

**MINUTES OF THE COUNCIL
METROPOLITAN SERVICE DISTRICT**

June 26, 1980

Councilors in Attendance

Presiding Officer Marge Kafoury
Coun. Stuhr
Coun. Williamson
Coun. Deines
Coun. Rhodes
Coun. Schedeen
Coun. Peterson
Coun. Deines
Coun. Burton
Coun. Banzer

Others in Attendance

Mr. Bruce Etlinger
Ms. Cathy Galbraith
Mr. Phil Adamsak
Mr. Philip Thompson
Mr. Paul Bay
Mr. Park Woodworth

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Mr. Denton Kent
Mr. Andy Jordan
Ms. Marilyn Holstrom
Mr. Charlie Shell
Mr. Andy Cotugno
Ms. Pat Oldham
Ms. Cynthia Wichmann

242
Metro Council
Minutes of June 26, 1980

After declaration of a quorum, the meeting was called to order by Presiding Officer Kafoury at 2:25 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 COUNCIL

Attention was called to a letter inviting members of the Council to attend the Region X COG Conference to be held at the Inn at Otter Crest July 31-August 3, 1980.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

There were no citizen communications to Council on non-agenda items at this meeting.

4. CONSENT AGENDA

Coun. Peterson moved, seconded by Coun. Rhodes, that the Consent Agenda be approved as presented. Coun. Williamson asked that the minutes of May 22, 1980 be corrected to show that Res. No. 80-153 was moved by Coun. Berkman rather than Coun. Schedeen. A vote was taken on the motion. All Councilors present voting aye, the Consent Agenda was approved as corrected.

5. REPORTS

5.1 Report from Executive Officer

Executive Officer Gustafson announced that participants in the Marshall Fund grant would be leaving the following day and described plans for the trip. He then discussed the status of the landfill site selection, reporting that only the Jeep Trail site was still under consideration. There was some discussion as to how best to respond to inaccurate statements which had recently appeared in the press concerning the site and its selection.

5.2 Committee Reports

Regional Planning Committee: Coun. Stuhr reported on the status of the housing goals and objectives, commenting that difficulties were being encountered because Council had not yet decided whether the document should be treated as an implementing tool or simply a set of guidelines. She announced that the first reading of the ordinance would be on July 10 and that the Planning Committee would hold their final deliberations on the policies on July 14. A regional forum to discuss housing issues with local elected officials would be held on August 26. She then reported that the Committee recommended appointment of Priscilla Senior and Dan Bracken to the AQMA Advisory Committee. Coun. Stuhr moved, seconded by

Metro Council
Minutes of June 26, 1980

Coun. Peterson, that these appointments be confirmed by the Council. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Regional Services Committee: Coun. Rhodes reported that plans for the southeast recycling center were progressing well and that the number of potential sites should be reduced to three or four before the next Services Committee meeting on June 8. She urged all Councilors to attend that meeting, announcing that it would consist of a tour of the St. Johns landfill followed by a dinner meeting.

Coun. Peterson objected to holding the first reading of the ordinance adopting housing goals and policies on July 10 and moved, seconded by Coun. Banzer, that Council not proceed with the scheduled first reading of the ordinance until the Planning Committee could agree on a recommendation.

Discussion centered around Councilors' concerns that changes were still being made in the document, and that the public be given ample opportunity to respond to it. It was pointed out that the second reading of an ordinance did not necessarily have to be held at the meeting following the first reading. It was agreed to hold a special meeting of the Planning Committee on July 7 for the purpose of discussing housing goals and policies. On that basis, Coun. Peterson withdrew his motion.

JPACT: There was no report from JPACT.

Council Coordinating Committee: Coun. Deines announced that everything from the Coordinating Committee was on the agenda.

5.3 A-95 Review Report

There was no A-95 Review Report at this meeting.

6. ORDINANCES

6.2 Ordinance No. 80-95, Relating to the Use of Urbanizable Land and the Conversion of Urbanizable Land to Urban Use Within the Urban Growth Boundary and Prescribing Regulations Therefor (Second Reading)

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-95 for the second time by title only.

Coun. Stuhr expressed satisfaction with the ordinance, based on testimony received at the Planning Committee meeting. She reported that the Committee had agreed to apply the exceptions process to land zoned MA-E, to allow partitioning down to five acres for warehousing and similar uses.

The matter was opened for public testimony.

201
Metro Council
Minutes of June 26, 1980

Mr. Philip Thompson, speaking on behalf of himself and a client, questioned the requirement under Section VII.A that lots must be recorded prior to the effective date in order to qualify for septic tank permits, stating his belief that it did not reflect the intent of the Council. He also objected to the addition of the words "in the long term" to Section V.A.3, complaining that they effectively eliminated the variance procedure. He then addressed the questions of sufficient notice and requirements for citizen involvement.

There being no other persons who wished to testify on this matter, the public hearing was closed.

Coun. Stuhr pointed out that the intent of the Council had been to write an ordinance that would prevent such developments as the Stanley Subdivision from taking place at this time, and explained that the words "in the long term" had been added to prevent a loophole. She added that the ordinance was a temporary measure that could be amended at a later date if it were shown to impose extreme hardship on landowners.

Coun. Williamson, seconded by Coun. Stuhr, moved that the amendments as set forth in the ordinance recommended by the Regional Planning Committee at their meeting on June 9 be adopted.

Following discussion, a vote was taken on the motion. Couns. Williamson, Rhodes, Schedeen, Banzer, Peterson, Burton, Stuhr, and Kafoury voted aye; Coun. Deines voted no. The motion carried.

A vote was then taken on the motion to adopt the ordinance as amended. Voting aye were Couns. Rhodes, Schedeen, Banzer, Peterson, Burton, Stuhr, Williamson, and Kafoury; Coun. Deines voted no. The motion carried.

6.3 Ordinance No. 80-97, For the Purpose of Adopting the Annual Budget of the Metropolitan Service District for Fiscal Year 1981 Making Appropriations from Funds of the District in Accordance with Said Annual Budget and Levying Ad Valorem Taxes (Second Reading)

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-97 for the second time by title only.

Coun. Deines reported that the Coordinating Committee had reviewed the final budget at their last meeting, that all committees had had an opportunity to look at the budget, and that the Tax Supervising and Conservation Commission had raised no objections which could not be resolved. He recommended adoption of the ordinance.

Mr. Shell discussed the changes which had been made in response to TSCC recommendations, and reminded the Council that no action had been taken on Item B.1.d of the Agenda Management Summary, dealing with per diem for Councilors.

**Metro Council
Minutes of June 26, 1980**

Coun. Deines moved, seconded by Coun. Stuhr, that Ord. No. 80-97 be amended to include Item B.l.d. A vote was taken on the motion. Coun. Williamson voted no; all other Councilors present voting aye, the motion carried.

A vote was then taken on the motion to adopt the ordinance as amended. All Councilors present voting aye, the motion carried.

7. RESOLUTIONS

7.1 Resolution No. 80-156, For the Purpose of Recommending a Continuance of the City of Oregon City's Request for Acknowledgment of Compliance with the LCDC Goals

Coun. Stuhr moved, seconded by Coun. Williamson, that Res. No. 80-156 be adopted.

Mr. Tom O'Connor described the development of the Oregon City plan and discussed difficulties which had been encountered. He then introduced Ms. Cathy Galbraith, Oregon City Planning Director, who agreed with many of the comments contained in the Plan Review and felt that the others could be negotiated.

Mr. Mike Butts recommended that the requested continuance be approved and responded to questions from Council.

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

7.2 Resolution No. 80-157, For the Purpose of Approving and Authorizing the Establishment of New Positions and Their Addition to the Classification Plan and Compensation Plan

Coun. Deines reported that the Coordinating Committee recommended approval of the resolution and moved, seconded by Coun. Schedeen, that Res. No. 80-157 be adopted.

During discussion, it was suggested that the classification program be reviewed by the Coordinating Committee. Mr. Kent explained that it was scheduled for annual review, following the end of the fiscal year. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.3 Resolution No. 80-158, For the Purpose of Establishing a Rate for Mileage Reimbursement

Coun. Deines moved, seconded by Coun. Schedeen, that Res. No. 80-158 be adopted. Following a brief discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

There followed a brief recess, during which Coun. Williamson left the meeting.

736
Metro Council
Minutes of June 26, 1980

7.4 Resolution No. 80-159, For the Purpose of Amending the
FY 1981 Unified Work Program to Include the Detailed Work
Program for the Bi-State Transportation Study

Coun. Burton explained the role Metro was to play in administering the funds being provided by DOT. Mr. Kent reported that a question had arisen as to just how much money would be available, and that the consultant portion of the plan could be impacted as a result.

Coun. Peterson moved, seconded by Coun. Rhodes, that Res. No. 80-159 be adopted. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.5 Resolution No. 80-160, For the Purpose of Authorizing Federal
Aid Interstate Funds to Remodel the Willamette Falls Safety
Rest Area.

Coun. Peterson moved, seconded by Coun. Stuhr, that Res. No. 80-160 be adopted. Following brief discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.6 Resolution No. 80-161, For the Purpose of Authorizing Federal
Funds for 16(b)(2) Special Transportation Projects

Mr. Andy Cotugno explained that the funds would be used as capital funding to provide replacement vehicles for non-profit organizations serving the handicapped, and that all vehicles would have wheelchair lifts.

Coun. Stuhr moved, seconded by Coun. Burton, that Res. No. 80-161 be adopted. Following brief discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.7 Resolution No. 80-162, For the Purpose of Endorsing the
504 Transition Plan

Mr. Cotugno outlined details of the Plan, which was developed by Tri-Met in order to comply with federal requirements for transit accessibility for the handicapped. Messrs. Paul Bay and Park Woodworth, representing Tri-Met, responded to questions from Council members, explaining that implementation of the plan would require substantially increased expenditures for which no federal assistance was available.

Coun. Burton felt that the goal of the plan was laudable but objected to the federal government's requiring a plan which could not be executed, and announced his intention to vote against the motion as a protest.

Coun. Banzer felt that money for an accessibility program could be better spent to provide special transportation services for the handicapped.

Metro Council
Minutes of June 26, 1980

Mr. Woodworth explained that if a plan was not adopted by July 1, 1980, the federal government could cut off federal transportation funds to the region, or alternatively could impose substantial requirements of justification for not having an adopted plan. He also felt that it was of major importance to assure the elderly and handicapped community that their needs were being addressed, and that adoption of the plan would provide that assurance.

There was discussion of the consequences of refusing to adopt the plan, focusing on the rigidity of federal and state requirements and the lack of funding for implementation.

Coun. Kafoury felt that the plan should probably be adopted because of the consequences of not doing so, but suggested that a strong letter of protest should be written to Congress.

Coun. Stuhr moved, seconded by Coun. Rhodes, that Res. No. 80-162 be adopted. A vote was taken on the motion. Voting aye were Couns. Rhodes, Schedeen, Stuhr, Deines, and Kafoury; voting no were Couns. Banzer, Peterson, and Burton. The motion carried.

Coun. Banzer moved, seconded by Coun. Deines, that a strong letter of protest be sent to Congress. A vote was taken on the motion. Coun. Stuhr abstained; all other Councilors present voting aye, the motion carried.

7.8 Resolution No. 80-163, For the Purpose of Determining Whether a Full Scale Feasibility Study of River Transit is Warranted

Coun. Stuhr reported that the resolution was amended by the Planning Committee after the JPACT meeting, and announced that Carrie Miller had asked to make a presentation to the Planning Committee on this subject. In addition, Council had received an invitation from Paul Baumgartner, Director of Marketing Research for the Boeing Marine Systems, to go on a jet foil trip from Seattle to Victoria during the latter part of July. Coun. Stuhr moved, seconded by Coun. Banzer, that the matter be referred back to the Planning Committee for further study and to give Ms. Miller an opportunity to make her presentation.

Coun. Rhodes felt the Council already had enough information to make a decision, and expressed opposition to the motion.

After further discussion, a vote was taken on the motion. Couns. Rhodes and Burton votes no; all other Councilors present voting aye, the motion carried.

8. NEW BUSINESS

8.1 Adopting Rule to Allow Negotiated Bid for Proposed Resource Recovery Facility

Mr. Kent announced that a question had arisen whether there had

**Metro Council
Minutes of June 26, 1980**

been adequate notice on this item, and recommended that it be continued to July 10. It was the consensus of the Council to concur with that recommendation.

8.2 Selection of Panel of Hearings Officers

Mr. Kent described the role of the hearings officer, explaining that the procedure allowed flexibility.

Coun. Stuhr moved, seconded by Coun. Burton, that the proposed panel of hearings officers be approved.

Mr. Andy Jordan outlined the qualifications and backgrounds of the attorneys on the panel, adding that all were familiar with Metro and had agreed to serve as hearings officers.

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

8.3 Metro Consideration of Local Plan Continuance Reviews

Coun. Stuhr reported that the Planning Committee had recommended approval, with the understanding that any Councilor would have the opportunity to bring an issue back before the Committee. She explained that new proposals or amendments would be reviewed with the Councilor representing the jurisdiction involved.

Coun. Stuhr moved, seconded by Coun. Rhodes, that the Local Plan Continuance Review Procedure be approved.

Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

9. GENERAL DISCUSSION

9.1 Five-Year Operational Plan and Financing Options

Mr. Kent reviewed the memorandum from the Executive Officer and requested that Council members be prepared to discuss the material on July 10. He explained how the charts could be used to arrive at a list of priorities as well as estimated budget impacts of various program packages, leading to an estimation of total need and potential savings to taxpayers. Time lines for development and adoption of the financial strategy and five-year plan were outlined.

There was discussion of funding options and how various approaches would interact with priority schedules to product an overall picture of Metro's needs and direction for the coming years. It was suggested that editorial boards be given an opportunity for input.

Mr. Gustafson emphasized that a commitment to a level of funding involved a commitment with regard to the operational plan as well, and stressed the importance of full discussion of the operational plan before decisions were made.

**Metro Council
Minutes of June 26, 1980**

Following further discussion of the various options which had been presented, the meeting was adjourned to 7:00 p.m. at the Memorial Coliseum.

Respectfully submitted,



Cynthia M. Wichmann
Clerk of the Council

MINUTES OF AN ADJOURNED MEETING
OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

June 26, 1980

Councilors in Attendance

Presiding Officer Marge Kafoury
Coun. Deines
Coun. Rhodes
Coun. Peterson
Coun. Stuhr
Coun. Kirkpatrick
Coun. Burton
Coun. Schedeen
Coun. Banzer
Coun. Williamson

In Attendance

Executive Officer Rick Gustafson

An adjourned meeting of the Council of the Metropolitan Service District was held on June 26, 1980, in the Exhibit Hall, Memorial Coliseum, Portland, Oregon, for the purpose of hearing further public testimony concerning Ord. No. 80-91, Establishing the Johnson Creek Flood Control and Pollution Abatement Local Improvement District.

It having been ascertained that a quorum was present, the meeting was called to order at 7:25 p.m.

Presiding Officer Kafoury described the procedures which would be followed in the conduct of the meeting, and opened the hearing for public testimony.

Mr. Alan Hingston, 8615 SE 58th, Portland, expressed support for the project and urged members of the Council to vote on the substantive issues rather than submitting to emotionalism.

Mr. Lester Fowler, 9492 SE Wichita, Portland, supported formation of the L.I.D.

Diane Quick, 10100 SE Walnut Dr., Portland, felt that a large number of people were being asked to subsidize the benefit of a few, and urged that Council consider asking the local jurisdictions to acquire portions of the Creek for conversion to scenic waterways and parks.

Nettie Philps, 6804 SE 76th, Portland, objected to paying when the creek did not concern her.

Metro Council
Minutes of 6/26/80

Mr. Ron Veitch, 2137 SE 143rd, did not believe he was contributing to the problem and questioned putting any faith in a regional layer of government.

Dennis Brown, 6704 SE May, Portland, supported the ordinance and asked that a decision be made which reflected the needs of the area.

Ernestine Francisco, 11727 SE Brookside, viewed the basic problem as a failure of local governments to act properly in the past, citing overdevelopment and inadequate services.

Eileen Brown, 6704 SE May St., felt that the plan proposed gave an equitable approach to solving the Johnson Creek problem and urged support.

Martha Boettcher, 6708 SE May St., supported the proposal and expressed her belief that it was necessary, in the interests of public health, to clean up the creek.

Deborah Hale, 6735 SE 106th, felt the project was necessary and would improve the southeast area as a whole.

Robert S. Weber, 9333 SE 129th, felt the flooding was a nuisance but that the cost of the proposed project was out of line.

Lonnie Roberts, speaking for Drew Davis, read a letter from Mr. Davis in his capacity as state representative of the district, protesting the project and demanding a popular vote. He questioned the Council's right to use the remonstrance system for such a large project.

Clyde Bartlett, 3609 SE 144th, did not believe water from his property drained into the creek.

B. A. Benson, 2541 SE 141st, felt the issue was not the need for the project, but rather the method of funding it.

Paul Kittleson, 9162 SE Mason Hill Dr., Milwaukie, protested against the LID/remonstrance procedure.

Glen St. John, 2134 SE Harney, felt builders would profit unfairly from the project at the expense of homeowners.

Anthony Sydor, Box 553, Gresham, felt that civic bodies were responsible for the problem by supporting development in the floodplain, and objected to the LID process.

Michael E. Stange, 1430 SE 12th, Gresham, opposed the proposal, saying it should be placed on the ballot for a popular vote.

Philip Pieters, 1924 SE 122nd, concurred with Mr. Stange.

Mr. Jackson Douthit, 10321 SE Center, protested strongly and called for a vote which would not be restricted to property owners.

Metro Council
Minutes of 6/26/80

J. Stewart, 10755 SE Center St., protested assessment since their property would not benefit from the project, and objected to the method used.

Caroline Oman, 15424 SE Stark, spoke in opposition and commented that according to records in Salem, water from their property drained away from the creek.

Harold Morris, 5421 SE 136th, felt the process was unfair and questioned its legality.

Michael Tomasini, 340 NW Wallula, Gresham, described the history of Johnson Creek and claimed it had flooded more frequently in the past than at present.

Gary Newkirk, 7850 SE 62nd, urged Council to delay a decision pending exploration of alternative methods of funding that were more fair. He felt that cities and counties had an obligation to support the project financially.

Dean Delavan, 5913 SE 86th, spoke against the LID process.

Frances Hyson, 16502 SE Mill St., asked for proof that everyone was notified of the formation of the LID.

Billy Hunsinger, 8705 SE 307th, Boring, questioned the appropriateness of including some areas within the boundary, and suggested the problem be solved on a less expensive scale.

Jeanne Orcutt, 4201 NW 3rd, Gresham, felt the LID process was undemocratic and objected to the wording of the notices. She felt that property owners should have been informed in detail of the effects of Phases II and III.

Tom Dennehy, 16421 NE Holladay St., agreed with testimony to the effect that the process was undemocratic, and felt that the project should be part of an overall region-wide drainage plan. He urged that the matter be put to a vote, and answered questions from Council.

Marge McDevitt, 16612 SE Taylor, urged that people back Fair Share in their fight against the LID.

Eugene Ide, 2965 SE 184th Pl., Gresham, asked questions about the remonstrance procedure and felt the language on the notices was misleading.

A. J. McWilliams, 2704 SE 141st, relinquished his time to a representative of Fair Share.

Sherry Winter, speaking for Fair Share, demanded that Council make a decision on the matter before the meeting adjourned.

Presiding Officer Kafoury explained that it would be inappropriate to do so, since the official notice of the second reading of the

Metro Council
Minutes of 6/26/80

ordinance had announced June 27th as the date a decision would be made. She added that everyone should have a chance to testify prior to a decision from Council.

Al Bucholtz spoke against the project.

There was a brief recess.

Jean Hood, 2134 SE 174th, spoke in opposition to the project and urged people to sign a petition placing the matter on the ballot.

Harry Hing, 6305 SE 94th Ave., wished to go on record as opposing the proposal.

Thomas Barnes, 14848 SE Carthers Cr., felt that the process was inequitable, undemocratic, and illegal, and called for a popular vote.

Mr. Robilard, 3624 SE Rockwood, Milwaukie, representing 86 homeowners, asked for proof that their area drains into the creek and suggested that the city pay part of the cost.

James Riopelle, 3631 Rosell St., Milwaukie, representing the 22nd precinct of Clackamas County, urged a vote of the people and questioned Metro's power to use the LID process.

Kenneth Johnson, 3635 SE Johnson Blvd., spoke against the project and asked for an environmental impact statement on his property.

G. E. Belmore, 4631 SE 97th Ave., surrendered his time to a representative of Fair Share.

Mr. Burnette, representing Fair Share, reminded those present that a vote would be taken the next day and urged everyone to attend.

R. D. Alexander, 3626 SE 132nd, felt he should not be assessed since his water did not flow into the creek.

Ron Kleinschmit, 1727 SE 177th, felt that a written transcript of the public hearings should be made available, and opposed the project because he felt he did not belong within the boundary.

Eugene Schoenheit, 9036 SE 41st, Milwaukie, felt the city of Gresham should be paying part of the cost and spoke about the overwhelming opposition to the project.

Erva Shank, 2845 SE 120th Ave., concurred with previous statements opposing the project and urged that Council listen to the voice of the people.

Pat McDowell, 1844 SE 184th, stated she was not opposed to the project but rather to the remonstrance process, and objected to the lack of concrete figures for costs.

Metro Council
Minutes of 6/26/80

Eva Camille Stapleford, 3429 SE Johnson Creek, felt the entire metropolitan area should be taxed, since the whole area would benefit. She questioned the necessity of pushing the project through so fast.

Frances Newkirk, 7908 SE 62nd, felt their water did not drain into the creek and disapproved of the methods being used to finance the project.

Joan Griep, 4343 SE 136th, felt the problem was caused by people who lived on the creek and dumped garbage into it, and felt they should clean up the creek themselves.

James Tobin, 2505 SE Moores St., Milwaukie, felt that if all taxpayers would save money as a result of the project, all should participate in paying the cost.

Curtis Ruecker, 3665 SE Van Water St., concurred with previous statements and urged that Council pay attention to the testimony.

Chuck Ziemer, 9721 SE 307th, Boring, felt the problem developed under the scrutiny of other governmental bodies who should pay the bill. He questioned the legality of the process.

Fred Fish, 7415 SE 86th Ave., addressed inadequacies in the notification procedure and urged putting a measure on the ballot.

Virginia Taylor, 2919 SE 136th Ave., felt the project was worthy but objected to the way it was being funded.

Roy Sams, 5126 Mason Ln., Milwaukie, wondered how many lots would be saved by the project and whether they were worth it.

William Willmes, 5625 SE Drefs Hill, abhorred the methods being used by both Metro and Fair Share. He felt the project contained a number of errors and asked for a vote of the public.

John Vogl, 16410 SE Stephens Ct., reiterated his comments from the previous hearing and urged the Council to vote against the LID.

John Trent, 2106 SE Ochoco St., expressed concern about the notification process and felt he did not contribute to the flooding.

Vernon Stockwell, 6457 SE 106th, outlined the history of efforts to control the flooding and expressed the opinion that state law required that the project be paid for by everyone in the district.

Mary Stockwell, 6457 SE 106th, explained the biology of the creek basin and expressed support for the project even though she had doubts about the LID process.

Neva Endicott, 10313 SE Reedway, felt that the project deserved support and urged people to participate in a cooperative effort to solve the problem.

Metro Council
Minutes of June 26, 1980

Robert Mayr, 13746 SE Rhone, opposed the proposal and felt he should not be included in the project. He questioned Metro's power to impose such a tax without a popular vote.

Bernice Hall, 3695 SE Harvey St., opposed the process, feeling that there was inadequate public notice and poor publicity on the project.

E. P. Manning, 6923 SE 252nd, Gresham, felt the problem was not being addressed in the proper manner and opposed the project. He then discussed various aspects of Ord. No. 79-78.

Lawrence Jensen, 3915 SE 104th, felt the project represented a blatant usurpation of power and read sections of the Declaration of Independence.

Lloyd Danielson, 6950 SE 122nd Dr., opposed the project and the LID, feeling that it was undemocratic, and asked for a popular vote.

Jack Powell, 1620 NE 132nd, felt that property he owned did not drain to the creek, and refused to pay any assessment.

Ron Huxtable, 785 SE Atherton, opposed the LID process.

Don Stogsdill, 3898 SE Wake St., Milwaukie, agreed with previous testimony, adding that those who were not flooded should not be expected to pay for enhancement of the property of those who lived by the creek.

Mr. Manning continued with his discussion of Ord. 79-78 and discussed an article from a recent issue of The Oregonian.

W. W. Hawkins, 7812 SE Harney St., spoke against the project.

Herb Wilton, 7800 SE Luther Rd., opposed the project and objected to the LID process.

Irving Ott, 5208 SE 11th, expressed strong opposition to the method of funding the project and complained about the notification procedure.

Robert Miller, 12310 SE Bush, agreed that something should be done about the problem, but felt that some of the areas included within the boundary would not be benefited and explained why his property should not be included. He then responded to questions from Coun. Peterson.

Donald Isakson, 5336 SE 113th St., expressed support for some of the suggestions made by Mr. Dennehy and encouraged a reevaluation of the project.

Theodore Lear, 5335 SE 113th, agreed with the comments of Mr. Miller and described the flow of water in his neighborhood.

Mr. Dennehy questioned the appropriateness of the Metro Council serving as the supervisory body of the LID utilizing the one man/one vote concept.

Metro Council
Minutes of June 26, 1980

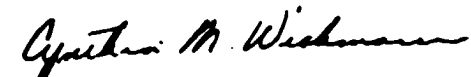
Mr. Douthit felt that the people who do the heavy development should pay the bulk of the bill and urged that a popular vote be taken on the proposal.

There being no other persons present who wished to testify on this matter, the public hearing was closed.

Coun. Banzer thanked those who testified and outlined a number of proposals which would be discussed by Council the following day.

There being no further business, the meeting was adjourned to 12:00 noon on Friday, June 27, 1980, at the Council Chamber of the Metro offices, 527 S.W. Hall St., Portland, Oregon.

Respectfully submitted,



Cynthia Wichmann
Clerk of the Council