

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO THE) ORDINANCE NO. 83-155
COMPOSITION OF THE CONTRACT REVIEW)
COMMITTEE OF THE COUNCIL AND)
AMENDING ORDINANCE NO. 82-130)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Ordinance No. 82-130, Section 1(b) is
hereby amended to read:

"(b) The Contract Review Committee shall
be comprised of three members to be
appointed annually by the Presiding
Officer of the Council, and confirmed by
the Council."

ADOPTED by the Council of the Metropolitan Service District
this 2nd day of June, 1983.



Presiding Officer

ATTEST:



Clerk of the Council

SK/gl
8505B/283
05/06/83

STAFF REPORT

Agenda Item No. 7.2

Meeting Date June 2, 1983

CONSIDERATION OF ORDINANCE NO. 83-155, AN ORDINANCE
RELATING TO THE COMPOSITION OF THE CONTRACT REVIEW
COMMITTEE AND AMENDING ORDINANCE NO. 82-130

Date: May 4, 1983

Presented by: Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 82-130 was adopted March 4, 1982, and created a Contract Review Committee of the Council and incorporated Metro's contract procedures. Section 1(b) designated that the Committee would be "comprised of the Deputy Presiding Officer, the Chair of the Council Coordinating Committee, and a third member to be appointed annually by the Presiding Officer of the Council."

In February 1983, prior to the annual appointment of committee members, the Council Presiding Officer received requests from Councilors Oleson (Deputy Presiding Officer) and Kirkpatrick (Chair of the Council Coordinating Committee) to appoint another Councilor in their place to the Contract Review Committee. The current ordinance would not allow for substitutions of this sort.

The amendment to Ordinance No. 82-130 would allow all three members of the Contract Review Board to be appointed annually by the Presiding Officer of the Council and would allow for the wishes of Council members to be considered in Committee appointments. This process is consistent with the method used for other Metro committee assignments.

The alternative to this Ordinance is to reappoint the Contract Review Committee for 1983 to be consistent with the existing Ordinance.

There is no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

I recommend approval of the attached Ordinance allowing all members of the Contract Review Committee to be appointed annually by the Presiding Officer of the Council.

COMMITTEE CONSIDERATION AND RECOMMENDATION

On May 16, 1983, the Council Coordinating Committee recommended, by a three to two vote, Council approval of Ordinance No. 83-155.

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Motion: Councilor Kirkpatrick moved adoption of the Consent Agenda. Councilor Hansen seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilors Deines, Kafoury, and Oleson.

Motion carried, Consent Agenda adopted.

7.1 Consideration of Ordinance No. 83-154 (authorizing computer purchase), relating to the FY 1982-83 budget and appropriations schedule, and amending Ordinance No. 82-132. (Second Reading)

Ordinance No. 83-154 was read a second time, by title only.

There was no Council discussion or public testimony.

Vote: The vote on the motion made at the Council meeting of May 5, 1983 by Councilors Kirkpatrick and Hansen to adopt Ordinance No. 83-154, resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilors Deines, Kafoury, and Oleson.

Motion carried, Ordinance adopted.

7.2 Consideration of Ordinance No. 83-155, relating to the composition of the Contract Review Committee of the Council and amending Ordinance No. 82-130. (First Reading).

Councilor Kirkpatrick said the issue had been discussed by the Coordinating Committee. She said the staff report in the agenda was inaccurate when it stated she and Councilor Oleson asked to have another Councilor appointed in their place on the Contract Review Committee. She also pointed out that a minority report should have been included because of the 3-2 vote on

the recommendation. She said the minority report should have indicated support for an amendment to the current language of the ordinance to add the words "or their designee" after Deputy Presiding Officer and Chair of the Council Coordinating Committee. She said the majority Committee recommendation amended the ordinance to allow appointment of the three members to the Contract Review Committee by the Presiding Officer. For purposes of discussion, she said she would move the majority recommendation of the Committee.

Motion: Councilor Kirkpatrick moved adoption of Ordinance No. 83-155 as presented in the agenda. Councilor Hansen seconded the motion.

The ordinance was then read the first time, by title only.

Presiding Officer Banzer stated she recommended adoption of the Ordinance as presented in the agenda and also indicated that she was proposing that the Chair of the Contract Review Committee be appointed to the Council Coordinating Committee to provide a link between the two committees.

Motion: Councilor Kirkpatrick moved to amend Ordinance No. 83-155 to add the language proposed in the minority report. The motion died for lack of a second.

Motion: Councilor Williamson moved to amend Ordinance No. 83-155 to add the words "and confirmed by the Council", with Section (b) of Ordinance No. 82-130 to read as follows:

- (b) The Contract Review Committee shall be comprised of three members to be appointed annually by the Presiding Officer of the Council, and confirmed by the Council.

Councilor Hansen seconded the motion.

Councilor Van Bergen commented that he would like language changes to appear in the body of the original ordinance so the Council is aware of the impact proposed changes would have on the original ordinance. Presiding Officer Banzer agreed and asked staff to prepare ordinances in the future in such a manner. Mr. Carlson responded that that would be done.

Vote: The vote on the motion to amend Ordinance No. 83-155 carried unanimously by voice vote.

The ordinance was passed to second reading on June 2, 1983.

Mr. Robert Breihof, 1246 S.E. 49th Avenue, 97215, stated he had met with Presiding Officer Banzer and was pleased with the meeting. He requested that he receive a copy of the minutes of the May 5th Contract Review Committee meeting.

8.1 Consideration of Resolution No. 83-405, for the purpose of supporting the Governor's budget request for obtaining new minimum or medium security prison space.

Councilor Hansen said that Councilor Oleson had requested that the resolution be introduced supporting the Governor's budget request for construction of new prison space. He said the Services Committee had forwarded the resolution to the Council with no recommendation.

Mr. Jack Bails, Criminal Justice Planning Director, explained the purpose of the resolution was to support the Governor's request for \$20 million to increase available prison space.

Councilor Williamson asked if support of the resolution also meant the Council was going on record as supporting the Governor's proposal to raise taxes through a net receipts tax to fund items such as the prison space.

Mr. Bails responded that he wasn't sure where the funding was to come from but was sure that the crowding in the jails was becoming critical.

Councilor Williamson said it was a laudable goal but felt there were other options besides the Governor's for getting additional jail space and that those should be looked into before taking a position.

Motion: Councilor Van Bergen moved adoption of Resolution No. 83-405. Councilor Hansen seconded the motion.

Councilor Bonner said he was also uncomfortable supporting the Governor's budget request.

Motion: Councilor Williamson moved that Resolution No. 83-405 be amended to delete the words "the Governor's budget request for obtaining", and add the words "funding for", so that the Be It Resolved section would read as follows:

State law disallows over-expenditures of funds, so in the interim Staff will be carefully tracking our last minute expenses for this year. She then mentioned the unanticipated and unplanned costs.

There was no public testimony on the ordinance.

The ordinance was passed to second reading on June 23, 1983.

7.1 Consideration of Ordinance No. 83-155, relating to the composition of the Contract Review Committee of the Council and amending Ordinance No. 82-130 (Second Reading).

Presiding Officer Banzer pointed out that this amended Ordinance should read:

"(b) The Contract Review Committee shall be comprised of three members to be appointed annually by the Presiding Officer of the Council and confirmed by the Council."

Vote: The vote on the previous motion to adoption of Ordinance #83-155, resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, Oleson, Van Bergen, Waker and Williamson.

Nays: Councilors Deines, Kafoury and Kirkpatrick.

Motion carried, Ordinance adopted.

8. Legislative Report

There was no legislative report.

9. Committee Reports

Presiding Officer Banzer stated that she wishes to share her suggestions regarding the deliberations on future funding for the Zoo and the Metro General Fund. She reported that last week, the Executive Officer had given her a recommendation for future funding which suggested that the Council's Budget Advisory Committee be used to begin these discussions. She said that she has received at least two objections from Councilors to that particular process. Since the funding issue is so important and involves both the Services and Coordinating Committees, it seems appropriate to have the entire Council deliberate on both the process and timetable. She requested that Councilors assist her in the following:



METROPOLITAN SERVICE DISTRICT

Providing Zoo, Transportation, Solid Waste and
other Regional Services

June 7, 1983

Rick Gustafson
Executive Officer

Metro Council

Cindy Banzer
*Presiding Officer
District 9*

Bob Oleson
*Deputy Presiding
Officer
District 1*

Richard Waker
District 2

Charlie Williamson
District 3

Corky Kirkpatrick
District 4

Jack Deines
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Ernie Bonner
District 8

Bruce Etlinger
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

Ms. Jane McGarvin
Clerk of the Board
Multnomah County
1021 S.W. Fourth Avenue
Portland, Oregon 97204

Dear Ms. McGarvin:

Enclosed is a true copy of the following ordinance
adopted by the Council of the Metropolitan Service
District on June 2, 1983:

"Ordinance No. 83-155, relating to the
composition of the Contract Review Committee
of the Council and amending Ordinance No.
82-130."

Please file this ordinance in the Metro ordinance
files maintained by Multnomah County.

Sincerely,


Everlee Flanigan
Clerk of the Council

Enclosure

527 SW Hall St.
Portland, OR
97201
503/221-1646



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June 7, 1983

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George Van Bergen
District 6

Sharron Kelley
District 7

Ernie Bonner
District 8

Bruce Etlinger
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

County Administrator
Washington County
150 N. First Avenue
Hillsboro, Oregon 97123

Dear Administrator:

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Sincerely,

Everlee Flanigan
Clerk of the Council

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Portland, OR
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503/221-1646



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June 7, 1983

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Gary Hansen
District 12

Ms. Juanita Orr
County Clerk
Clackamas County
Courthouse 8th & Main
Oregon City, Oregon 97045

Dear Ms. Orr:

Enclosed is a true copy of the following ordinance
adopted by the Council of the Metropolitan Service
District on June 2, 1983:

"Ordinance No. 83-155, relating to the
composition of the Contract Review Committee
of the Council and amending Ordinance No.
82-130."

Please file this ordinance in the Metro ordinance
files maintained by Clackamas County.

Sincerely,


Everlee Flanigan
Clerk of the Council

Enclosure

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Portland, OR
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