

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Determining the)
Boundaries of Pioneer People's) RESOLUTION
Utility District #2.) #88-3

WHEREAS, the Multnomah County Board of Commissioners received an elector's petition requesting formation of a utility district called Pioneer People's Utility District #2; and

WHEREAS, the Board found the petition to be in compliance with ORS 261.005, et seq.; and

WHEREAS, ORS 261.161(2) requires the Board of County Commissioners to determine the boundaries of the proposed People's Utility District (P.U.D.); and

WHEREAS, hearings on the boundaries were held on December 15, 1987 and December 28, 1987 at which time public testimony was heard and petitions for exclusion and inclusion from the proposed P.U.D. were entertained; and

WHEREAS, ORS 261.161(4) directs the Board of County Commissioners to correct any deficiencies in the description of the boundaries of the proposed district; and

WHEREAS, the Multnomah County Department of Assessment and Taxation, with the concurrence of P.U.D. proponents, has reviewed the description of the boundaries, corrected all deficiencies as directed by the Board and formulated an exact description of the proposed P.U.D.; and

WHEREAS, the Board has received and considered the Oregon Department of Energy's report on the proposed Pioneer P.U.D.s #1 and 2;

NOW, THEREFORE, the Board of County Commissioners makes the following findings:

1. ORS 261.161(2) directs the Board of County Commissioners to "determine the boundaries" of the proposed district but gives no guidance as to the standard the Board must use in making that determination.

2. Absent a statutory standard with which to evaluate petitions for inclusion and/or exclusion, the Board must exercise

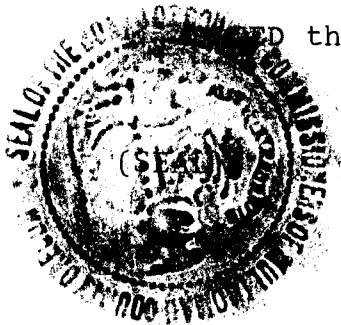
its discretion in a manner that would be most conducive to the public welfare.

3. The Board has received requests for the exclusion of over 100 parcels of property and one request for inclusion.

4. Based on review of the Department of Energy's report and the record of the hearings, the Board concludes that it would not be possible to define a standard of public welfare that would justify the exclusion or inclusion of property.

5. Establishing the boundaries as proposed by petitioners protects the right of initiative and the right of property owners within the boundaries to vote. Owners of businesses within the boundaries retain the right to be heard through the campaign process. This best serves the public welfare.

NOW, THEREFORE, BE IT RESOLVED that the boundaries of Pioneer P.U.D. #2 shall be those that have been formulated from the original description by the Multnomah County Department of Assessment and Taxation in conjunction with P.U.D. proponents. A correct description of those boundaries is attached hereto as Exhibit 1 and by this reference incorporated within this Resolution. A metes and bounds description will be attached by February 18, 1988.



ADOPTED the 7th day of January, 1988.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

BY

Gladys McCoy
Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

BY Arminda J. Brown
ARMINDA J. BROWN
CHIEF ASSISTANT COUNTY COUNSEL

9672C/sh
010788:3

PROPOSED LEGAL DESCRIPTION OF BOUNDARIES OF THE PIONEER PEOPLES
UTILITY DISTRICT #2 - PREPARED BY MULTNOMAH COUNTY 12/24/87

Adopted January 7, 1988 by Multnomah County Board of Commissioners

The entire boundaries of the district shall lie within Multnomah County, within the city of Portland, and within the existing service area of Portland General Electric Company (PGE). Beginning at the intersection of the centerline of E. Burnside St. and the east harbor line of the Willamette River; thence westerly along the centerline of E. Burnside St. to the centerline of the Willamette River; thence southerly along the centerline of the westernmost channels of the Willamette River to the intersection with the Multnomah-Clackamas County line; thence generally easterly and northerly along the Multnomah-Clackamas County line to the east right-of-way of SE 32nd Ave.; thence northerly along the east right-of-way line of SE 32nd Ave. to the north right-of-way line of SE Tacoma St.; thence westerly and northerly along the north right-of-way line of SE Tacoma St. to a point 50.00 feet east of the east right-of-way line for the Southern Pacific railroad tracks that cross SE Tacoma St. east of SE 26th Pl.; thence northerly along a line 50.00 feet east of the east right-of-way line for the Southern Pacific railroad tracks to the centerline of SE Bybee Blvd.; thence easterly and northerly along the centerline of SE Bybee Blvd. to the centerline of SE Tolman St.; thence northeasterly along the centerline of SE Tolman St. to the centerline of SE 28th Ave.; thence northerly along the centerline of SE 28th Ave. to the centerline of SE Woodstock Blvd.; thence easterly along the centerline of SE Woodstock Blvd. to the centerline of SE 36th Ave.; thence southerly to the south right-of-way line of SE Woodstock Blvd.; thence easterly along the south right-of-way line of SE Woodstock Blvd. to the east right-of-way line of SE 52nd Ave.; thence northerly along the east right-of-way line of SE 52nd Ave. to the northerly right-of-way line of SE Foster Rd.; thence northwesterly along the northerly line of SE Foster Rd. to the east right-of-way line of SE 50th Ave.; thence northerly along the east right-of-way line of SE 50th Ave. to the north right-of-way line of SE Hawthorne Blvd.; thence westerly along the north right-of-way line of SE Hawthorne Blvd. to the east right-of-way line of SE 49th Ave.; thence northerly along the east right-of-way line of SE 49th Ave. to the north right-of-way line of SE Stark St.; thence westerly along the north right-of-way line of SE Stark St. to the east right-of-way line of SE 32nd Ave.; thence northerly along the east right-of-way line of SE 32nd Ave. to the centerline of SE Ankeny St.; thence easterly along the centerline of SE Ankeny St. to the east right-of-way line of SE 32nd Ave.; thence northerly along the east right-of-way line of SE 32nd Ave. and NE 32nd Ave. to the east right-of-way line of NE 33rd Ave.; thence northerly along the east right-of-way line of NE 33rd Ave. to the centerline of Interstate 84 (U.S. Highway 30, "Banfield Freeway"); thence southwesterly along the centerline of said Interstate 84 to the extended centerline of NE Flanders St.; thence westerly along the extended centerline of NE Flanders St. to the east harbor line of the Willamette River; thence southerly along the east harbor line of the Willamette River to the point of beginning.

From the intersection of the east right-of-way line of NE 33rd Ave. and the centerline of Interstate 84 (US Highway 30, "Banfield Freeway") to the intersection of the extended centerline of NE Flanders St. and the east harbor line of the Willamette River, the boundary shall be along the existing line dividing service territory between PGE and Pacific Power & Light Co. (PP&L), including no area presently served by PP&L.



GLADYS McCOY, Multnomah County Chair

1988 Liaison Assignments

#88-3A

Commissioner Pauline Anderson

DEPARTMENT OF HUMAN SERVICES

Adult and Family Services Review Board
Association of Oregon Counties/NACO
Commission on Aging
Joint Policy Advisory Committee on Transportation
Mental Health Advisory Board
Community Health Council
Community Corrections Advisory Committee

Commissioner Gretchen Kafoury

DEPARTMENT OF JUSTICE SERVICES

Metropolitan Human Relations Commission
Municipal Services Transition
Private Industry Council
Justice Coordinating Council
Emergency Basic Needs Committee

Commissioner Polly Casterline

DEPARTMENT OF ENVIRONMENTAL SERVICES

East County Cities
East County Transportation Commission
EXPO Advisory Commission
Juvenile Services Commission
Nuclear Committee
Gorge Commission

Commissioner Caroline Miller

DEPARTMENT OF GENERAL SERVICES

Board of Equalization
Citizen Involvement Committee
Metropolitan Arts Commission
Cable TV

Commissioner Gladys McCoy

Economic Development (County Farm)
Library
Metropolitan Service District
Parks Commission
Bi-State Commission

1988 JAN 14 14:30
MULTNOMAH COUNTY
OREGON