which would lead toward accomplishment of the recycling plan. He reported that Council acceptance of the policy would impact the Metro budget approximately \$28,350 to \$54,900 per year for two trial recycling drop/receiving centers. He said that funds are currently available in the solid waste budget.

Mr. Irvine said that the Solid Waste/Public Facilities Council Committee and staff recommend that the Metro Council adopt a policy to promote recycling receiving services by offering financial and managerial support to recycling drop/receiving centers; amend the Metro Solid Waste Management Plan to provide for recycling drop/receiving centers; approve the implementation strategy of initially providing on a trial basis two full line recycling drop/receiving centers in Beaverton and the southeast Portland areas. After one year the data and experience obtained from operation of these centers will be reviewed and evaluated and a recommendation made regarding future efforts by Metro.

Councilors questioned Mr. Irvine about the effect of this proposal on home pickups and on the private recovery center operations.

Coun. Deines explained that there was a distinct need in the southeast Portland area and that through this one year trial the Committee could evaluate the success of the plan. The costs are known, but the revenue side of the picture is at this time very nebulous.

Mr. Irvine continued that after the Committee has gone through the RPC process, a contract will be returned to the Committee and forwarded to the Council for approval.

Coun. Kirkpatrick noticed in the letter from the Beaverton School District that they had requested an ongoing evaluation. Coun. Kirkpatrick said that seemed a logical request and she assumed that it was something that would be happening in any case.

Coun. Deines said that a confirmation would be made

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of how the center progresses through the year; however, it would be necessary to find out, through the public education process, if increased usage would occur over the span of a year. To accomplish this, monthly progress checks would be required.

Coun. Miller said it appeared that there was a desire on the part of the students and teachers of the Beaverton School District to become a part of this effort and she asked that they be encouraged to dovetail their efforts with those of the Committee. Coun. Deines said that Mr. Moss of the Beaverton School District had attended Committee meetings and would have a school project in connection with this effort.

There being no further discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried unanimously.

6.3 Resolution No. 79-86, Appropriating Returned Law Enforcement Assistance Administration Funds to Oregon City.

Through the Agenda Management Summary the Council was advised that in February, 1979, the Oregon City Police Department had applied for a federal grant through the Oregon Department of Traffic Safety. It was later learned that the Region X Federal Office in Seattle would require a commitment of LEAA funds before funding this requested program.

Councilors questioned Mr. Bails about the "911" Emergency Telephone System. Coun. Rhodes said that Multnomah County and the City of Portland had approved resolutions to work toward installation of the "911" system in the coming year.

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

8. Announcements

There were no announcements.

Mr. Jim Allison requested permission to speak. He said that, in view of oral statements made by the Council concerning the LCDC requirements, he wished to advise the legal counsel of Metro that action of his committee would be based on legal documents and not on oral statements of intent made by the

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Council. He heard the Council saying one thing, but their legal advice said another. If the Council wished to change its resolution in line with what it was saying orally, then it was entirely possible that Council would not be required to expend money for legal expenses; however, his committee was relying on what the document said.

Mr. Gustafson said that the Metro Legal Counsel was ill. He hoped Metro could provide a written analysis with a clear delineation of any legal difficulties that might be expressed.

Coun. Williamson said that many times a public hearing could be held to let the public give input and see if there was anything that could be changed. If there was a legal question it might save a great deal of time and expense to follow this course.

ADJOURNMENT

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

On motion of Coun. Kirkpatrick, seconded by Coun. Schedeen, the meeting was reconvened to consider an item that had been overlooked at the meeting. The motion carried.

Couns. Banzer and Rhodes had already left the meeting.

Mr. Gustafson explained that an item entitled: "Exception to Hiring Freeze" had been presented to the Council as an additional item to the agenda. He reminded the Council that it had adopted a resolution to fill a vacancy for a Planner III to work half time on plan review. That position was filled in-house by a member of the current Plan Review staff. This in turn created a vacancy for a regional Planner II. A full Plan Review staff is required to handle the anticipated schedule of approximately 14 plans requiring review. Mr. Gustafson said that, assuming the position of Planner II will be filled for two months, the expenditure including benefits would be \$3,427 from the Planning Fund. This position is in a critical area and approval will not set an inappropriate precedent for future exemptions.

Coun. Kafoury moved, seconded by Coun. Kirkpatrick, to approve the request of the Executive Officer to fill the vacancy of Regional Planner II, Plan Review.

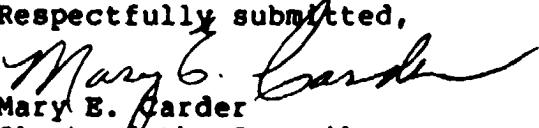
Coun. Miller asked whether there was a question of emergency. The Executive Officer said there were several plans to be reviewed in the near future and to accomplish this it was necessary to fill the position.

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

The meeting was adjourned.

Respectfully submitted,


Mary E. Gardner
Clerk of the Council

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