

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

March 5, 1981

Councilors in Attendance

Presiding Officer Jack Deines
Vice Presiding Officer Betty Schedeen
Coun. Mike Burton
Coun. Bob Oleson
Coun. Corky Kirkpatrick
Coun. James Rhodes
Coun. Ernie Bonner
Coun. Cindy Banzer
Coun. Bruce Etlinger
Coun. Marge Kafoury
Coun. Charles Williamson

Others in Attendance

Beth Blunt
Bob Blunt
Bob Weil
William Flew
Gene Flew
James Buzalas
Chris Buzalas
Bob Stacey
S. Russell
C. K. DeAllen
John Lioux
D. Hunt
Paul Gruetter
John Trout

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Marilyn Holstrom
Paula Godwin
Mike Holstun
Isaac Regenstreif
Jim Sitzman
Sonnie Russell
Merle Irvine
Charlie Shell
Jill Hinkley
Norm Wieting
Andrew Jordan
Denton Kent
Marie Nelson

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CALL TO ORDER

After declaration of a quorum, the meeting was called to order by Presiding Officer Jack Deines at 7:40 p.m. in the Council Chamber, 527 S.W. Hall Street, Portland, Oregon.

WRITTEN COMMUNICATIONS TO COUNCIL

Presiding Officer Deines reported that Metro had received two communications awards from the National Association of Regional Councils (NARC). One award was granted for Metro's Five Year Operational Plan. Another award was granted for the zookeeper series of public service announcements produced for the Zoo by Ted Hallock's agency. Presiding Officer Deines said these awards speak well of Metro's public relations staff.

1. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS

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

2. ORDINANCES

- 2.1 Ordinance No. 81-106, For the Purpose of Extending the Date for Conversion of Rossman's Landfill to Weight Basis Rates; Establishing Additional Charges at St. Johns Landfill; and Amending Code Section 4.06.010, and Ordinance No. 80-100 (Second Reading)**

Coun. Rhodes moved, seconded by Coun. Kirkpatrick, to adopt Ordinance No. 80-106. Mr. Merle Irvine said he had not received any additional public input since the public hearing on the ordinance held the previous week. Coun. Rhodes reported she and several other Councilors had toured the St. Johns Landfill and nearby bridge over the weekend. She noticed the bridge was showing signs of stress due to heavy weight loads. She urged the Council to support the ordinance, particularly the section requiring penalty charges for overweight loads.

Presiding Officer Deines informed visitors that the public hearing on the ordinance was held on February 26, 1981. Discussion at this evening's meeting, he said, would be among Councilors only.

A vote was called on the motion. Voting aye were Couns. Oleson, Kirkpatrick, Rhodes, Schadeen, Bonner, Etlinger, Kafoury, Burton and Deines. Abstaining was Coun. Banzer. Coun. Williamson was not present at the time the vote was taken. The motion carried.

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2.2 Ordinance No. 80-105, For the Purpose of Establishing Procedures
for Locational Adjustments to Metro's Urban Growth Boundary
(Second Reading)

Two motions were introduced by Coun. Rhodes and seconded by Coun. Kafoury: 1) to amend Ordinance No. 80-105 as recommended on the pink sheets distributed March 5, 1981; and 2) to adopt Ordinance No. 80-105 as amended. Mr. Jim Sitzman then explained that the material on the pink sheets was identical to that material submitted to the Council on February 26, 1981 with the exception of the correction of one typographical error. Mr. Sitzman and Coun. Bonner proceeded to explain the amendments in the ordinance. They reported the intention of these amendments was to introduce more affirmative language into the ordinance, thus making it a stronger document.

Presiding Officer Deines expressed dissatisfaction with the proposed amendments being presented to Council without first being reviewed by the Council Committee. Coun. Rhodes explained the amended material was identical in intent to the draft recommended by the Council Committee and she requested the Council act on the motions to amend and adopt the ordinance.

Presiding Officer Deines then opened the public hearing on Ordinance No. 80-105 as amended. Mr. Bob Stacey of 1000 Friends of Oregon testified that Metro staff had accurately represented the Friends' concerns in the amended ordinance and that it would be consistent with LCDC's goals. There being no further testimony from the public, Presiding Officer Deines closed the public hearing.

A vote was taken on the motion to approve the amendments, as recommended, to Ordinance No. 80-105. All Councilors present voting aye, the motion was carried.

A vote was taken on the motion to adopt Ordinance No. 80-105. Mr. Andrew Jordan reported that at the February 26, 1981, Council meeting the findings in support of the ordinance, dated February 19, 1981, were distributed to the Council. These findings should be sent to LCDC and should be made part of the public record, he said.

Presiding Officer Deines called a vote on the motion to adopt Ordinance No. 80-105 as amended. Voting aye were Couns. Williamson, Kirkpatrick, Rhodes, Schedeen, Bonner, Banzer, Etlinger, Kafoury, Burton, Oleson and Deines.

Coun. Kirkpatrick moved, seconded by Coun. Kafoury, that the findings in support of the ordinance, dated February 19, 1981, be made part of the record. A vote was taken on the motion and the motion carried unanimously.

3. GENERAL DISCUSSION

3.1 Legislative Program Update

Mr. Isaac Regenstreif said he would present material of an information nature at tonight's meeting. Legislative items requiring a formal position would be

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presented at the Council Coordinating Committee next week. Mr. Regenstreif reported that Senate Bill 422, dealing with the continuation of dues from local governments and other administrative matters, has been split into two parts: the portion of the legislation concerned with dues assessment will be referred to the Local Government Committee and the portion pertaining to election concerns has been referred to the Elections Committee. The new Senate Bill 422 covers the election concerns. A number will soon be assigned for the other portion of the bill.

House Bill 2348 will be reviewed by the House of Representatives this Monday, Mr. Regenstreif said. This bill deals with Metro's ability to refer legislation and when legislation can be placed on the ballot by Metro.

Last Friday Metro received approval of the Ways and Means Committee for a \$6.4 million loan and grant application to fund phase one of the resource recovery site development and the Clackamas refuse and recycling center.

Two bills, one requesting a variable gas tax and another requesting additional local funding for transportation, will be reviewed next Thursday.

Several land use bills have been introduced to the Senate Land Use and Environment Committee. Hearings are scheduled to begin in a few weeks.

Farm tax deferral legislation is being reviewed by the House Revenue Committee. Mr. Regenstreif said Joe Cortright and Rod Boling of the Metropolitan Development staff did an outstanding job of presenting preliminary data to the committee.

Both LID bills have been introduced and this legislation will be explained to the Council Coordinating Committee within a few weeks.

Senate Bill 327, which would lift the backyard burning ban and prohibit DEQ from invoking future bans, has been introduced. The bill is likely to be amended to prohibit a ban from going into effect until an adequate alternative has been determined. The Environment and Land Use Committee is reviewing this legislation.

3.2 Status Report on Budget and Discussion of Budget

Mr. Charlie Shell reported the budget process is proceeding as scheduled. All departments have submitted their preliminary requests which the Executive Officer is now reviewing. Staff plans to present preliminary information to the Council Coordinating Committee at their next meeting.

Regarding the status of federal grants, Mr. Shell said that HUD and EDA grants may be cut. This would result in a \$170,000 decrease in Metropolitan Development revenues. EPA grants may be reduced by \$110,000. The Transportation Department may be faced with grant reductions totaling \$397,000. The Bonneville Power Administration may award Metro with an \$80,000 grant for energy projects.

Mr. Shell also reported that current year budget reports will be delayed another week due to computer capacity problems. A new storage disc will hopefully be installed next week which will alleviate the problem.

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Coun. Bonner asked Mr. Shell what local government dues revenues were anticipated next fiscal year. Mr. Shell was projecting a \$10,000 increase over this year. Coun. Butron reported that Washington County's upcoming levy ordinance did not include any dues payable to Metro because the legislature has not yet established dues collection authority for next year. Burton questioned if this would set a precedent for other jurisdictions and be a potential problem for Metro. Mr. Denton Kent said if the legislature extended Metro's authority to assess dues, the local jurisdictions would have to comply with that decision.

Coun. Bonner asked if, in light of the present unstable grant picture, contingency budget plans were being made. Mr. Shell said that departments were in close contact with granting agencies and were receiving reliable information about the likelihood of future funding. Realistic revenue projections were being prepared. Also, the format of the budget allows for easy identification of program components effected by funding problems.

Presiding Officer Deines requested a budget update at the next Council meeting. Mr. Shell said that the Council would also receive a completed budget draft in early April and the Executive Officer's formal presentation of the budget to Council on April 23, 1981.

3.3 Other Items of Council or Executive Officer Concern

There were no items of Executive Officer concern.

Presiding Officer Deines, speaking to the dissatisfaction expressed at the meeting by one member of the garbage collection industry, conveyed his regret over the incident and said it did not reflect the majority views of the industry. He explained that the public hearing procedures were followed. Coun. Burton asked if perhaps a limited amount of time could be granted to the public to speak in the future even if the formal public hearing had closed. Coun. Schedeen supported this proposal. Coun. Rhodes, however, reminded Council of an incident where this privilege had been granted and abused. She said strict limits must be imposed on time allowed to testify. Also, additional testimony should be received only if new information, such as amendments to ordinances, was introduced at the second reading.

Presiding Officer Deines reported that he, Couns. Banzer, Schedeen and Etlinger attended an East County Transportation Committee hearing earlier in the week and the information exchange was very positive. He encouraged the Council to accept similar invitations which could promote Metro exposure and goodwill.

There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,



A. Marie Nelson
Acting Clerk of the Council