

**MINUTES OF THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT**

**March 27, 1980**

**Councilors In Attendance**

**Presiding Officer Marge Kafoury  
Vice Presiding Officer Jack Deines  
Coun. Mike Burton  
Coun. Donna Stuhr  
Coun. Charles Williamson  
Coun. Craig Berkman  
Coun. Corky Kirkpatrick  
Coun. Jane Rhodes  
Coun. Betty Schedeem  
Coun. Ernie Bonner  
Coun. Cindy Banzer  
Coun. Gene Peterson**

**Others In Attendance**

**Ms. Beth Blunt  
Mr. R. W. Blunt, Jr.  
Ms. Laurel Wentworth  
Mr. Rick Daniels  
Mr. G. B. Arrington  
Mr. Paul Bay**

**In Attendance**

**Executive Officer Rick Gustafson**

**Staff In Attendance**

**Mr. Denton U. Kent  
Mr. Andrew Jordan  
Mr. James Sitzman  
Mr. C. William Ockert  
Ms. Sue Klobertanz  
Mr. Tom O'Connor  
Mr. Charles Shell  
Ms. Marilyn Holstrom  
Ms. Linda Brentano  
Ms. Peg Henwood  
Ms. Mary Carder**

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**CALL TO ORDER**

After declaration of a quorum, the February 28, 1980, meeting of the Council of the Metropolitan Service District (Metro) was called to order by Presiding Officer Marge Kafoury at 7:30 p.m. in the Council Chamber, 527 S. W. Hall Street, Portland, Oregon 97201.

**1. INTRODUCTIONS**

There were no introductions at this meeting.

**2. WRITTEN COMMUNICATIONS TO THE COUNCIL**

There were no written communications to be read at this meeting.

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

There were no citizens present who wished to speak at this time.

**4. CONSENT AGENDA**

**4.1 A-95 Review directly related to Metro.**

**4.2 Minutes of the meeting of February 28 and March 11, 1980.**

Coun. Deines moved, seconded by Coun. Burton, that the items on the Consent Agenda be approved.

Coun. Rhodes asked to make a correction in the item pertaining to the Veterans Administration Hospital. She said that on page 4, paragraph 6, Mr. Oulman spoke in opposition to "Metro becoming involved in litigation concerning" the proposed VA Hospital. Coun. Williamson said that he, Coun. Kafoury and Coun. Bonner had voted against the main motion and that this should be made a part of the record.

Coun. Kirkpatrick questioned whether the meeting of March 11 was an adjourned meeting or a continued meeting. The Clerk of the Council said that she had been advised by the Legal Counsel that the term should be "adjourned meeting."

All Councilors present voting aye, the motion carried.

**5. REPORTS**

**5.1 Report from Executive Officer**

Executive Officer commented regarding "The Next Five Years" Survey that 317 surveys had been received and that

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this was considered a very good response. He outlined the results ascertained from compiling the responses to the survey.

The Executive Officer brought the Council up-to-date regarding pending legal actions.

**5.2 Council Committee Reports**

Regional Services Committee: Coun. Rhodes said that at the meeting of the Regional Services Committee discussion centered around the recommendation to postpone a decision on the recycling center which had been proposed for a SE Portland location. Staff will investigate and make recommendations concerning a change in the site and will be back at the April 8 meeting with those recommendations.

Regarding Johnson Creek the Committee had discussed and approved the boundary.

The budget for Solid Waste was reviewed, as well as the budget and programs for the Zoo.

Regional Planning Committee: Coun. Stuhr reported that the Regional Planning Committee focused discussion on budget items. Coun. Stuhr expressed concern that many of the members of the Committee had left before adjournment and stated that perhaps the meetings should be started earlier or shortened.

Coun. Stuhr called attention to an item not related to the Planning Committee that she had previously circulated to Councilors concerning a conference relating to State Parks. She asked that the Budget Task Force consider this matter as a budget item.

Council Coordinating Committee: Coun. Deines said the Coordinating Committee had met March 17. Actions taken there were in regard to recommendations for the position of Project Manager. Other items considered and recommended by the Committee had been included in the agenda for action at this meeting. The Coordinating Committee also discussed the budgets of Management Services, Local Government, Public Information and Criminal Justice. Coun. Deines said a summary of the meeting had been included in the agenda packet. He urged all Councilors to read it.

JPACT Committee: Coun. Williamson said that all items considered by JPACT were on the agenda for this meeting.

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He mentioned to the Council that he was attending a conference with transportation officials on regional funding issues. He said he would report to the Council on that conference.

**Budget Task Force:** Coun. Deines said the Budget Task Force had met three times in the last week and a half. One more meeting of that Task Force has been scheduled. He requested that Councilors who were interested attend that meeting.

The Executive Officer commented that Rossman's Landfill in Oregon City had attracted attention of the neighborhood. The DEQ forwarded a letter to the County Commissioners indicating that some actions should be taken with regard to that landfill.

Regarding the status of the St. Johns Landfill Metro and the City of Portland have agreed on a contract. Staff will be meeting to finalize arrangements. August 1 is the date for Metro to assume responsibility for the landfill, with responsibility for the gate being assumed October 1.

**5.3 A-94 Review Report**

There was no action necessary and none taken on this matter.

**6. NEW BUSINESS**

**6.1 Ordinance No. 80-87, Relating to Times for Regular Council Meetings and Order of Agendas and Amending Ordinance No. 79-65 (First Reading).**

Coun. Stuhr moved, seconded by Coun. Kirkpatrick, that Ordinance No. 80-87 be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 80-87 the first time by title only.

The public hearing was opened on this matter. There being no one present who wished to testify, the public hearing was closed.

Councilors entered into discussion about whether or not days of regular meetings could be set by resolution or whether this required an ordinance. Legal Counsel said that the statute only requires that Metro have regular Council meetings, not that they be set by ordinance.

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Presiding Officer Kafoury explained the ordinance and called attention to the fact that the ordinance also provided for setting the order of the agenda by resolution, rather than having this set forth in the rules of procedure.

Councilors further discussed the ordinance and whether or not setting these meetings by resolution would suit their needs.

Coun. Williamson moved, seconded by Coun. Burton, that Section 3 be amended to restore the deleted language, delete the underlined language and delete the word "second" on the first line, inserting the word "first" in place of the word "second." This would achieve having the regular meetings on the first and fourth Thursday and would still allow some certainty as to when the Council meetings would be held.

Councilors discussed the implications of Coun. Williamson's motion.

Coun. Bonner suggested that only the fourth Thursday be designated as a day for a regular Council meeting. If the Council wished to establish additional meetings by resolution that would be alright.

Roll call vote. Couns. Rhodes, Bonner, Peterson, Burton, Williamson, Berkman voted aye. Couns. Schedeen, Banzer, Kafoury, Stuhr, Kirkpatrick, Deines voted nay. The motion failed.

Coun. Bonner moved, seconded by Coun. Berkman, that the Council meet regularly on the fourth Thursday of each month at a time designated by the Presiding Officer. The section would then continue as printed, following the words "Presiding Officer."

Mr. Jordan said the problem with setting only one regular meeting was that ordinances must be read at a regular meeting. If the Council intended to have one regular meeting set by ordinance and then set one or two others by resolution that would probably do the job.

Coun. Bonner added to his motion that additional regular meetings may be set by resolution.

Coun. Banzer asked to add a friendly amendment that the ordinance read the second and fourth Thursday. Coun. Bonner refused to accept this amendment, saying that it

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would not accomplish what he wished.

Coun. Kirkpatrick suggested that a time for the meeting should be established, as well as the date.

Coun. Berkman asked if Coun. Bonner would accept a friendly amendment to say that instead of being set by the Chair the meeting should be set at 7:30 p.m. on the fourth Thursday. Coun. Bonner said he would accept that. There was Council discussion of the implications of these amendments.

Roll call vote on the amended amendment to the ordinance. Couns. Berkman, Schedeen and Bonner voted aye. Couns. Kafoury, Burton, Stuhr, Williamson, Kirkpatrick, Deines, Rhodes, Banzer, Peterson voted nay. The motion failed.

Coun. Berkman moved, seconded by Coun. Deines, that the ordinance be tabled.

Roll call vote. Couns. Deines, Banzer, Peterson, Burton, Williamson, Berkman voted aye. Couns. Kirkpatrick, Rhodes, Schedeen, Bonner, Kafoury, Stuhr voted nay. The motion failed.

The second reading of this ordinance will be at the meeting of April 10.

6.2 Resolution No. 80-135, Approving a Project Manager Classification and Authorizing Establishment of Two Positions in that Classification.

Presiding Officer Kafoury explained that this matter had been referred to the Council Coordinating Committee. The Committee had discussed the issue and its recommendation is before the Council in the form of Resolution No. 80-135.

Coun. Rhodes moved, seconded by Coun. Stuhr, that Resolution No. 80-135 be adopted.

Coun. Rhodes questioned whether approval of these positions would mandate their being filled. Mr. Kent said that was correct.

Question called on the motion. Couns. Stuhr, Williamson, Deines, Rhodes, Schedeen, Bonner, Banzer, Peterson, Kafoury voted aye. Couns. Burton, Berkman and Kirkpatrick voted nay. The motion carried.

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6.3 Resolution No. 80-136, Approving and Authorizing Positions of Operations Manager and Operations Assistant in Solid Waste Division.

Coun. Deines asked if salary ranges had been discussed at the Committee meeting. Coun. Rhodes said she had questioned this matter and related these two positions to others.

Question called on the motion. Couns. Burton, Stuhr, Williamson, Berkman, Kirkpatrick, Rhodes, Schedeen, Bonner, Banzer, Peterson and Kafoury voted aye. Coun. Deines vote nay. The motion carried.

6.4 Resolution No. 80-137, Amending the Unified Work Program to Include the Banfield Light Rail Transit Station Area Planning Program.

Coun. Williamson moved, seconded by Coun. Bonner, to adopt Resolution No. 80-137.

Coun. Williamson said this study would involve efforts by local governments affected by the Banfield project to plan land uses in station locations. Funds are provided to support planning for detailed land uses in the various station influence areas. JPACT has forwarded it to the Council with a recommendation for adoption.

Coun. Peterson reminded the Council that he had asked Tri-Met to work with community groups. He said they are doing just that.

The Executive Officer said it was also important to note the cooperation that Tri-Met has given in connection with land use decisions. Because of the necessity to consider land matters, Tri-Met had decided that it would be appropriate that Metro play a more significant role in the program. Therefore, Metro would accept more responsibility. Tri-Met has supported the project and has loaned a Tri-Met Coordinator to work with Metro staff.

Mr. Sitzman called attention to an error in the fourth "WHEREAS" of the Resolution. In the fourth line the word "project" should be changed to read "funds."

Mr. Kent said that a letter of agreement had been promised from Tri-Met which would permit Tri-Met to provide local match and that the application would not formally be filed until that letter has been received.

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

A short break was taken.

Coun. Berkman left the meeting.

6.5 Resolution No. 80-138, Authorizing Federal Funds for Oregon Department of Transportation - St. Helens Road, West City Limits to NW Kittridge.

Coun. Williamson moved, seconded by Coun. Bonner, to adopt Resolution No. 80-138. Coun. Williamson explained that the U. S. Department of Transportation had concurred with the withdrawal of the I-505 Freeway; therefore, \$13 million previously reserved to implement a number of projects in NW Portland can now be authorized. The projects are to both compliment the I-505 Alternative and address transportation deficiencies in the NW area. The proposed project will use a portion of these Reserve funds for widening and improving St. Helens Road from NW Kittridge to the west city limits. TPAC and JPACT have reviewed and approved the funding authorization. The Council Regional Planning Committee reviewed the project and raised no objections to the project.

Councilors discussed the impact of the project on the neighborhood and the implications on land uses in the area.

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

6.6 Resolution No. 80-139, Approving Westside Corridor Project Phase II Alternatives Analysis/DEIS Work Program.

Coun. Williamson moved, seconded by Coun. Bonner, that Resolution No. 80-139 be adopted.

Coun. Williamson explained that adoption of this Resolution would allow the Westside Corridor project to proceed on its accelerated schedule. He said that JPACT and TPAC had reviewed and approved amending the UWP to facilitate the project. The Council Regional Planning Committee had reviewed the project and raised no objections.

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



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6.7 Resolution No. 80-140, Distributing Federal Safer-Off-System Road Funds.

Coun. Williamson moved, seconded by Coun. Schedeen, that Resolution No. 80-140 be adopted.

Coun. Williamson explained that additional Safer-Off-System funds are available for projects within this region. These funds may be used to supplement existing but incompleated projects or to support new projects. There is a deadline for the funds to be used which would preclude developing new projects.

Coun. Williamson continued that TPAC and JPACT had reviewed and approved the projects and that the Council Regional Planning Committee had reviewed the projects and raised no objections.

Councilors discussed the project and how and why the funds were being allocated as they were.

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

6.8 Resolution No. 80-141, Authorizing FAU and Portland Reserve Funding for I-5 North Rideshare Program.

Coun. Williamson moved, seconded by Coun. Stuhr, that Resolution No. 80-141 be adopted.

Coun. Williamson explained the need for a Rideshare Program focusing on the I-5 North Corridor. He said that Tri-Met had been identified as the most appropriate agency to implement the program; however, the authorization of funds for the Rideshare program this year is inadequate for conducting the proposed scope of work. It had been decided that the preferred funding alternative would involve early use of FAU replacement funds previously reserved for the overall Rideshare Program for use in FY 1986. Local matching funds would be provided by the State of Washington Department of Transportation.

Councilors discussed the impacts and implications of the project. Coun. Burton asked why the Clark County and Vancouver share in the cost of this program was being provided in the local matching funds. He felt that they would be receiving the most benefit from this program. Mr. Ockert explained that the state of Washington had no more federal funds. Matching funds were the hardest to obtain and that the state of Washington was therefor

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putting up the matching funds.

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

6.9 Ordinance No. 80-88, Relating to Metro Zoo Serial Levies and Amending Ordinance No. 80-86 and Declaring an Emergency.

Mr. Kent explained that Metro had received a letter from the TSCC recommending that a change be made in the Ordinance that was submitted on the Zoo Serial Levy to declare that it would be effective July 1, 1981, rather than mid-1981. Passage of this Ordinance would not affect the ballot title.

Coun. Peterson moved, seconded by Coun. Deines, that Ordinance No. 80-88 be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 80-88, an emergency ordinance, by title only.

A public hearing was opened on the Ordinance. There being no one present who wished to speak, the public hearing was closed.

Coun. Burton said he was uncomfortable about passage of the emergency ordinance. There had not been notice given 24-hours in advance. He did say, however, that because of the nature of the amendment, he would vote aye.

Roll call vote. Couns. Burton, Stuhr, Williamson, Kirkpatrick, Deines, Rhodes, Schedeen, Bonner, Banzer, Peterson, Kafoury voted aye. Coun. Berkman was absent. The motion carried unanimously.

**ANNOUNCEMENTS**

The Presiding Officer called attention to the NARC Conference to be held in San Diego in May. She said the issue of a voting delegate had been called to her attention and that she wished to appoint Coun. Kirkpatrick as representative of Metro to the NARC District meeting. Without objection, she appointed Coun. Kirkpatrick as the designee of Metro.

The Presiding Officer said she had received a request by the Northwest Oregon Health Systems (NOHS) agency to appoint a replacement for Dr. David McBride, who had represented Metro the past year

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on the Board of Directors. She asked for some indication from members of the Council who would be interested in serving on behalf of Metro.

Coun. Williamson said that this post had been discussed a year ago. He said that the assignment would be extremely time consuming and he felt that it would probably be well to try to find an interested citizen who would be willing to serve in this capacity.

Coun. Burton asked if the NOHS still reviewed A-95 matters. Mr. Kent affirmed that they were still involved in the A-95 Reviews.

Coun. Stuhr said that Coun. Schedeen had indicated an interest in serving for Metro. She said that she would be willing to assist in the representation. Presiding Officer Kafoury explained that she would not make an appointment immediately.

Coun. Williamson said that he had been contacted by some citizens concerning the Portland Recycling Center. He asked Mr. Gustafson for a status report.

Mr. Gustafson said that there had been some problems with the SE site and because of questions raised, he chose not to sign the contract. He hoped that these problems could be resolved so that Metro could move forward with the project.

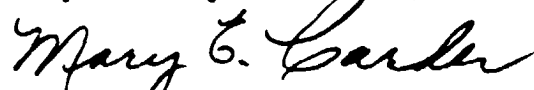
Coun. Kirkpatrick reported that she had represented Metro at the TSCC hearing on the supplemental budget. She had received a letter that the supplemental budget has been certified and she listed some of the recommendations that the TSCC had made.

Coun. Banzer moved, seconded by Coun. Schedeen, to give the Executive Officer a vote of confidence for the action that he had taken on the Portland Recycling Center.

Coun. Stuhr moved, seconded by Coun. Williamson, to table the motion. The motion carried.

There being no further business the meeting was adjourned.

Respectfully submitted,



Mary Casder  
Clerk of the Council

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