

C O U N C I L

Metropolitan Service District
527 SW Hall Portland, Oregon 97201 503/221-1646

Agenda

Date: January 10, 1980

Day: Thursday

Time: 7:30 p.m.

Place: Council Chamber

CALL TO ORDER (7:30)

1. INTRODUCTIONS

2. WRITTEN COMMUNICATIONS TO COUNCIL

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

4. CONSENT AGENDA (7:35)*

4.1 Minutes of Meeting of December 6, 1979

4.2 A-95 Review, directly related to Metro

5. ELECTION OF OFFICERS

6. REPORTS

6.1 Report from Executive Officer (7:45)*

6.2 Council Committee Reports (8:05)*

7. OLD BUSINESS

7.1 Ordinance No. 79-81, Adopting Interim Johnson Creek Basin Stormwater Runoff Plan (Second Reading) (8:30)*

8. NEW BUSINESS

8.1 Resolution No. 79-119, Authorizing a Position to Analyze Alternative Air Quality Control Measures (8:45)*

8.2 Resolution No. 79-120, Designation of Registered Offices and Agent (9:00)*

8.3 Metro Water Resources Study Reports (9:15)*

ANNOUNCEMENTS

ADJOURNMENT (9:30)*

* Times proposed are suggested - actual time for consideration of agenda items may vary.

zoo parent program



C O U N C I L

Metropolitan Service District
527 SW Hall Portland, Oregon 97201 503/221-1646

Agenda

Date: January 10, 1980

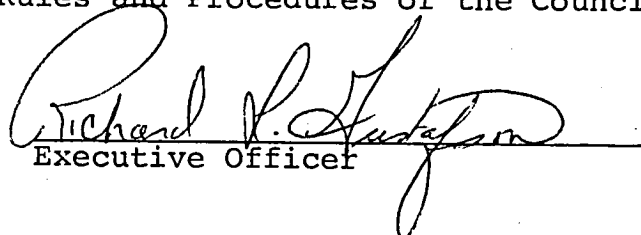
Day: Thursday

Time: 7:30 p.m.

Place: Council Chamber

C O N S E N T A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet the Consent List Criteria established by the Rules and Procedures of the Council.


Richard R. Hudson
Executive Officer

4.1 Minutes of Meeting of December 6, 1979

Action Requested: Approve Minutes as circulated.

4.2 A-95 Review, Directly Related to Metro

Action Requested: Concur in staff findings

mec

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

December 6, 1979

Councilors In Attendance

Chairman Michael Burton
Vice Chairman Donna Stuhr
Coun. Charles Williamson
Coun. Craig Berkman
Coun. Corky Kirkpatrick
Coun. Jack Deines
Coun. Jane Rhodes
Coun. Betty Schedeen
Coun. Caroline Miller
Coun. Cindy Banzer
Coun. Gene Peterson
Coun. Marge Kafoury

Others In Attendance

Mr. Bruce Etlinger
Ms. Beth Blunt
Mr. Robert W. Blunt, Jr.
Mr. George Hubel
Mr. Dean Smith
Mr. T. Fulbright
Ms. Patty Mantia
Ms. Colleen (Acres)
Mr. D. Kohlhiff
Mr. Phil Adamsak
Mr. Peter A. Nathan, MD
Mr. Bob Weil

In Attendance

Executive Officer Rick Gustafson

Staff In Attendance

Mr. Denton U. Kent
Mr. Andrew Jordan
Mr. James Sitzman
Mr. Charles Shell
Ms. Peg Henwood
Mr. Mel Huie
Mr. Tom O'Connor
Ms. Marilyn Holstrom
Ms. Berta Delman
Mr. Warren Iliff
Mr. Ray Bartlett
Ms. Priscilla Ditewig
Ms. Kathy Sampson
Ms. Caryl Waters
Ms. Mary Carder
Ms. Sonnie Russill
Mr. Dennis O'Neil

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CALL TO ORDER

After declaration of a quorum, the December 6, 1979, meeting of the Council of the Metropolitan Service District (Metro) was called to order by Presiding Officer Michael Burton at 7:30 p.m. in the Council Chamber, 527 S. W. Hall Street, Portland, Oregon 97201.

1. INTRODUCTIONS

There were no introductions.

2. WRITTEN COMMUNICATIONS TO THE COUNCIL

Chairman Burton said he had received a letter from Lloyd Anderson, Executive Director of the Port of Portland, which updated a land development project of the Port. All members of the Council received a copy of that letter.

Chairman Burton said a letter had been written to the Executive Officer by Governor Atiyeh concerning renewal of federal planning designations for Metro.

Chairman Burton received a letter from Diane Spies. All Councilors had also received the same letter.

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

Mr. Bruce Etlinger, representing the Coalition for Better Veterans Health Care asked permission to read a statement. Chairman Burton ruled that he could do so. Mr. Etlinger read a statement protesting the FEIS for the Veterans Hospital and asked Council cooperation with the Coalition for Better Veterans Health Care to request the Veterans Administration to review the option it had chosen before making a final decision to construct the hospital.

Chairman Burton said the Council would consider this matter under New Business.

4. CONSENT AGENDA

4.1 Minutes of the meeting of November 8, 1979

4.2 A-95 Review directly related to Metro.

4.3 Contracts

Coun. Miller moved, seconded by Coun. Kirkpatrick, that all items on the Consent Agenda be approved.

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Coun. Rhodes said that on page 10 of the minutes it was reported that Coun. Kirkpatrick had said that three jurisdictions had already endorsed this proposal. What Coun. Kirkpatrick had actually said was that three jurisdictions had already endorsed development guidelines in the LID proposal.

Question called on the motion. The consent agenda was unanimously approved with amendments made as noted.

5. REPORTS

5.1 Report from Executive Officer

The Executive Officer called attention to posters displayed in the reception area and said that these were Zoo posters which were on sale either at the Zoo Gift Shop or here at Metro. He explained that proceeds from the sale of these posters would go for support of the capital program.

The Executive Officer requested the General Counsel to report on a court case regarding the Urban Growth Boundary.

Mr. Jordan explained that three property owners from Happy Valley had filed a Request for Mandamus and Injunction against LCDC and Metro to prevent acknowledgment of the UGB, at least until such time as those property owners had had new hearings before a new hearings officer. The decision whether or not a preliminary injunction would be granted would be made by December 7.

The Executive Officer introduced four new Metro employees Dennis O'Neil - Solid Waste; Sonnie Russill - Administrative Assistant to the Executive Officer; Priscilla Ditewig - Council Secretary; and Berta Dellman - Citizen Involvement Coordinator.

The Executive Officer said that two notable events had occurred this day. Denton Kent had been named Chairman of the Oregon COGs. He had also been selected to become a member of the National Urban Policy Roundtable. Mr. Gustafson asked Mr. Kent to report to the Council about the Natural Urban Policy Roundtable.

Mr. Kent explained that the Urban Policy Roundtable consisted of 50 people who were selected to study and make advisory comments on national urban policy.

The Executive Officer introduced Steve Siegel who had prepared a special report on the Westside Transitway

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Project. He said that the Council had a significant decision concerning the Westside coming before it at its meeting of December 20. The Council would make its final decision after the local jurisdictions had adopted individual resolutions.

Mr. Steve Siegel introduced Bob Schalk, Peg Henwood, Frank Angelo, Andy Cotugno and Craig Ferris, staff members involved in the Westside project. Mr. Siegel said that the Council would select five options for further study, for more detailed planning and for special involvement. Resolutions would amend the UWP to meet needs of that process. Mr. Siegel said that the members involved in the project had worked very hard to obtain public involvement and had spent a great deal of time holding meetings in the jurisdictions affected. The Council will be expected to hold public hearings and amend the existing UWP to include the options they decide on.

Coun. Williamson congratulated Mr. Siegel and the group working with him for the excellent presentations that had been made concerning the Westside project.

5.2 Council Committee Reports

JPACT: Coun. Williamson said JPACT had not met since the last Council meeting but had meeting scheduled for Monday and Tuesday. There would be several transportation items on the December 20 agenda scheduled.

Zoo: Coun. Banzer said that Councilors had received a copy of the Annual Report at the recent retreat. She said that the Zoo programs will be continued, and that the Committee was working out development plan recommendations. Other items considered by the Zoo Committee would appear on tonight's agenda.

Citizen Involvement: Coun. Stuhr said that there had been 129 applicants for the position of Citizen Involvement Coordinator. She gave some background on Berta Dellman, the new public involvement coordinator, and said she felt the choice had been good. Coun. Stuhr said the Westside Transitway, the McLoughlin Corridor project and the Resource Recovery project had all included neighborhood meetings as part of their preparations along with other coordination efforts. Coun. Stuhr said that much progress had been made in relation to the Johnson Creek project.

Planning and Development Committee: Coun. Kafoury deferred to Coun. Peterson, saying she had not been

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present at the last Committee meeting. Coun. Peterson said that the Planning and Development Committee had discussed a report that would be issued to the Pacific Northwest Regional Community as a partial satisfaction of a grant to Metro. A draft of this report will be forwarded to Councilors. The Committee was concerned with the fact that the Council does not have a policy on economic development and, therefore, this report should not be presented as the position of the Council. In view of that fact, staff had drafted a letter for the signature of the Chairman pointing this fact out. Coun. Peterson read the proposed letter.

Coun. Peterson said the Planning and Development Committee had considered about 20 applications for three positions on its Housing Policy Alternative Committee. The recommendation of the Committee for the position on Multnomah County was for Sister Marjorie Ille; Gail Brown-Arend was recommended for the position in Clackamas County. Coun. Peterson moved, seconded by Coun. Kafoury, that these appointments be approved. All Councilors present voting aye, the motion carried unanimously.

Coun. Peterson said the Committee had also received 20 applications for the Land Market Monitoring Policy Alternatives Committee positions. He recommended that Erma (Blackie) Walsh and Kenneth G. Bostwick be appointed to that Committee. Coun. Peterson moved, seconded by Coun. Kafoury, that these appointments be approved. All Councilors present voting aye, the motion carried unanimously.

Ways and Means Committee: Coun. Kirkpatrick said the Ways and Means Committee had reported at the last meeting on the Quarterly Report. She said that Resolution No. 79-109 would be on the agenda under New Business to adopt the Quarterly Report.

Solid Waste/Public Facilities Committee: Coun. Berkman said the Committee had considered a number of items at its last meeting. He asked that Coun. Rhodes give an update on the Johnson Creek Task Force. Coun. Rhodes said that she had made a mistake in saying that not enough was happening in connection with this Task Force. Problems are now getting solved and everyone is working very hard on it.

Coun. Berkman said the Solid Waste/Public Facilities Committee had approved two contracts which would be referred to the Council for further approval. In

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addition, the Committee had received a request from Multnomah County to approve a variance in connection with a property where they wished to build some of their shops. The Committee had recommended that this request be approved with conditions. This will be coming to the Council for final action, probably at the next Council meeting.

The last item in the Committee report related to a report that the Committee had received from the Landfill Siting Advisory Committee for Clackamas County. The CH₂M study referring to birds was the subject of that meeting. Based upon public comment, the unanimous recommendation of the Citizens Advisory Committee for Clackamas County was that all work being done by Metro be terminated. The Solid Waste/Public Facilities Committee advised members of that Advisory Committee that the matter would be discussed at its next meeting. Previous to that meeting, the Council Policy Alternatives Committee for Solid Waste had met to discuss the merits of the CH₂M HILL bird study and had unanimously voted that Metro proceed to continue studies in that area. Thus, the Solid Waste/Public Facilities Committee was faced with two opposing recommendations. After lengthy discussion it was the consensus of the Committee and staff to suspend further work on the Mira Monte studies until January in order to get clarification on the legal liability to Metro and other governmental jurisdictions in connection with this study.

Coun. Berkman reported that the Committee was concerned with conflicting views received from the Department of Environmental Quality and the State Aeronautical Department. The Committee felt that it was time staff began to review with the DEQ staff problems concerning the role of DEQ and Metro in the landfill siting issue. The Committee suggested that Mr. Irvine determine whether or not it would be best to have staff work with staff or whether it would be well for the Council to meet directly with the EQC Commission to iron out this conflict. It was a the feeling of the Committee that the Council should support a temporary halt in any further work at Mira Monte until these questions could be answered.

Chairman Burton said he was personally in agreement that an attempt should be made to clarify the roles of Metro and DEQ. No Council action at this time.

A short break was taken.

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5.3 A-95 Review Report.

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

6. OLD BUSINESS

6.1 Ordinance No. 79-80, Establishing Temporary Restrictions on Development Within the Urban Growth Boundary (second reading).

It having been ascertained that it was the consensus of the Council to do so, the Clerk read Ordinance No. 79-80 the second time by title only.

Coun. Kafoury moved, seconded by Coun. Deines, that Ordinance No. 79-80 be tabled.

Coun. Kafoury explained that the Planning and Development Committee had introduced this Ordinance because of a concern that land resources would be developed prematurely. Since its introduction the Committee had reexamined the necessity for the Ordinance in view of the assurance of Washington County that official local policies were already in place which precluded additional development of these areas. The County had agreed to provide monthly reports to the Metro staff on any building activity in these areas.

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

7. NEW BUSINESS

7.1 Resolution No. 79-106, Requesting Loans from Cities and Counties in Johnson Creek Basin to Support Metro's Formation of a Local Improvement District (LID).

Coun. Rhodes moved, seconded by Coun. Stuhr, that Resolution No. 79-106 be adopted.

Coun. Rhodes reported that adoption of this Resolution would ensure that responsibility for initial financing of the Johnson Creek LID would be distributed equally among six local jurisdictions in the Basin. She said Milwaukie had already formally approved this recommendation, Clackamas County had informally approved it, Portland had approved its fair-share and the Committee had been assured full support of the Multnomah County Executive, but they were not sure where the Multnomah County Commission stood at this time.

There being no questions or discussion of this matter, the question was called on the motion. All Councilors present voting aye, the motion carried unanimously.

7.2 Resolution No. 79-107, Establishing Free Admission at the Washington Park Zoo.

Coun. Banzer moved, seconded by Coun. Peterson, that Resolution No. 79-107 be adopted.

Mr. Iliff said that this was a pilot program and that the Committee would report back in the spring as to its success. He said that the primary impact of the program was to increase off-season visitations by encouraging children to visit the Zoo with their parents between November and April. This would make the Zoomobile Classroom visits more attractive to teachers and students and tie the education outreach program more closely to Zoo visitations.

All Councilors voting aye, the motion carried unanimously.

7.3 Resolution No. 79-108, Supporting a Regulated Collection Industry.

Coun. Miller moved, seconded by Coun. Berkman, that Resolution No. 79-108 be adopted.

Mr. Merle Irvine explained that this issue had been discussed by the Solid Waste/Public Facilities Committee. Coun. Williamson said that the City of Portland was conducting a study of various ways to approach this matter. Mr. Irvine said that one staff person had been hired and public meetings were being held to discuss the collection franchise. Coun. Williamson said he understood that it was possible that this would be done by contract rather than franchise. Mr. Irvine agreed that there were two basic alternatives, one being a franchise. The Resolution did not speak specifically to franchises, but to a regulated collection industry.

Coun. Kirkpatrick questioned use of the word "encourage" rather than "demand" in the Resolution. Coun. Berkman explained that, should this policy be adopted, it would afford an opportunity for Metro to work in cooperation with the collection industries to accomplish a number of things that might impact the solid waste issue in a positive way.

There was further Council discussion of this Resolution.

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The Executive Officer said it was appropriate for the Council to discuss the policy regarding regulation of the waste collection because it directly impacted Metro's ability to solve the waste problem. It was important that the Council should look at the overall policy with regard to collections. Mr. Gustafson suggested that a model regional ordinance for franchising be developed and that Metro seek a close relationship with local governments to attempt to solve this problem and keep an effective industry.

Chairman Burton said he felt this was a part of putting into place a total workable recycling solid waste system.

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

7.4 Resolution No. 79-109, Establishing Revised Budget Control Procedures.

Coun. Kirkpatrick moved, seconded by Coun. Rhodes, that Resolution No. 79-109 be adopted.

Coun. Kirkpatrick explained that the matter of revising budget control procedure had been discussed at the retreat. The budget procedure now in effect was adopted in connection with the fiscal budget, to assure that a contingency would be built. The Ways and Means Committee has reviewed the way this has been structured so that Metro could come up with a supplemental contingency.

Chairman Burton said that he had been concerned that there might be potential layoffs. Some of that had come to pass, but he felt that much had been done positively. He was not totally in favor of this Resolution but he would support it.

There being no further discussion, question was called on the motion. All Councilors present voting aye, the motion carried unanimously.

7.5 Request from group "Coalition for Better Veterans Health Care," for Council concurrence.

Coun. Williamson moved, seconded by Coun. Banzer, that Metro form a Task Force to be headed by a Councilor to investigate the possibility of entering into legal action on the matter of the IES on the Veterans Hospital. Further, the Task Force should investigate, together with other jurisdictions, veterans preference for receiving

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medical care and investigate the possibility of an alternative proposal for delivery of health care to veterans. The Task Force should report back to the Council before taking any action.

Coun. Williamson continued that the Task Force should not do this alone, but with the City of Portland, Multnomah County and the Veterans for Health Care.

Coun. Stuhr asked that staff respond to the question of the time when legal action must be taken.

Marilyn Holstrom, Local Government Assistance Coordinator, said there is no time frame. Metro can come in any time within the next six to nine months and still have some kind of impact on the design phase and other phases. Ms. Holstrom reviewed past action taken by the Council and other jurisdictions involved in the review. She explained the options Metro had concerning the EIS.

Coun. Rhodes discussed the matter of the budget and staff time required to comply with the proposed resolution. She said it would be necessary for some time to be taken from other tasks to work on this assignment. She did not believe this was a current role Metro should be involved in. Metro should support Multnomah County but should not act as the lead agency. Therefore, the Council should not take a position in support of any of the options because it had not been involved in the process. Coun. Rhodes said she would recommend against further involvement in this project on an official basis.

Coun. Williamson said the motion only spoke to investigation. Chairman Burton said the Coalition was already investigating the possibility of whether legal action could take place. He suggested that perhaps a member of the Council should be designated to become a member of that Coalition. Coun. Williamson said he would like to have staff do some spade work in the area. Perhaps if the Council could lend some official weight or credence to the effort it might be helpful.

The Executive Officer said it was clear that the Council was interested in supporting the effort of the Coalition. He felt that they could reiterate their endorsement of the option to the Veterans Hospital and willingly participate in some kind of joint effort when there is discussion of appropriation of resources. The Council does not have any legal authority in that area. Executive Officer felt that Metro could lend its assistance, but should be very careful about lending its resources.

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There was further discussion of the matter of appropriating resources to assist in this venture.

Coun. Peterson asked to amend the motion to provide that a limit of staff time be set at 16 hours. Coun. Williamson said he would accept that as a friendly amendment. Coun. Banzer agreed.

Coun. Schedeen reported that after the last Council discussion on this matter she had called Congressman Duncan, asking his reaction to Metro continuing this effort, and whether he would join in making a statement to suggest that there be no hospital at all. Congressman Duncan had said that he could not join with Metro, but would like to see Metro move ahead to check the potential of this proposal.

Coun. Kirkpatrick moved, seconded by Coun. Kafoury, that two hours of staff time be designated for this project and that a decision be postponed until the next Council meeting.

Roll call vote. Couns. Kirkpatrick, Peterson, Kafoury and Burton voted aye. Couns. Stuhr, Williamson, Berkman, Rhodes, Schedeen, Miller, Banzer voted nay. Coun. Deines was absent. The motion failed.

Roll call vote on Coun. Williamson's main motion to form a Task Force and designate staff time. Couns. Stuhr, Williamson, Schedeen, Miller, Banzer voted aye, Couns. Berkman, Kirkpatrick, Rhodes, Peterson, Burton voted nay. Coun. Kafoury abstained. Coun. Deines was absent. The motion failed.

Coun. Williamson asked to make the same motion without including any staff time. Chairman Burton asked if, since Metro has already played a role in this matter and had taken a position, it would satisfy Coun. Williamson if he asked him to act as the Metro representative to the Coalition. Coun. Williamson asked Coun. Schedeen if she would take on this task. She agreed and Couns. Miller and Kafoury volunteered to attend as Metro representatives.

8. ANNOUNCEMENTS

Chairman Burton announced that the Council would go into an informal meeting on Committee structure immediately following adjournment of this meeting.

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There being no further business to come before the Council the meeting adjourned.

Respectfully submitted,



Mary E. Carder
Clerk of the Council

MEC/gl
6389/87

DIRECTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW

Agenda Item 4.2

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>1. <u>Project Title:</u> Multnomah County Community Development Block Grant - Pre-application (#7912-7)</p> <p><u>Applicant:</u> Multnomah County</p> <p><u>Project Summary:</u> Funding for housing rehabilitation, land acquisition for development of assisted housing, and improvement of infrastructure in the areas where public housing will be built. Activities will occur over a three year period.</p> <p><u>Staff Recommendation:</u> Favorable Action. The proposed activities are consistent with the goals and objectives of the AHOP.</p>	<p>\$2,000,000 (HUD)</p>				<p>\$2,000,000</p>
<p>2. <u>Project Title:</u> SW 195th & Rosa Road Park (#7912-6)</p> <p><u>Applicant:</u> Tualatin Hills Park and Recreation District</p> <p><u>Project Summary:</u> Development of a neighborhood park. Amenities will include: landscaping; drinking fountains; tennis courts, pathways; etc.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$51,240 (Dept of Interior - HCRS)</p>		<p>\$57,390</p>	<p>\$6,150</p>	<p>\$114,780</p>
<p>3. <u>Project Title:</u> Clackamas County Housing Authority Project (#7911-15)</p> <p><u>Applicant:</u> Housing Authority of Clackamas County</p> <p><u>Project Summary:</u> Land acquisition to precede construction of assisted housing on scattered sites in Clackamas County. Nine single-family units will be built for families.</p>	<p>\$156,000 (HUD)</p>				<p>\$156,000</p>

DIRECTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW Agenda Item 4.2

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>3. Clackamas County Housing Authority Project (#7911-15) (Continued)</p> <p><u>Staff Recommendation:</u> Favorable Action. The proposed projects are consistent with the goals and objectives of the AHOP.</p>					
<p>4. <u>Project Title:</u> Derbyshire I (#7912-1)</p> <p><u>Applicant:</u> Oregon State Housing Division</p> <p><u>Project Summary:</u> Proposal to construct a 10 unit rental housing project for low income family occupancy. Project location is 5517 N.E. 27th Avenue, Portland.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$ 36,000 (HUD rent subsidy)</p>				<p>\$ 36,000</p>

Planning and Development
Committee

Metropolitan Service District
527 SW Hall Portland, Oregon 97201 503/221-1646

Agenda

Date: January 7, 1980

Day: Monday

Time: 5:30 p.m.

Place: Conference Room C

CALL TO ORDER

1. INTRODUCTIONS
2. WRITTEN COMMUNICATIONS
3. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS
4. APPROVAL OF MINUTES
5. REPORTS AND BUSINESS
 - 5.1 Discussion of Housing Goals and Objectives
 - 5.2 Economic Development Program
 - 5.3 Milwaukie Acknowledgment Review*
 - 5.4 Annual Amendment Process

* Materials Enclosed

WAYS AND MEANS
COMMITTEE

Metropolitan Service District
527 SW Hall Portland, Oregon 97201 503/221-1646

Agenda

Date: January 15, 1980

Day: Tuesday

Time: 5:00 p.m.

Place: Conference Room A

1. Discussion of Council committee structure
2. Discussion of Fiscal year 1980 budget process
3. Review of procedures to fill vacant Council positions
4. Other business

Zoo Committee (Metro Council)
December 13, 1979
Zoo Conference Room

NEXT MEETING
January 3, 1980
3:30 p.m. in the Zoo
Conference Room

Those present: Cindy Banzer, Chairperson; Councilor Betty Schedeen.
Staff: Warren Iliff, Kay Rich, Judy Henry.
Guest: Jack Pement

1. Minutes of November 29, 1979, were approved as published.
2. Adopt an Animal Program: Chairperson Banzer stated that she is very pleased with the animal adoption program and the very positive publicity that it is generating. Those present concurred.
3. Zoo Levy: Kay Rich distributed a tentative outline of projected operating costs and revenues plus a list of development plan projects. The Committee requested that Mr. Rich work out a percentage of Development Capital Outlay that will show effort for renovation programs including upgrading restrooms, boiler replacement, etc. He is also requested to check with each of the three counties to determine what the average property assessment is for private homes.

With regard to increasing the admission rates, the committee members would like to look into the possibility of perhaps not increasing rates for children. This will be addressed in the overall admission study being conducted by Jack McGowan. The Committee would also recommend that we aggressively pursue the creation of a foundation to obtain private funding for capital needs.

Motion: Councilor Schedeen moved that the Committee recommend the operating costs be subsidized at \$3 million per year from 1981 to 1984. This would anticipate a 25% increase in admission fees to be applied July, 1981. Staff will come back with recommendations on which admission fees should be raised, and will also address the issue of the split fee. Should our fiscal picture change drastically, the issue of increased admission fees may need to be implemented prior to July, 1981.

Motion carried unanimously.

4. Development Plan: Mr. Iliff asked that the Committee not address the question of a specific level of funding as it is the Executive Officer's wish to make this kind of a determination next year, preferably in March when a better assessment of voter preferences can be made. The additional time will also allow us to develop more accurate cost data on each project prior to making a final commitment to the voters.

Mr. Iliff suggested that pending the determination of individual project costs the Committee could resolve the questions of a levy versus a general obligation bond, a five year versus a ten year measure and, most importantly, what capital projects have the highest priority. He also asked that consideration be given to those projects that have the highest attendance appeal at the lowest increased operating costs.

Chairperson Banzer stated that she definitely wanted to include a capital measure in her recommendations to the Council at the Thursday meeting on December 20 even if final cost figures are not available and that the project list might be modified as those costs are firmed up.

The Committee suggested two alternatives for the levy.

Alternative One: A combined three year levy of \$5 million per year with \$3 million to go for operation and maintenance and \$2 million to go for capital construction with the following projects to be constructed (provided the cost estimates on all are within the \$6 million total):

- 1) Provide facilities to complete the initial primate project.
- 2) Complete outside feline renovation
- 3) Penguinarium renovation
- 4) Maintenance building construction
- 5) Reptile exhibit
- 6) Beaver/otter exhibit - completion

Alternative Two: If separate levies are required, the Committee recommends a three year, \$3 million a year levy for operation and maintenance and a five year, \$2 million a year levy for capital construction which would provide the following list of projects (provided the cost estimates on all are within the \$10 million):

- 1) Provide facilities to complete the initial primate project.
- 2) Complete outside feline renovation
- 3) Bear grotto renovation
- 4) Penguinarium renovation
- 5) Maintenance building construction
- 6) African plains-rhino exhibit
- 7) Alaskan exhibit
- 8) Reptile Exhibit
- 9) Beaver/otter exhibit - completion
- 10) Minor projects to be identified
- 11) Children's zoo renovation

The Committee would like to recommend that private funding be pursued for construction of the remainder of the Cascades Exhibit and a private restaurant. We should, however, concentrate on pursuing funding for one major project at a time, rather than several at once.

MEETING REPORT

DATE OF MEETING: December 11, 1979

GROUP/SUBJECT: Joint Policy Advisory Committee on Transportation (JPACT)

PERSONS ATTENDING: Charlie Williamson, Chairman; Carrie Miller, Donna Stuhr, Betty Schedeen, Al Myers, Dick Carroll, Connie Kearney, Jim Fisher, Dean Nichols, Larry Cole, Allen Manuel, Bob Bothman, Bob Schmaucher

Diane Jones, Ed Murphy, John MacGregor, John Lang, Ted Spence, David Peach, John M. Gillam, Jack Nelson, Wink Brooks, John Price, Dick Arenz, Steve Dotterrer, Mike Borresen, Paul Bay, Rick Daniels, Bebe Rucker, Winston Kurth

Bill Ockert, Steve Siegel, Gary Spanovich, Bob Haas, Karen Thackston

MEDIA: Gary Cornelius, Oregon City Enterprise Courier

SUMMARY:

1. TPAC BY-LAWS:

Approved and recommended for Council adoption.

2. WESTSIDE CORRIDOR WORK PROGRAM AND SUMMARY OF FINDINGS:

Steve Siegel discussed the Work Program and the proposed Resolution for further study of the five options. The Resolution was unanimously approved and recommended for Council adoption.

3. CLARK COUNTY TRANSPORTATION IMPROVEMENT PROGRAM:

Multnomah County submitted a letter in which they objected to the Third Bridge entry. Dick Carroll, Washington Department of Transportation (WDOT), explained that the item was for a study and was mistitled. He suggested that the document be approved with the understanding that the title would be changed and that TPAC would review the new title in January. Bebe Rucker agreed. Mr. Carroll then moved for approval of the TIP with the above stipulation. Motion PASSED unanimously.

4. METRO RESERVE FUNDING SCHEDULE AND INITIAL ALLOCATION:

Gary Spanovich explained that three subaccounts are being recommended because of time differences on the major corridor projects to which some of the candidate projects relate.

Betty Schedeen asked why East Multnomah County did not have a reserve. Staff response was that funding for these projects would be decided in an early time-frame. Therefore, a special reserve to hold funds would not be necessary.

Al Meyers commented that the fact that certain projects would support the Banfield project had not been recognized. Staff responded that reference to the Eastern Corridor project had been eliminated at Multnomah County's request.

Chairman Williamson called for a motion. Larry Cole moved and was seconded by Jim Fisher to approve the proposed Resolution.

Al Meyers moved and was seconded by Betty Schedeen to amend the Resolution by creating a fourth account for the Eastern Corridor of \$4.8 million. Discussion concerned the fact that \$4.8 million would more than fund all the East County projects while other categories would be under funded. It was suggested that if a separate fund was established, it should use the same 69 percent formula as the others (this would result in a East Corridor allocation of \$2.9 million).

A show of hands vote was taken. Those voting aye:

Al Meyers, Betty Schedeen.

Nay:

Jim Fisher, Allen Manual, Charlie Williamson, Bob Bothman, Robert Schumacher, Donna Stuhr, Carrie Miller, Dean Nichols, Larry Cole.

The motion to amend failed.

A vote on the main motion to approve the Resolution was called. Those voting aye:

Robert Schumacher, Allen Manual, Larry Cole, Donna Stuhr, Dean Nichols, Jim Fisher, Carrie Miller, Charlie Williamson, Bob Bothman.

Nay:

Betty Schedeen, Dick Carroll, Al Myers, Connie Kearney.

The motion passed.

5. RAMP METERING STATUS REPORT:

Removed from the agenda.

6. OREGON DEPARTMENT OF TRANSPORTATION (ODOT) SIX-YEAR PROGRAM:

Bob Bothman discussed the State Six-Year Program and the review process that had been conducted. February is the planned adoption date.

7. REGIONAL TRANSPORTATION PLAN GOALS AND OBJECTIVES:

Postponed until January.

8. 1981 UNIFIED WORK PROGRAM:

Postponed until January.

9. SOUTHERN CORRIDOR RECOMMENDATIONS:

Bill Ockert explained the proposal and the changes made by TPAC. Bob Haas presented the results of the analysis of alternatives.

Allen Manual asked why the recommended project did not go south of the Clackamas Expressway. Staff responded that improvements in the rest of the Corridor would be studied over the next few months.

Donna Stuhr moved and was seconded to approve the proposed Resolution. Motion PASSED unanimously.

10. PORTLAND TRACTION COMPANY RIGHT-OF-WAY:

The abandoned Portland Traction Company right-of-way (ROW) is for sale. The proposed Resolution would authorize study of possible purchase of the ROW. The general feeling was that the region needs to make a decision as to whether or not the ROW should be preserved for future transit use (possibly light rail).

Donna Stuhr moved and was seconded to approve the study and recommended Council adoption. Motion PASSED unanimously.

REPORT WRITTEN BY: Karen Thackston

COPIES TO: JPACT
Denton Kent
Rick Gustafson

KT:ss
6387/99

ORDINANCE NO. 79-81

TITLE ADOPTING INTERIM JOHNSON CREEK
BASIN STORMWATER RUNOFF PLAN

DATE INTRODUCED 12/20/79

FIRST READING 12/20/79

SECOND READING _____

DATE ADOPTED _____

DATE EFFECTIVE _____

ROLLCALL

	Yes	No	Abst.
Burton			
Stuhr			
Williamson			
Berkman			
Kirkpatrick			
Deines			
Rhodes			
Schedeen			
Miller			
Banzer			
Peterson			
Kafoury			

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING THE)	ORDINANCE NO. 79-81
INTERIM JOHNSON CREEK BASIN)	
STORMWATER RUNOFF PLAN)	Introduced by the
)	Solid Waste/Public
)	Facilities Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Purpose and Authority

a. The purpose of this ordinance is to reaffirm action taken by Metro Council on March 22, 1979, through adoption of Resolution No. 79-35 to designate the Johnson Creek Drainage Basin in the District as an area having significant impact on the orderly and responsible development of the metropolitan area and to now proceed with adoption of an interim functional plan therefor. It is the intent of the Council that said plan be temporary and be in effect only until superseded by a functional plan for regional drainage or a comprehensive Johnson Creek Basin drainage plan.

b. This ordinance, and the plan adopted hereby, are adopted pursuant to 1977 Or. Laws, ch. 665, sec. 18, ORS 268.310(3) and ORS 268.360(1).

Section 2. Findings

The Council finds:

a. That the District is authorized to designate areas having significant impact upon the orderly and responsible development of the metropolitan area and adopt functional plans for those areas.

b. That the Johnson Creek Drainage Basin is a multi-jurisdictional area susceptible to frequent flooding and water

pollution which can most effectively be controlled on a regional basis, and is therefore an area having significant impact on the orderly and responsible development of the metropolitan area.

c. That the proposed "Metropolitan Service District Interim Johnson Creek Basin Stormwater Runoff Plan," (formerly entitled "Interim Guidelines For Water Runoff Management in the Johnson Creek Basin, 6-14-79") is consistent with Statewide Land Use Planning Goals as indicated in Appendix A to said plan.

Section 3. Plan Adoption

a. The Interim Johnson Creek Basin Stormwater Runoff Plan (hereinafter the "Plan"), dated December, 1979, a copy of which is attached hereto and incorporated herein, is hereby adopted.

b. The Plan shall continue in effect until such time as it is superseded by a master regional drainage plan or a Comprehensive Johnson Creek Basin drainage plan.

c. The property to which the Plan applies is as indicated on the map entitled "Johnson Creek Drainage Basin," dated November, 1979, which map is attached to the Plan as Appendix B thereto.

Section 4. Implementation

a. It is the intent of the Council that the Plan be implemented primarily by local governments having jurisdiction within the Johnson Creek Basin. The Plan shall be applied by the District in the manner provided by 1977 Or. Laws, ch. 665, sec. 18(3).

b. Cities and counties with land inside the Johnson Creek Drainage Basin shall prepare and adopt plans or plan provisions, and appropriate implementing measures, sufficient to carry out the terms and provisions of the Plan by July 1, 1980. Prior to and after said

date, the District may review whatever local plans are in effect to insure that said plans and land use actions taken thereunder conform to the Plan. Such reviews shall be initiated and conducted pursuant to procedures to be prescribed by the Council for review of local comprehensive plans.

ADOPTED by the Council of the Metropolitan Service District
this ___ day of _____, 1979.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/gl
6139/81

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Air Quality Planning Position

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adoption of the attached Resolution which authorizes establishment of a Regional Planner II position in the Transportation Department. The person filling this position would analyze alternative air quality control measures as part of Metro's responsibility to develop an air quality plan which achieves air quality standards.
- B. POLICY IMPACT: Creation of this position will allow Metro to meet its responsibilities as the lead metropolitan air quality planning agency for ozone control measures.
- C. BUDGET IMPACT: The approved Metro budget includes funds to support the air quality planning program. A planning grant was recently approved by the Environmental Protection Agency to support this program. The requested position would be supported by this grant.

II. ANALYSIS:

- A. BACKGROUND: In May, 1978, Metro was assigned the lead role to develop plans to control carbon monoxide and ozone pollutants. In accordance with that designation the Metro Council, in May, 1979, approved a State Implementation Plan for air quality which: 1) quantified deficits in achieving air quality standards, and 2) described an effort to analyze and obtain commitments on a set of promising control measures (due June, 1982).

Responsibility for undertaking the effort to analyze and obtain commitments on a set of control measures was recently transferred to the Metro Transportation Department. A detailed review and revision of tasks, schedules, and manpower requirements has been completed by the Transportation Department. This review indicates that, while adequate planning funds exist, an additional analyst position is needed to assess the implications of the promising control measures described in the State Implementation Plan.

- B. ALTERNATIVES CONSIDERED: Two alternatives were considered: 1) extend the completion date for the air quality analysis or 2) divert personnel from other transportation planning activities. The first option appears to be

unacceptable in view of federal deadlines to have commitments to promising control measures by June, 1982, (it therefore is important to have the basic technical evaluation complete by the summer of 1980). The second option does not appear practical in view of the substantial commitments made by Metro to a number of important transportation planning analyses.

- C. CONCLUSION: Establishment of a new analyst position is necessary to ensure compliance with federal air quality planning requirements. The position can be filled with current budgeted funds.

CWO/gl
6505/92
1/10/80

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING)
A POSITION TO ANALYZE ALTERNATIVE)
AIR QUALITY CONTROL MEASURES)

RESOLUTION NO. 79-119

)
) Introduced by the
) Metro Transportation
) Committee

WHEREAS, Metro has the lead air quality planning role for carbon monoxide and ozone control measures; and

WHEREAS, Through Ordinance No. 79-71 the Metro Council approved a State Implementation Plan for air quality which set out on analysis of alternative air quality control measures; and

WHEREAS, The Environmental Protection Agency recently granted planning funds to Metro to undertake the analysis outlined in the State Implementation Plan; and

WHEREAS, A review of the tasks, schedules, and manpower requirements of the Metro air quality planning program indicates that, while funding is adequate, additional staffing is necessary; now, therefore,

BE IT RESOLVED, That the Metro Council hereby authorizes the establishment of a new Regional Planner II position which would support the analysis of alternative air quality control measures.

ADOPTED by the Council of the Metropolitan Service District this 10th day of January, 1980.

Presiding Officer

CWO/gl
6506/92

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Designation of Registered Offices and Agent

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Designation by resolution of a registered office and registered agent for service of process.
- B. POLICY IMPACT: None
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: ORS 198.340 requires that a registered office and agent be designated by resolution and notice of that designation be filed with the Secretary of State. By MSD Resolution No. 75-361 Dean Gisvold was named registered agent and 1408 Standard Plaza was named registered office for the Metropolitan Service District.
- B. ALTERNATIVES CONSIDERED: None.
- C. CONCLUSION: The current designation needs to be corrected. Naming the Clerk of the Council as designated agent and the District office as the designated office is consistent with special district and state agency practice.

AJ/MH/gl
6455/92
1/10/80

BEFORE THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CHANGING)
THE DESIGNATION OF REGISTERED)
OFFICE AND AGENT)

RESOLUTION NO. 79-120

Introduced by Mike Burton,
Presiding Officer

WHEREAS, Metro is required to designate a registered office and a registered agent for service of any process, notice or demand required or permitted by law; and

WHEREAS, The designation on file with the Secretary of State is no longer accurate and needs to be corrected to designate a new agent and registered office; now, therefore,

BE IT RESOLVED,

1. That the registered office for the Metropolitan Service District is located at 527 S. W. Hall Street, Portland, Oregon 97201.

2. That the registered agent for the Metropolitan Service District is MARY E. CARDER.

3. That notice of these designations be sent to the Secretary of State as required by ORS 198.340.

4. That MSD Resolution No. 75-361 designating a registered office and agent is repealed in its entirety.

ADOPTED by the Council of the Metropolitan Service District this 10th day of January, 1980.

Presiding Officer

AJ/MH/gl
6456/92

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Council Committee on Solid Waste/Public Facilities
FROM: Executive Officer
SUBJECT: Metro Water Resources Study Reports

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: A recommendation to the full Council for a motion accepting the remaining two Metro Study Reports listed below and releasing the reports, along with those authorized for release earlier, for public review and comment.
- . Land Application of Sewage Effluent in Clackamas and Multnomah Counties
 - . Dredging in Portland Harbor
- B. POLICY IMPACT: There are no substantial policy implications associated with the act of releasing the reports, recommendations and proposed policy statements for review and comment. At the end of the review period the Corps will prepare the final Metro study reports. Preparation of the final reports will take into account the comments and concerns raised by interested persons and organizations. These will be compiled and policy implications will be discussed in a Metro Staff Report to the Council prior to formal adoption of the reports by Ordinance in March.
- C. BUDGET IMPACT: None. Most of the planning activities in the Metro Study have been funded by Corps of Engineers appropriation. Metro staff coordination activities were authorized in the FY 1979 budget.

II. ANALYSIS:

- A. BACKGROUND: At the June 14, 1979, Metro Council meeting, the Council, acting on the recommendations of the Water Resources Policy Advisory Committee (WRPAC) and the Council Committee on Solid Waste and Public Facilities authorized the release of the Metro Study Reports on the attached list as soon as the remaining reports were complete. It has taken longer than anticipated to complete the last two reports. The revised schedule for review and adoption is as follows:

Late January: Release of Metro Study Reports with a joint letter by the Corps and Metro requesting review and comment by public.

February: Public review period.

Mid-March: Transmittal to Council.

Late-March: Comments appendix published.

April-May: Council action.

- B. ALTERNATIVES CONSIDERED: None
- C. CONCLUSIONS: The Water Resources Policy Alternatives Committee and the Council Committee on Solid Waste/Public Facilities have reviewed the reports and recommended their release for public review and comment.

METRO STUDY REPORTS TO BE RELEASED

June 5, 1979

WATER SUPPLY

- Regional Water Supply Plan
- Appendix 1 - Background Studies
- Appendix 2 - Technical Analysis
- Appendix 3 - Institutional Analysis
- Appendix 4 - Effects Assessment
- Appendix 5 - Existing Water Supply Systems for Outlying Communities
- Appendix 6 - Summary Work Plan for Groundwater Studies

DRAINAGE MANAGEMENT

- Regional Drainage Report
- Appendix 1 - Butternut Creek Basin Plans
- Appendix 2 - Salmon Creek Basin Plans
- Appendix 3 - Literature Review
- Appendix 4 - Flood Damage Reduction Measures
- Appendix 5 - Drainage Management Planning Manual

JL:ss
6252/81

Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

Memorandum

Date: December 17, 1979

To: Council Solid Waste/Public Facilities Committee

From: Water Resources Policy Alternatives Committee

Subject: Recommendations on the Draft "Dredging Report" and the "Land Application of Sewage Effluent in Clackamas and Multnomah Counties"

On December 12 the Water Resources Policy Alternatives Committee considered the Draft "Dredging Report" and the "Land Application of Sewage Effluent Report". The Committee's recommendation is that the Council release both reports for public review and comment. The Water Resources Policy Alternatives Committee further recommends that comments on the draft "Dredging Report" which were received from the Port of Portland too late for WRPAC consideration be resolved prior to the publication of the coordination draft and during the public review and comment phase of the proceedings.

:pj

MEETING REPORT

DATE OF MEETING: December 18, 1979

GROUP/SUBJECT: Ways and Means Committee

PERSONS ATTENDING: Couns. Corky Kirkpatrick, Jack Deines, Mike Burton, Donna Stuhr

Metro staff: Denton Kent, Andy Jordan, Marilyn Holstrom, Charlie Shell, John Gregory, Michele Wilder

MEDIA: None.

SUMMARY:

Chairman Kirkpatrick called the meeting to order at 5:15 p.m. and opened discussion on procedures to fill vacant Council positions. Andy Jordan presented the proposed procedures which included the following steps: First, applications would be accepted and secured by the staff to determine legal eligibility only; second, the Ways and Means Committee would review the applications and nominate no less than two and no more than five candidates to be presented to the Council; third, the Council would vote by written ballot, eliminating candidates through successive balloting until one candidate received a majority.

Coun. Kirkpatrick recommended that the proposed ordinance be referred to a Nominating Committee rather than the Ways and Means Committee. She explained that if the Council changed Committee structure, the ordinance would not have to be changed. The option of having Chairpersons of standing Committees serve as the Nominating Committee was also discussed. The Committee decided to recommend that the wording of the ordinance designate the Council Presiding Officer to appoint a Nominating Committee. Andy Jordan was directed to present a draft ordinance to the Committee at its January 15, meeting.

Marilyn Holstrom discussed proposed changes to the Local Officials Advisory Committee (LOAC). In response to the dissatisfaction with the current structure it is being proposed that the Committee be changed to serve as a regional forum to discuss issues and advise the Council through this forum. While the Steering Committee could call LOAC meetings at any time, the forums would be held quarterly. LOAC would participate in the A-95 review process as directed by the Governor by mail. The members would receive the same material as the Council.

Coun. Burton questioned the A-95 review function for LOAC as a duplication of effort since each city or county represented already participates in the review process. Coun. Kirkpatrick expressed her

support of the regional forum concept but stated that the forum must be meaningful. Ms. Holstrom assured the Local Government Assistance that her staff was prepared to devote the necessary time to make the forums a success.

Coun. Stuhr recommended approval of the staff recommendation with the stipulation that the effectiveness of the proposed A-95 review process be reviewed after three months. The Committee supported her recommendations.

Charlie Shell reviewed a draft of the fiscal year 1981 budget schedule. Coun. Kirkpatrick expressed concern that the Council have the opportunity to participate in the budget decisions before the Executive Officer presents the proposed budget to the Council in April. Mr. Shell noted that the Council would have an opportunity to refine the topics and issues discussed at the budget retreat prior to January 25.

The Committee also indicated that the Council should have an opportunity to participate in the decisions made to cut the priority list to balance the budget. Two points on the schedule were identified for Council review; first, the Council Committees should review the requested budgets prepared by the departments; second, the Council as a whole should review the budget just before the Executive Officer makes final decisions on the proposed budget.

The Committee also discussed the role of citizen involvement in the process. Two alternatives were discussed; (1) using LOAC as a budget review committee, and (2) using the members of the Finance Task Force with the exception of the members of the State Legislature. Interest was expressed in using a modified Finance Task Force, since these people were already familiar with the Metro budget.

The Committee expressed interest in a recommendation to hold an informal Council meeting before the January 24 regular meeting to discuss the budget process with the entire Council.

Charlie Shell reviewed the fiscal 1979 Audit Report and the Response to Management Letter. He noted that the staff had taken action to respond to each point of the auditor's management letter. While most of the recommended areas of improvement could be resolved by the next audit, some, such as the fixed asset system, could take longer. In response to a question by Coun. Burton, Mr. Shell explained that the contract and purchasing procedures were being tightened and that the Zoo was cooperating in complying with procedures.

The Committee discussed the issue of reorganizing Council Committees. Coun. Stuhr moved to postpone decisions on the Council Committees to the first meeting in February, and requested that Councilors attend the Ways and Means Committee January 15 meeting to discuss ideas on alternative Committee structures. Coun. Burton noted that procedural rules adopted by the Council required that the

Council appoint committees in January. The motion passed, with Coun. Burton's dissent, with the provision that staff verify whether the Council could wave the procedural ruling on this point.

REPORT WRITTEN BY: Charlie Shell

COPIES TO: Ways and Means Committee
Council
Executive Officer

SK:ss
6395/D4

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING)
PROCEDURES FOR FILLING VACANCIES)
IN ELECTIVE OFFICES)
)

ORDINANCE NO. _____
Introduced by the
Ways and Means Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Authority and Purpose

a. The purpose of this ordinance is to establish a procedure by which vacancies in elective offices shall be filled.

b. This ordinance is adopted pursuant to 1977 Oregon Laws, chapter 665, sections 5 (1), 6 and 7 (1), ORS 198.320 and ORS 259.075.

Section 2. Definitions

For the purpose of this ordinance, unless the context requires otherwise:

a. Elective office means the office of Councilor or the office of Executive Officer of the District.

b. Vacancy means a vacancy in an elective office.

Section 3. Vacancy in Office

refer to state law

An elective office shall become vacant:

A. Upon the incumbent's:

1. Death;
2. Adjudicated incompetence;
3. Conviction of a felony, other offense pertinent to the office, or unlawful destruction of public records;
4. Resignation from the office;

5. Recall from the office;
6. Ceasing to possess the qualifications required for the office; or
7. Candidacy for another public office.

~~B. --- Upon the failure of the person elected or appointed to the office to qualify for it within 10 days after the time for the term of office to commēncē; or~~

C. Upon absence:

1. From the District for 30 consecutive days without the consent of the Council; or
2. From Council meetings for 60 consecutive days without like consent.

Section 4. Filling of Vacancy By Appointment

a. The Council shall, upon becoming aware of a vacancy in a Council position, promptly determine the date of vacancy and appoint a qualified person who is and has been a resident of the sub-district, from which the previous incumbent was elected or appointed, for a continuous period of not less than one year from the date of the vacancy. In the case of a vacancy in the office of Executive Officer, the appointee shall reside and have resided in the District for a continuous period not less than one year from the date of the vacancy.

b. Appointments shall be made at a regular or special meeting of the Council.

c. In the case of a vacancy in the office of Executive Officer, the Chief Administrative Officer or, in the absence of a Chief Administrative Officer, the Director of Management Services

shall assume the duties and responsibilities of the Executive Officer until the vacancy is filled by election or Council appointment pursuant to this ordinance.

Section 5. Term of Appointment

A. ~~If an elective office becomes vacant less than 21 months after the beginning of the term of office of the last person elected to the office, the term of office of the appointee shall run until the beginning of the first odd-numbered year after the vacancy occurs and until a successor is elected and qualified.~~

B. ~~If the office becomes vacant 21 months or more after the beginning of the term of office of the last person elected to the office, the term of office of the appointee shall be for the remainder of the term of office of the last person elected to the office and until a successor is elected and qualified.~~ A person appointed to an elective office pursuant to this ordinance shall serve until a successor is elected and qualified pursuant to law.

Section 6. Election to Fill Vacancy

~~If an elective office becomes vacant less than 21 months after the beginning of the term of office of the last person elected to the office, a person shall be elected at the first general November election after the vacancy occurs to fill the vacancy for a two-year term and until a successor is elected and qualified.~~

Section 6. Appointment Procedure

a. In the event that an appointment to an elective office is necessary pursuant to this ordinance or State law, the Council shall proceed as follows:

1. The Council shall cause to be published a notice of

the vacancy. Publication shall be in at least one newspaper of general circulation in the region and, if the vacancy is in a Council position, in a newspaper of local ~~publication and~~ distribution in the subdistrict affected. Notice shall also contain the time and manner in which persons may apply for appointment and the name and phone number of the official from whom additional information may be obtained.

2. Applications shall be on a form provided by the District.
3. Applications shall be delivered on or before the 20th day following the first publication of the notice to the Executive Officer who shall promptly determine whether each applicant is legally qualified to fill the vacancy. Upon such determination, and not later than 10 days from the last final date ~~of~~ for application, all applications shall be forwarded to the ~~Chairperson~~ Presiding Officer of the Council.
~~Committee-on-Ways-and-Means.~~
4. The ~~Committee-on-Ways-and-Means~~ Presiding Officer shall, upon or before receipt of applications, ~~meet~~ as appoint a nominating committee of three Councilors, and which Committee shall promptly consider all applications from qualified applicants. The Committee may interview some or all applicants, and shall, within 30 days of receipt of applications,

provide to the Council a list of not less than two and not more than five nominations for the vacant position. The list shall be accompanied by a summary of relevant information concerning each nominee and shall be placed upon the soonest practicable be Council meeting agenda for hearing and consideration.

5. The Council shall, at the abovementioned meeting, conduct a hearing at which nominated applicants may address the Council. Failure of a nominee to attend such hearing or to address the Council shall not affect the nomination.
6. Upon conclusion of the hearing, the Council shall vote on nominees by written ballots which shall be signed by each Councilor and tabulated and announced by the Clerk of the Council. Until a nominee receives a majority vote of the entire Council (7), balloting shall continue as above by striking the nominee (or nominees in the event of a tie for the least votes) with the least votes on the previous balloting from each succeeding ballot. A nominee who receives a majority of votes of the entire Council shall be declared appointed to the vacant position and shall assume said position upon declaration.
7. All ballots shall be made public and shall be public records.
8. In the event of two consecutive tie ballots, the

appointment shall be settled by drawing lots, which drawing shall be conducted by the Clerk of the Council.

Section 7. Emergency Clause

The Council finds that a vacancy presently exists on the Council which must, pursuant to law, be filled by the remaining Councilors, and that a procedure to fill such vacancy is necessary immediately. Therefore, an emergency is declared to exist and this ordinance may be adopted after one reading pursuant to Section 7.07 of Ordinance No. 79-65.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1980.

Presiding Officer

Attest:

Clerk of the Council

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF DIRECTING THE)
EXECUTIVE OFFICER TO PREPARE)
PRELIMINARY PLANS AND SPECIFICA-)
TIONS FOR FLOOD CONTROL AND)
POLLUTION ABATEMENT IMPROVEMENTS)
IN THE JOHNSON CREEK BASIN)

RESOLUTION NO. 80-121

Introduced by the
Solid Waste/Public
Facilities Committee

WHEREAS, There is a long history of perennial flooding problems in the Johnson Creek Basin; and

WHEREAS, The Johnson Creek Basin has been designated by the Metropolitan Service District as an Area of Regional Concern pursuant to the State law; and

WHEREAS, The governing bodies for the cities of Milwaukie and Portland, together with the governing bodies for the counties of Multnomah and Clackamas have approved by resolution Interim Guidelines for Stormwater Runoff Management; and

WHEREAS, The governing bodies for the cities of Portland, Milwaukie, Gresham and Happy Valley, by Resolution, have expressed a desire for the formation of a Johnson Creek Local Improvement District; now, therefore,

BE IT RESOLVED,

1. That the Council directs the Executive Officer to prepare plans and preliminary engineering estimates, and specifications for Phase I and an estimate of Phase II costs for Flood Control Pollution Abatement improvements in the Johnson Creek Basin.

2. That the Council further directs the Executive Officer to file with the Clerk of the Council a preliminary engineering

report, complying with the requirements of Section 5 (b) (1)-(5) of Ordinance No. 79-78, not later than the 15th day of May, 1980.

Adopted by the Council of the Metropolitan Service District
this 24th day of January, 1980.

Presiding Officer

TM:gl
6539/92

Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

Memorandum

Date: January 18, 1980

To: Metro Councilors

From: Rick Gustafson

Subject: Amendments to Proposed Vacancy Ordinance

Councilor Banzer has suggested the following amendments to the proposed ordinance on vacancies in elected office:

1. Deletion of Sections 3.A.6 and 3.A.7.
2. In Section 3.C.1, change "30" to "60."
3. Change Section 3.C.2 to read "From X consecutive Council meetings without like consent."
4. Add the following sentence to Section 7.A.1: "The Council may also cause to be given notice by other means reasonably calculated to assure actual notice to persons who might be interested in applying for appointment."
5. Add the following sentence to Section 7.A.4: "Immediately following receipt of applications, the Committee shall distribute a list of all applicants to each Councilor."
6. Strike Section 7.A.9, and substitute language to permit other nominees to be considered after two tie ballots. (Such language is being drafted by Counsel).

RG:AJ:mec

MEETING REPORT

DATE OF MEETING: January 15, 1980
GROUP/SUBJECT: Ways and Means Committee
PERSONS ATTENDING: Couns. Kirkpatrick, Deines, Kafoury, Stuhr
Staff: Denton Kent, Charlie Shell, Kathy Sampson
MEDIA: None

SUMMARY:

*after Work Progr -
to have reprs., not chair,
of 3 committees*

Chairperson Kirkpatrick opened the meeting at 5:15 p.m. with a discussion of alternative ways of restructuring the existing Council committee system. The discussion focused on the possibilities of consolidating the existing committees to help improve the policy coordination between the various functional areas. Coun. Stuhr recommended consolidating the Transportation and Planning and Development with one objective being to better coordinate the air quality activities. Denton Kent suggested carrying the idea a step further to merge the Public Facility Committee.

Coun. Kafoury reviewed her memorandum on Council Committee Structure. She endorsed the idea of working through a committee structure, but recommended delaying a decision on exactly how those committees would be structured until the Council had set overall priorities. In the interim she recommended replacing the Ways and Means Committee with an Executive Committee comprised of the Chairperson, Vice Chairperson, two Councilors and the Executive Officer. This Committee would deal with the general issues of managing the Council agenda and communications.

Coun. Kirkpatrick introduced her idea for consolidating to three standing committees; a planning committee would absorb the work currently done by the Planning and Development/Transportation. The JPACT could continue as a citizen committee. A service or service delivery committee would be established to include the Zoo, solid waste, public facilities and storm drainage. The Committee discussed the possibility of placing the planning functions of public facilities under the planning committee.

A third committee to be called either an Executive Committee or a Work Program/Budget Committee consisting of the Executive Officer, Chairperson, Vice Chairperson and two other committee chairpersons would be established. This committee, similar to Coun. Kafoury's proposal, would monitor general management and procedural issues which cross the other committee lines.

Each committee will have three to four regular members. The membership could be rotated, but a Councilor could choose not to be a

member of a standing committee. The meetings will be open to any Councilor who chooses to attend. Committee meetings scheduled once a month with announced agenda, preferably in Council Chambers. Councilors would have a vote on the committee they are serving on and they could or could not be chairperson as they choose.

The work of the standing committees would be supplemented with special committees or task forces. Special purpose committees to solve short-term problems and reports to the Council with a definite charge and time line. Suggested as these committees are as follows:

- legislative package
- energy
- economic development
- long-range plan
- budget (executive with expanded attendance)
- finance
- personnel
- goals and objectives (long-range planning, growth management)
- convention facilities
- work program budget
- levy or finance
- long-range planning
- goals and objectives
- growth management
- landfill siting
- Westside Transit

After this discussion, Coun. Kafoury moved to approve Coun. Kirkpatrick's proposal. Coun. Deines seconded the motion which was approved unanimously.

Denton Kent requested the Committee's opinion on whether to fill the position of Public Facilities Director. Given the budget constraints and the position established by Councilors, only one of the two positions would be filled. If the Council thought that it would be important to proceed with a regional capital improvement program, provide assistance to local jurisdictions on capital planning, as well as to continue the "208" planning and the Johnson Creek project, the position of Environmental and Technical Director would be recommended. If the Capital Improvement Planning was not a priority, the remainder of the work could be performed by a Public Facilities Director. The Committee indicated their preference for filling the Environmental and Technical Services Director position.

Charlie Shell reviewed two items on the Council's January 24 agenda--the transfer of appropriations and the supplemental budget. Shell noted that both actions were needed to make budget changes in response to decisions previously made by the Council. The Committee agreed to recommend approval of both items to the Council.

Shell also discussed the proposal to make personnel changes in the Support Services Division. Shell was recommending promoting the current Office Manager to Administrative Assistant and eliminating

the Office Manager position. A part-time Maintenance Aide position would be established to help with routine maintenance tasks and monitor building security. The Committee agreed to endorse the proposal and report the changes to the Council.

CS/gl
6718/D4

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXPRESSING)	RESOLUTION NO. <u>80-122</u>
THE COUNCIL'S INTENT REGARDING)	
METROPOLITAN SERVICE DISTRICT'S)	Introduced by the
FUNDING MEASURES TO BE SUBMITTED)	Ways and Means Committee
TO THE VOTERS AT THE 1980)	
PRIMARY AND GENERAL ELECTIONS)	

WHEREAS, The Metropolitan Service District's authority to secure program funding support by collecting dues from member jurisdictions is set to expire at the end of FY 1981; and

WHEREAS, The existing serial levy which provides 40 percent of the total Zoo revenues is set to expire at the end of FY 1981; and

WHEREAS, The Council has recognized that the Metropolitan Service District's current dependence on federal and state grants to fund planning activities has the undersirable affect of requiring that program priorities be set by grant availability; and

WHEREAS, The Council has appointed a Finance Task Force to analyze and make recommendations regarding Metro financing options; and

WHEREAS, The Finance Task Force has examined a number of financing options including: serial levy, tax base, surtax on state income tax, federal revenue-sharing, motor vehicle registration and inspection tax, real estate transfer tax, land subdivision and partition tax, cable TV franchise tax, extension of Metropolitan Service District dues assessment authority, and sharing state revenues; and

WHEREAS, The Finance Task Force examined both long-term

revenue sources which would provide growth potential and a stable base for the organization, and short-term revenue sources which would provide an extended interim period of funding for existing levels of services and planning for longer-term goals and objectives; and

WHEREAS, The Finance Task Force considered but rejected a proposal to place a serial levy for general Metro activities, including the Zoo, on the Primary election ballot; and

WHEREAS, The Finance Task Force found a need for further program planning through development of a work plan prior to submitting a request for a focal tax measure to support general Metropolitan Service District activities; now, therefore,

BE IT RESOLVED,

1. That the Council agrees with the report and recommendations of the Finance Task Force.
2. That the Metropolitan Service District should place a ~~serial-levy and capital-funding~~ measure or measures ~~question~~ on the May Primary election ballot to fund Zoo operations, or a measure or measures to fund both Zoo operations and capital development. ~~and development.~~
3. That following development of a work plan and further exploration of other financing options, a question to secure a long-term permanent funding source in the form of a tax base or income tax measure for ~~general~~ Metropolitan Service District activities, ~~including the Zoo,~~ may be placed on the November General

election ballot.

ADOPTED by the Council of the Metropolitan Service
District this 24th day of January, 1980.

Presiding Officer

CS/gl
6615/92

Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

Memorandum

Date: January 18, 1980

To: Metro Councilors

From: Rick Gustafson

Subject: Amendments to Proposed Vacancy Ordinance

Councilor Banzer has suggested the following amendments to the proposed ordinance on vacancies in elected office:

1. Deletion of Sections 3.A.6 and 3.A.7.
2. In Section 3.C.1, change "30" to "60."
3. Change Section 3.C.2 to read "From X consecutive Council meetings without like consent."
4. Add the following sentence to Section 7.A.1: "The Council may also cause to be given notice by other means reasonably calculated to assure actual notice to persons who might be interested in applying for appointment."
5. Add the following sentence to Section 7.A.4: "Immediately following receipt of applications, the Committee shall distribute a list of all applicants to each Councilor."
6. Strike Section 7.A.9, and substitute language to permit other nominees to be considered after two tie ballots. (Such language is being drafted by Counsel).

RG:AJ:mec