

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

July 24, 1980

Councilors in Attendance

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

Others in Attendance

Phil Adamsak
Pam Hulse

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Mr. Denton Kent
Mr. Andrew Jordan
Mr. Warren Iliff
Ms. Marilyn Holstrom
Mr. Tom O'Connor
Mr. Jim Sitzman
Mr. John LaRiviere
Ms. Karen Hiatt
Ms. Paula Godwin
Mr. Merle Irving
Ms. Jennifer Sims
Ms. Berta Delman
Mr. Charles Shell
Ms. Judy Bieberle
Ms. Cynthia Wichmann
Ms. Leigh Zimmermann
Mr. Bill Ockert

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CALL TO ORDER

After declaration of a quorum, the meeting was called to order by Presiding Officer Kafoury at 7:45 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

There were no written communications to Council at this meeting.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

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

5.2 Ordinance No. 80-92, For the Purpose of Levying, Apportioning and Specifying Collection of Assessments for Phase I of the Johnson Creek Basin Flood Control and Pollution Abatement Project Local Improvement District (Second Reading)

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 80-92 for the second time by title only.

Executive Officer Gustafson reported that recent conversations with representatives of Multnomah and Clackamas Counties made it apparent that it would be difficult to carry out an assessment for the L.I.D. this year, and that there was strong sentiment among local jurisdictions in support of a popular vote on the issue. After outlining various alternatives open to Metro, he suggested that Council consider delaying action on this ordinance, in the meantime supporting the referendum effort and awaiting the outcome of the November district-wide election before addressing the subject further. He pointed out that the referendum would cost Metro \$18,000 in election fees, while an effort to collect assessments without the aid of Clackamas County would cost an estimated \$120,000.

Coun. Burton expressed his belief that the preponderance of public testimony on the Johnson Creek project had been emotional and rhetorical, commenting that while it was judicious to heed the majority it would be flippant and premature to totally abandon the project at this point. He then outlined the advantages and disadvantages of various funding options. Reminding Council that there were other major issues to deal with, he encouraged that the ordinance be tabled.

Coun. Kirkpatrick remarked that there were substantial annual costs connected with the flooding and urged that disaster preparedness and funding be addressed in the next few years. She expressed dismay at

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the action of Clackamas County in withdrawing their cooperation on the project. She commented that while Metro needed the sound base of support that a tax base would provide, it was also necessary to make decisions and stand by them, and suggested that Metro incur the necessary expense and proceed with the assessment as scheduled.

Coun. Bonner felt that fundamental information was lacking concerning the detailed plans for the project and its costs, and suggested that the assessment be cut in half and other sources be explored for the remaining funds. He expressed concern that specific progress be made towards developing a definite plan and definite costs without unnecessary delay.

Mr. Gustafson responded that the \$120,000 cost of proceeding with the assessment was not tied to the amount collected, and pointed out that it would still be necessary to wait until after the election before an assessment effort could be begun. He agreed with Coun. Bonner that, pending the election, momentum should be maintained toward defining the problem in more specific terms with regard to plan and cost. He recommended that local jurisdictions be approached for assistance in funding this effort.

There was discussion of the implications and effects of Clackamas County's action, and of the particulars involved in the referendum and election process.

Coun. Rhodes moved, seconded by Coun. Schedeen, that Ord. No. 80-92 be tabled. A vote was taken on the motion. Voting aye were Couns. Schedeen, Banzer, Peterson, Burton, Deines and Rhodes; voting no were Couns. Bonner, Williamson, Berkman, Kirkpatrick and Kafoury. The motion carried.

There was a brief recess.

4. CONSENT AGENDA

4.1 A-95 Review

Coun. Bonner moved, seconded by Coun. Williamson, that the A-95 Review items be removed from the Consent Agenda for separate consideration. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Coun. Bonner then discussed Item 4 of the A-95 Review, the Yamhill Market Project, expressing strong objection to approval of this request on the grounds that this was an inappropriate use of UDAG funds so long as there were other jurisdictions, such as Vancouver, Wn., which while equally needy were not eligible to apply for UDAG funds to support this type of project. He moved that a comment to that effect be inserted into the recommendation on the project. There was extensive discussion of Metro's role in the A-95 review process and the effects of various actions that could be taken. Coun. Bonner withdrew his motion.

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Mr. Denton Kent pointed out with regard to Item 2, Metro Economic Development Demonstration Program, that Clackamas County had submitted a negative comment on this application, and suggested that Council proceed with favorable action anyway. Following discussion, Coun. Burton moved, seconded by Coun. Williamson, that the A-95 review be approved as submitted. Coun. Bonner voted no; all other Councilors present voting aye, the motion carried.

4.2 Minutes of Meeting of June 5, 1980

Coun. Rhodes moved, seconded by Coun. Deines, that the minutes of the meeting of June 5, 1980, be approved as presented. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

5. ORDINANCES

5.1 PUBLIC HEARING on Ordinance No. 80-99, Submitting Metropolitan Service District Tax Base (First Reading)

Coun. Deines moved, seconded by Coun. Berkman, that Ord. No. 80-99 be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 80-99 for the first time by title only.

Mr. Gustafson presented the staff report, pointing out that the ordinance as written would appear verbatim in the voter's pamphlet. He asked for input from Council in preparing amendments and reminded them that final action must be taken by August 7 in order to meet the deadlines of the Secretary of State and the voter's pamphlet.

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

Coun. Rhodes offered the option of including the Johnson Creek L.I.D. monies in the tax base, explaining that she was opposed to the idea but had agreed to submit it for consideration. She pointed out that such an action would require Metro to take on drainage management on a regional basis prematurely, and that it could jeopardize the tax base.

There was discussion of the alternative captions presented in the draft ordinance. Coun. Banzer moved, seconded by Coun. Berkman, that alternative #1 be selected and rewritten as follows: "Replaces Zoo/Metro levies; establishes tax base; reduces property taxes."

Mr. Gustafson suggested that there be further input on the caption before a final selection was made. Following discussion, Coun. Banzer withdrew her motion, commenting that "replace" and "reduce" were key words and should be retained in the caption.

Coun. Deines pointed out that in those captions which mentioned

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tax relief, homeowner tax relief should be specified.

Coun. Banzer pointed out that the first sentence of paragraph 5 of the Findings was incorrect. Coun. Berkman suggested that that paragraph be deleted.

In response to a question from Coun. Bonner, Mr. Gustafson summarized the process by which the figure of \$700,000 for Metro operations was selected and reminded Council that the dollar amounts in the ordinance represented the recommendation of the Finance Task Force.

6. RESOLUTIONS

6.1 Resolution No. 80-167, Authorizing Federal Aid Interstate Funds to Provide a Pavement Overlay on the Marquam Bridge and Approaches

Coun. Williamson explained the purpose of the resolution and moved, seconded by Coun. Burton, that Res. No. 80-167 be adopted.

Responding to questions from Council, Mr. Bill Ockert explained that the funds under discussion represented new money which could only be used for the proposed purpose.

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

6.2 Resolution No. 80-168, Authorizing Federal Aid Interstate Funds to Add an Ice Detection System to the Fremont Bridge

Coun. Williamson moved, seconded by Coun. Burton, that Res. No. 80-168 be adopted. Following brief discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

6.3 Resolution No. 80-169, Authorizing City of Portland Federal Aid Urban System Funds for a Citywide Signal Systems Analysis Project

Coun. Williamson moved, seconded by Coun. Bonner, that Res. No. 80-169 be adopted, pointing out that signal coordination could speed up traffic, save energy, and reduce pollution.

Coun. Bonner discussed time lines for the project and outlined some of the options that would be examined. Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

6.4 Resolution No. 80-170, Authorizing Federal Funds for Replacement of the Fanno Creek Bridge on Scholls Highway

Coun. Williams explained the resolution and moved, seconded by Coun. Deines, that Res. No. 80-170 be adopted. A vote was taken

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on the motion. All Councilors present voting aye, the motion carried.

6.5 Resolution No. 80-171, For the Purpose of Changing the Designation of Registered Agent for Receipt of Legal Service

Coun. Deines explained that the purpose of the resolution was to reflect the change in Clerk of the Council and moved, seconded by Coun. Schedeen, that Res. No. 80-171 be adopted. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

6.6 Resolution No. 80-172, For the Purpose of Approving Confirmation Procedure

Coun. Deines explained that recruiting for the legislative liaison position was underway, making it necessary to adopt a confirmation procedure at this time. He called attention to the amendment suggested by the Coordinating Committee and moved, seconded by Coun. Peterson, that Res. No. 80-172 be adopted as revised.

Coun. Banzer reported that the Coordinating Committee urged that Councilors participate in making comments or questioning candidates at the committee level rather than waiting until the candidate comes before the full Council.

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

6.7 Resolution No. 80-173, For the Purpose of Establishing the Order of Business for Regular Council Meetings

Coun. Deines explained that this resolution would formalize the agenda formats that had evolved over the past several months, as provided for in Ord. No. 80-87, and moved, seconded by Coun. Rhodes, that Res. No. 80-173 be adopted.

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

7. REPORTS

7.1 Report from Executive Officer

Mr. Gustafson's report covered the following topics:

- 1) The Metro exhibit at Neighborfair was very successful.
- 2) Beaverton recycling center was being delayed by the design review committee and by disagreement over ownership of the land.
- 3) Metro has received an IPA grant for development of a personnel evaluation system.

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- 4) Interviews of the thirteen firms that applied for the resource recovery project were completed. Five of the firms would be asked to place formal bids, to be returned to Metro by Feb. 1.
- 5) Councilors were asked for input on the legislative liaison position, both as to desirable skills and capabilities and names of potential candidates.
- 6) The draft of potential areas of legislative concern was briefly discussed.
- 7) There was discussion of light rail funding.

7.2 Council Committee Reports

Coordinating Committee - Coun. Deines discussed the Coopers & Lybrand Report to Management for FY 1980, remarking on the significant progress that had been made during the past year. He suggested that a letter of commendation, which he read to Council, be sent to Michelle Wilder and the accounting staff.

Coun. Rhodes moved, seconded by Coun. Deines, that the letter be approved as read. Coun. Bonner moved approval by acclamation. The motion so carried.

Regional Services Committee - Coun. Rhodes reported on the tour of the St. Johns Landfill and discussed the improvements which had taken place since the new contract was awarded.

Coun. Berkman left the meeting.

Regional Planning Committee - There was no report from the Regional Planning Committee.

Coun. Burton moved, seconded by Coun. Peterson, that the following persons be appointed to the Water Resources Policy Advisory Committee: David J. Abraham, Oliver J. Domreis, Gary Krahmer, Fred Whitfield, Bill Bach, Susan Bailey, Steven C. Brutsher, Irv Jones, Robert Gilbert, Neal R. Thompson, George Phoenix, W.E. Cameron, William E. Bullard, Jr., David Clark, Thomas G. Giese, Mike Robinson, James A. Sullivan, and Beth Blunt. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

7.3 A-95 Review Report

It was noted that this report was printed in the agenda. There were no comments on the report.

8. GENERAL DISCUSSION

8.1 Release of Draft Five Year Operational Plan

Coun. Rhodes moved, seconded by Coun. Deines, that the draft five

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year operational plan be released for public comment.

Coun. Peterson moved, seconded by Coun. Schedeen, that the first sentence of the mission statement be changed as follows, prior to release for public comment: "Based on a direct responsibility to the citizens of the region, Metro will preserve and enhance the quality of life through 1) efficient and effective use of regional resources; and 2) policy leadership on issues affecting the future, growth, and development and protection of this interdependent metropolitan region."; and that the words "and protection" be inserted following the word "development" under A of the mission statement. A vote was taken on the motion. Coun. Deines voted no; all other Councilors present voting aye, the motion carried.

There was extensive discussion of whether the five year operational plan should be adopted by ordinance or resolution.

A vote was taken on the motion to release the plan for public comment. All Councilors present voting aye, the motion carried.

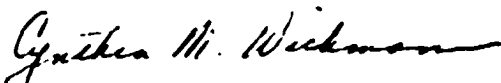
Coun. Bonner asked for some discussion about keeping the Johnson Creek project moving in some way.

Coun. Deines left the meeting.

Mr. Gustafson announced that he was making an administrative decision to terminate all charges against the Johnson Creek project and suggested that the Council spend some time deciding whether to commit funds. There was discussion of various activities that could be pursued with regard to Johnson Creek.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Cynthia M. Wichmann
Clerk of the Council