

MINUTES OF THE COUNCIL  
OF THE METROPOLITAN SERVICE DISTRICT

September 25, 1980

Councilors in Attendance

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

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Andrew Jordan  
Jill Hinkley  
Caryl Waters  
Paula Godwin  
Isaac Regenstreif  
John LaRiviere  
Sonnie Russill  
Michael Holstun  
Pat Oldham  
Marilyn Holstrom  
Mel Huie  
Walter Monasch  
Michael Butts  
Judy Bieberle  
Jim Sitzman  
Warren Iliff  
Tom Miller  
Cynthia Wichmann

Others in Attendance

Melvyn P. Friendly  
Terry Oliveri  
Donald L. Lamb  
Bruce Etlinger  
Phil Adamsak  
Michael Alesko  
Beth Blunt  
Bob Blunt  
George A. Hubel  
Ken McFarling  
Bob Weil  
Ray Polani  
Henry Kane  
Don McIntire  
Douglas R. Allen  
Richard C. Levy  
Brenda Gates-Monasch  
Paul Bay  
U.D. Caramella  
Donna Stuhr  
Tom Dennehy  
Winston Kurth  
Linda-Cristal Johnson  
Jim McCreight  
James Corbett  
Gene Manning  
Al Meyer  
Rick Daniels

**Metro Council  
Minutes of September 25, 1980**

**CALL TO ORDER**

After declaration of a quorum, the meeting was called to order by Presiding Officer Kafoury at 5:45 p.m. in the Council Chamber, 527 S.W. Hall Street, Portland, Oregon 97201.

**SELECTION AND APPOINTMENT OF DISTRICT I COUNCILOR**

Presiding Officer Kafoury announced that eight persons had applied for the vacancy and described the process by which the successful candidate would be selected. Each candidate would be given three minutes to address the Council and an opportunity to respond to questions from Councilors. The following candidates were heard and questioned: Mr. James S. Corbett; Mr. Melvyn C. Friendly; Ms. Linda-Cristal Johnson; Mr. Donald L. Lamb; Mr. Jim McCreight; Mr. Bob Oleson; and Mr. Anthony L. Oliveri.

Presiding Officer Kafoury reported that an eighth candidate, Ms. Jill Tanner, had withdrawn. It was explained that voting would be by written ballot and would continue until one candidate received the votes of a majority of the Council (i.e., seven votes), with those receiving no votes or the least number of votes on each ballot being dropped from subsequent ballots.

On the first ballot, each Councilor was asked to vote for one or two candidates. Results were as follows: Corbett-1; Lamb-1; McCreight-1; Oleson-8; Oliveri-5. Mr. Friendly and Ms. Johnson were removed from the ballot.

The second ballot was taken, each Councilor being asked to vote for one candidate. Results were: Corbett-1; McCreight-1; Oleson-5; Oliveri-3. Messrs. Lamb, Corbett, and McCreight were removed from the ballot.

The third ballot was taken, each Councilor being asked to vote for one candidate. Results were: Oleson-7; Oliveri-3. Since Mr. Oleson received the requisite number of votes, he was declared to be the appointee to the District 1 seat on the Council.

A recess was declared.

After declaration of a quorum, the meeting was reconvened at 7:45 p.m.

The Clerk administered the Oath of Office to Mr. Bob Oleson and he was seated as Councilor representing District 1.

**1. INTRODUCTIONS**

There were no introductions at this meeting.

**2. WRITTEN COMMUNICATIONS TO COUNCIL**

Presiding Officer Kafoury announced that several communications had

Metro Council  
Minutes of September 25, 1980

been received concerning recycling centers, and that they would be copied and distributed to Councilors.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Mr. Don McIntire, 929 S.E. Phoebe Court, Gresham, addressed the Council in his capacity as nominal chairman of the Up the Creek Committee. He suggested that the Council repeal the ordinance establishing the Johnson Creek L.I.D. before the petition signatures are validated, and establish a service district instead. He felt that a service district election would be less expensive because a much smaller area would be involved in the voting.

Mr. Gustafson responded that the Secretary of State had informed him that once the signatures were turned in, control of the ordinance was lost by the governing body.

Mr. Jordan explained the legal precedents, concluding that an attempt to repeal the ordinance would make the Council subject to litigation.

Mr. Tom Dennehy quoted from one of the cases cited by Mr. Jordan.

Members of the Council discussed the issue with Mr. McIntire, who challenged the cost estimates for the election.

Mr. Gene Manning, Executive Advisor of the Up the Creek Committee, asserted that the total election costs to the taxpayer would not be significantly affected by referral of the ordinance, since the Metro expenditure would lessen the costs to other jurisdictions with issues on the ballot.

Mr. Gustafson pointed out that if the Metro election is the only issue on the ballot in a district it would be a direct cost to the taxpayer, as those precincts would not otherwise be open. He described the basis on which cost estimates were made and reported on the status of Metro actions with regard to the election.

4. CONSENT AGENDA

Coun. Kirkpatrick moved, seconded by Coun. Schedeen, that the Consent Agenda be approved as distributed. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

5. ORDINANCES

5.1 PUBLIC HEARING on Ordinance No. 80-102, For the Purpose of Adopting and Implementing a Regional Waste Treatment Management Plan and Amending Chapter 3.04 of the Metro Code

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that Ord. No. 80-102 be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-102 for the first time by title only.

Metro Council  
Minutes of September 25, 1980

Coun. Williamson explained that this Ordinance re-adopts the CRAG Regional Waste Treatment Plan, updated and slightly revised. He reminded Council that this action is required annually in order to maintain eligibility for "Section 208" funds, and reported that the Regional Planning Committee recommended adoption.

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

Coun. Peterson asked whether the Plan was acceptable to the east Multnomah County communities, in particular Troutdale and Gresham. Mr. LaRiviere explained that their concerns would be addressed in the near future and that further revisions could be made at that time.

5.2 PUBLIC HEARING on Ordinance No. 80-103, For the Purpose of Regulating the Execution of Public Contracts

Coun. Deines moved, seconded by Coun. Kirkpatrick, that Ord. No. 80-103 be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-103 for the first time by title only.

Coun. Deines described prior practice with regard to contracts and outlined the provisions of the Ordinance. He explained that the Coordinating Committee had adjusted the amount to \$50,000 from the figure proposed by staff, and had agreed to recommend adoption.

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

5.3 Reconsideration of or Amendment to Ordinance No. 80-98, An Ordinance Adopting Housing Goals and Objectives and Providing for the Implementation Thereof

Coun. Banzer moved, seconded by Coun. Schedeen, that Ord. No. 80-104, An Ordinance Amending Housing Goals and Objectives, be adopted.

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ord. No. 80-104 for the first time by title only.

Coun. Deines, who introduced the Ordinance, explained that its adoption would restore to the Housing Goals and Objectives the language adopted by the Regional Planning Committee with regard to Goal 22, Fair Housing. He felt that the language adopted by Council would cause considerable difficulty for local constituencies, and that it conferred secondary status on persons not falling within the categories listed.

The public hearing was opened.

Mr. George Hubel, 904 S.E. 69th, Portland, supported the ordinance. He felt there were basic problems with the language that had been

**Metro Council  
Minutes of September 25, 1980**

inserted into Goal 22, particularly with regard to sexual preference, and that moral codes should not be mandated by law.

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

Coun. Rhodes announced her intention to support the ordinance.

**6. RESOLUTIONS**

**6.1 Resolution No. 80-180, For the Purpose of Recommending a Continuance of the City of Wood Village's Request for Acknowledgment of Compliance with the LCDC Goals**

Coun. Schedeen moved, seconded by Coun. Williamson, that Res. No. 80-180 be adopted.

Mr. Butts summarized the staff report, outlining those areas in which deficiencies existed.

Coun. Williamson reported that representatives of the City of Wood Village had concurred with the staff recommendations.

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

**6.2 Resolution No. 80-181, For the Purpose of Recommending a Continuance of the City of Gresham's Request for Acknowledgment of Compliance with the LCDC Goals**

Coun. Schedeen moved, seconded by Coun. Williamson, that Res. No. 80-181 be adopted.

Coun. Schedeen reported that, as anticipated, Gresham had met the deficiencies which had been the basis for recommending continuance, and moved, seconded by Coun. Williamson, to amend Res. No. 80-181 as follows:

- a) that the title be changed by substituting the words "an Acceptance" for the words "a Continuance."
- b) that the words "now therefore" be substituted for the final word "and" in the fifth paragraph, and that the sixth paragraph be deleted.
- c) that Item No. 1 be rewritten to read as follows: "That the Metro Council recommends to LCDC that Gresham's request for compliance acknowledgment be approved."

Coun. Schedeen introduced Mr. Al Meyer, Mayor of Gresham, and Mr. Rick Daniels, Gresham's Planning Director.

A vote was taken on the motion to amend Res. No. 80-181. All Councilors present voting aye, the motion carried.

Metro Council  
Minutes of September 25, 1980

Following discussion, a vote was taken on the motion to adopt Res. No. 80-181 as amended. All Councilors present voting aye, the motion carried.

6.3 Resolution No. 80-182, For the Purpose of Adopting a Five Year Operational Plan

Coun. Deines moved, seconded by Coun. Rhodes, that Res. No. 80-182 be adopted.

Coun. Rhodes called attention to Attachment B, which listed proposed amendments to the Five Year Operational Plan, and moved, seconded by Coun. Deines, to amend the Plan accordingly. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Ms. Brenda Gates-Monasch expressed general support for the Plan.

A vote was taken on the motion to adopt Res. No. 80-182. Coun. Burton voted no; all other Councilors present voting aye, the motion carried.

6.4 Resolution No. 80-183, For the Purpose of Establishing Hydrocarbon Reduction Targets for Oregon Portions of Portland/Vancouver SMSA

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that Res. No. 80-183 be adopted. It was the consensus of the Council to place this item at the bottom of the agenda.

There was a brief recess, during which Coun. Berkman left the meeting.

6.5 Resolution No. 80-175, For the Purpose of Refining the Corridor Improvement Strategy in the McLoughlin Blvd. Corridor

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that Res. No. 80-175 be adopted.

Coun. Burton asked whether the investment of funds to provide bus lanes over the near term would represent a commitment that could jeopardize the later development of a light rail system. Mr. Cotugno responded, discussing details of the engineering planning and explaining that the purpose of the resolution was to broaden the scope of the project in order to accommodate a wider range of potential solutions to the problems of McLoughlin Blvd.

Mr. Douglas Allen, 2247 S.E. 51st Ave., Portland, questioned the validity of portions of the staff report and suggested that a cost-benefit study was necessary before funds are committed to the project.

Mr. Gustafson discussed a demonstration study on light rail which he had done in 1974, concluding that the prospects of light rail are more encouraging now and emphasizing that adoption of the resolution would keep open the option of implementing a light rail system whenever it becomes feasible. He added that the resolution did not commit

**Metro Council  
Minutes of September 25, 1980**

funds to any specific approach, but rather provided ODOT more flexibility in considering alternatives.

There was discussion of the degree of commitment to light rail.

Mr. Ray Polani, 2717 S.W. Spring Garden St., Portland, addressed the Council in his capacity as chairman of Citizens for Better Transit. He enumerated details of the strategy which caused concern, stressing the importance of providing for later convertibility to light rail.

Mr. Ken McFarling, 7417 S.E. 20th, felt that light rail is a viable alternative at present, given his belief that even with a relatively low ridership it would be cheaper than buses.

Following discussion, a vote was taken on the motion. Coun. Burton voted no; all other Councilors present voting aye, the motion carried.

**6.6 Resolution No. 80-184, For the Purpose of Reallocating Interstate Transfer Funds from the Highway 212 East Reserve and the I-505 City Reserve**

Coun. Williamson moved, seconded by Coun. Kirkpatrick, that Res. No. 80-184 be adopted. Coun. Williamson explained that the Regional Planning Committee had not taken a position on this matter; however, JPACT recommended approval.

Mr. Winston Kurth, representing Clackamas County Department of Environmental Services, reported that the Clackamas County Board of Commissioners, in their resolution no. 80-17-63, supported the reallocation of State Highway 212 money and urged adoption of this resolution.

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

**6.7 Resolution No. 80-185, For the Purpose of Authorizing Federal Funds for Projects Involved in the McLoughlin Blvd. Corridor Improvement Strategy**

Coun. Williamson moved, seconded by Coun. Deines, that Res. No. 80-185 be adopted.

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

**6.8 Resolution No. 80-186, For the Purpose of Adopting the FY 1981-84 Transportation Improvement Program and the FY 1981 Annual Element**

Coun. Williamson moved, seconded by Coun. Schedeen, that Res. No. 80-186 be adopted.

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

Metro Council  
Minutes of September 25, 1980

6.9 Resolution No. 80-187, For the Purpose of Establishing a Reporting Relationship Between Council Appointed Task Forces and Council Substantive Committees

Coun. Deines moved, seconded by Coun. Rhodes, that Res. No. 80-187 be adopted.

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

7. MOTIONS

7.1 Appointment of Members to Fill Vacancies on WRPAC

Coun. Williamson moved, seconded by Coun. Peterson, that appointment of Eleanor Adelman, Bruce Warner, Peter Harvey, Michael Grant, Robert M. Lee, and Dee Patrick to the Water Resources Policy Alternatives Committee be ratified.

Mr. LaRiviere described the process by which potential members were selected.

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

Coun. Deines left the meeting.

7.2 Approval of Agreement with Friends of the Washington Park Zoo

Coun. Rhodes moved, seconded by Coun. Kirkpatrick, that the contract with Friends of the Washington Park Zoo be approved. Coun. Rhodes reported that the contract had been approved by both the Services and Coordinating Committees, and was also acceptable to the Friends of the Zoo.

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

Appointment to SWPAC

Coun. Rhodes moved, seconded by Coun. Peterson, that Shirley Coffin and Warren Rosenfeld be appointed to SWPAC. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

6.4 Resolution No. 80-183, For the Purpose of Establishing Hydrocarbon Reduction Targets for Oregon Portions of Portland/Vancouver SMSA

Council was reminded that a motion had been made to adopt this resolution. Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.



Metro Council  
Minutes of September 25, 1980

S.E. Recycling Site

Coun. Rhodes moved, seconded by Coun. Banzer, that Council support the selection of the 39th and Powell location as the site for the southeast recycling center. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Writ of Mandamus and Notice of Election

Executive Officer Gustafson reported that a writ of mandamus was being filed against Mr. Radakovich and Multnomah County in an attempt to put the referral of the Johnsons Creek L.I.D. on the November ballot. He asked Council to ratify that action.

Mr. Jordan explained the process in detail.

Coun. Banzer moved, seconded by Coun. Rhodes, that the Council ratify the filing of a writ of mandamus against Mr. Radakovich. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Coun. Banzer moved, seconded by Coun. Kirkpatrick, that the Council ratify the filing of a notice of election with Multnomah County. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

9. REPORTS

Executive Officer Report - Mr. Gustafson's report covered the following topics:

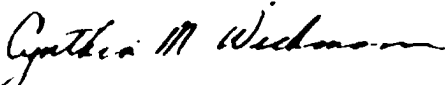
- 1) Building expansion is proceeding well.
- 2) Metro won third place in the city-wide softball tournament.
- 3) The tax base is gaining endorsements from several organizations.

Presiding Officer Kafoury asked for ratification of her appointment of Bob Oleson to the Regional Planning Committee.

Coun. Kirkpatrick moved, seconded by Coun. Schedeem, that Council ratify the appointment of Bob Oleson to the Regional Planning Committee. A vote was taken on the motion. Coun. Oleson abstained; all other Councilors present voting aye, the motion carried.

There being no further business, the meeting was thereupon adjourned.

Respectfully submitted,

  
Cynthia M. Wichmann  
Clerk of the Council