



AGENDA -- REGULAR COUNCIL MEETING

Date: AUGUST 5, 1982
Day: THURSDAY
Time: 7:30 PM
Place: COUNCIL CHAMBER

CALL TO ORDER (7:30)*

ROLL CALL

1. Introductions.
2. Written Communications to Council.
3. Citizen Communications to Council on Non-Agenda Items.
4. Councilor Communications. (7:40)*
5. Consent Agenda (Items 5.1 and 5.2) (7:55)*
 - 5.1 A-95 Review.
 - 5.2 Minutes of Meetings of 6/24/82 and 7/1/82.
6. Ordinances:
 - 6.1 Ordinance No. 82-136, An Ordinance Relating to Solid Waste Disposal, and Amending Ordinance No. 81-111. (Second Reading) (7:45)*
 - 6.2 Ordinance No. 82-139, An Ordinance Relating to Personnel and Amending Ordinance No. 81-116. (Second Reading) (7:55)*
 - 6.3 Ordinance No. 82-140, An Ordinance Relating to the FY 1982-82 Budget and Appropriations Schedule, and Amending Ordinance No. 82-132. (Second Reading) (8:05)*
7. Resolutions:
 - 7.1 Resolution No. 82-345, For the Purpose of Authorizing an Employment Contract for the Position of Zoo Director and Establishing a Rate of Compensation. (8:15)*

*Times listed are approximate.

7.2 Resolution No. ⁸²~~83~~-346, For the Purpose of Establishing
a New Classification of 322 Facilities Supervisor.
(8:25)*

8. Reports:

8.1 Executive Officer's Report. (8:35)*

8.2 Committee Reports. (8:50)*

ADJOURN (9:05)*

*Times listed are approximate.

COUNCIL
MEETING

7:20
~~5:30~~
~~6:30~~
7:30

Contract Review DATE August 5, 1982
Ex. Session ERF
Regular Council TIME: _____

MEETING - Call Sheet for Councilors - Reminder

		<u>YES</u>	<u>NO</u>	
Bob Oleson	224-4280	<u>X</u>	—	
Charlie Williamson	227-6784	—	<u>X</u>	(out of town until August 6)
Craig Berkman	228-0700	<u>X</u>	—	
Corky Kirkpatrick	244-6111	—	<u>X</u>	
Jack Deines	654-1449	X	—	(left message on recorder)
Jane Rhodes	771-6461	<u>X</u>	—	
Betty Schedeen	667-7153	<u>X</u>	—	
Ernie Bonner	231-9643	<u>X</u>	—	
Cindy Banzer	253-2915	—	<u>X</u>	(out of town until Aug. 8)
Bruce Etlinger	255-7758 249-0916	<u>X</u>	—	
Marge Kafoury	248-3565	<u>X</u>	—	
Mike Burton	636-8141	<u>X</u>	—	

8 or 9

(on call thru to Councilors on ^{July} Aug. 28 or 29)



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

A G E N D A -- REGULAR COUNCIL MEETING

Date: AUGUST 5, 1982
Day: THURSDAY
Time: 7:30 PM
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 with the Consent List Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.

Donald E. Carlson
Deputy Executive Officer

5.1 A-95 Review.

5.2 Minutes of Meetings of 6/24/82 and 7/1/82.



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: August 5, 1982
To: Metro Council
From: Executive Officer
Regarding: A-95 Review Report

The following is a summary of staff responses regarding grants not directly related to Metro programs.

1. Project Title: Farmworker Youth (825-12)
Applicant: California Human Development Corporation
Project Summary: The project will provide career employment training opportunities to in-school farmworker youth, as well as counseling, supportive services, and transition services. The area of impact is Oregon, Washington and California.
Federal Funds Requested: \$1,253,270 (Department of Labor)
Staff Response: Favorable action.
2. Project Title: Economic Development (825-15)
Applicant: Multnomah County Community Action Agency
Project Summary: Funds will be used for a marketing and feasibility study of energy conservation products (storm windows, insulated shutters, etc.) and services (energy audits, weatherstripping, etc.) in Multnomah County.
Federal Funds Requested: \$16,225 (Economic Dev. Admin.)
Staff Response: Favorable action.
3. Project Title: Spinal Cord Injuries (825-16)
Applicant: Good Samaritan Hospital and Medical Center
Project Summary: Funds will be used to plan and develop a regional spinal cord injury care program for Oregon, southwest Washington and northern California. The program will include emergency and acute medical care, rehabilitation services, follow-up care and community education.
Federal Funds Requested: \$234,000 (Dept. of Education)
Staff Response: Favorable action.
4. Project Title: Specialized Recreation (826-4)
Applicant: University of Oregon
Project Summary: Funds will be used to develop and operate programs to mainstream handicapped persons into outdoor

recreational activities. The area of impact is Oregon.
Federal Funds Requested: \$88,140 (Dept. of Education)
Staff Response: Favorable action.

5. Project Title: Migrant Health Services (826-5)
Applicant: Virginia Garcia Memorial Health Center, Inc.
Project Summary: Funds will be used to provide primary out-patient medical and mental health services to migrant/seasonal farmworkers and other medically indigent groups in Washington County and adjacent areas.
Federal Funds Requested: \$69,690 (Health & Human Services)
Staff Response: Favorable action.
6. Project Title: Migrant Farmworkers (826-7)
Applicant: Idaho Migrant Council, Inc.
Project Summary: Funds will provide farmworkers with programs in food and nutrition, community planning, energy assistance, summer youth recreation and referral services. The program will be offered in eight western states including Oregon.
Federal Funds Requested: \$370,000 (Health & Human Services)
Staff Response: Favorable action.
7. Project Title: Handicapped Recreation (826-9)
Applicant: Portland Community College
Project Summary: Funds will be used for initiating special recreation programs for handicapped individuals at PCC.
Federal Funds Requested: \$16,766 (Dept. of Education)
Staff Response: Favorable action.
8. Project Title: Recreation for Physically Disabled
Applicant: Quadriplegics United Against Dependency, Inc.
Project Summary: Funds will provide physically disabled people with recreation activities to aid in mobility and socialization. Funds will also offer leisure planning, education and skill training in physical fitness. The area of impact is Clackamas, Multnomah and Washington Counties.
Federal Funds Requested: \$83,337 (Dept. of Education)
Staff Response: Favorable action.
9. Project Title: Evaluation of Portland Energy Conservation, Inc. (827-1)
Applicant: City of Portland
Project Summary: Funds will be used for an evaluation of the Portland Energy Center's conservation programs through the development of an energy accounting system.
Federal Funds Requested: \$25,000 (BPA)
Staff Response: Favorable action.
10. Project Title: Portland Street Lighting (827-2)
Applicant: City of Portland
Project Summary: Funds will be used for researching the energy reduction potential from street lights through application of solid state photo cells, timing devices and

solar cells on the lights.

Federal Funds Requested: \$19,642 (BPA)

Staff Response: Favorable action.

11. Project Title: Infant Group Home (826-6)
Applicant: Foster Parent Association
Project Summary: Funds will provide immediate and specialized care and assessment for infants, birth to 12 months who have been physically neglected or abused.
Federal Funds Requested: \$98,236 (Health and Human Services)
Staff Response: Favorable action.

Note: The following is a summary of staff responses regarding grants directly related to Metro programs.

12. Project Title: Urban Services/Economic Development (825-13)
Applicant: Metropolitan Service District
Project Summary: Funds will be used to support Metro's economic development work program for FY 1982-83. Major work elements include industrial land market assessment, residential lands assessment, inventory of planned and needed capital investments, and survey of existing financial authorities.
Federal Funds Requested: \$20,000 (Economic Development Administration)
Staff Response: Favorable action.
13. Project Title: FY 1983 Unified Work Program (UWP) (825-14)
Applicant: Metropolitan Service District
Project Summary: The UWP is a document which is prepared annually to detail the technical activities to be completed as a part of the continuing transportation planning process in the Portland/Vancouver metropolitan area. It encompasses planning activities related to several modes of transportation, including all activities which are considered significant in the development of the area's regional transportation system.
Total Budget: \$1,637,291 (Federal, State and Local Match)
Staff Response: Favorable action.
14. Project Title: Transit Operating Assistance (825-17)
Applicant: Tri-Met
Project Summary: Funds will be used for direct labor, material and overhead expenses incurred to provide mass transportation services in the Tri-Met service area.
Federal Funds Requested: \$3,887,000 (Dept. of Trans.)
Staff Response: Favorable action.
15. Project Title: Public Works Financing (825-18)
Applicant: Multnomah County
Project Summary: Funds will be used to develop a financing package to be used by small firms to cover the development

cost of sewer construction in mid-Multnomah County.
Federal Funds Requested: \$11,250 (Economic Dev. Admin.)
Staff Response: Favorable action.

16. Project Title: Special Transportation-Washington County (826-1)
Applicant: Special Mobility Services, Inc.
Project Summary: Funds would be used for the purchase of vans and lifts for a special transportation program serving the elderly, handicapped and rural residents of Washington County.
Federal Funds Requested: \$56,952 (Dept. of Trans.)
Staff Response: The proposed project has been reviewed by Metro and interested jurisdictions and agencies within the region. It has been determined that the project does not meet adopted regional transportation plans and policies. Therefore, Metro makes a negative A-95 comment on this project.

Tri-Met has recently agreed to supply most vehicles in the LIFT program effective July 1, 1983. ODOT and Tri-Met agreements state that 16(b)(2) vehicles are not to be used in the LIFT program. See attached letter from Tri-Met.

17. Project Title: Special Transportation-Multnomah County (826-2)
Applicant: Special Mobility Services, Inc.
Project Summary: Funds would be used for purchasing vans and lifts for a special transportation program serving the elderly and handicapped in Multnomah County.
Federal Funds Requested: \$56,952 (Dept. of Trans.)
Staff Response: The proposed project has been reviewed by Metro and interested jurisdictions and agencies within the region. It has been determined that the project does not meet adopted regional transportation plans and policies. Therefore, Metro makes a negative A-95 comment on this project.

Tri-Met has recently agreed to supply most vehicles in the LIFT program effective July 1, 1983. ODOT and Tri-Met agreements state that 16(b)(2) vehicles are not to be used in the LIFT program. See attached letter from Tri-Met.

18. Project Title: Transit Technical Resource Program (826-8)
Applicant: Oregon Department of Transportation - Public Transit Division
Project Summary: Continuation grant for the statewide technical resource program to provide assistance to local governments in the development of transit projects as design planning, transit development programming, operations, marketing, management assistant, budgeting, etc.
Federal Funds Requested: \$58,000 (Dept. of Trans.)
Staff Response: Favorable action.

19. Project Title: Section 3 (826-3)

Applicant: Tri-Met

Project Summary: Land acquisition and construction of transit centers in Milwaukie, Oregon City and Tigard; purchase of 36 medium duty, lift-equipped vehicles for service to elderly and handicapped; land acquisition and construction of park and ride lot in Beaverton; preliminary engineering for Sunset Transit Center; and other activities.

Federal Funds Requested: \$8,941,120 (Dept. of Trans.)

Staff Response: Favorable action.

20. Project Title: Willamette National Cemetary-Environmental Assessment (823-10)

Applicant: United States Veterans Administration

Project Summary: Additional grave sites will be added to Willamette National Cemetary located in the southeast corner of Portland.

Federal Funds Requested: NA

Staff Response: Favorable action. No drainage problems are foreseen. New access roads to grave sites will be constructed.

MH/gl
6433B/D4
7/26/82

TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON



TRI-MET

4012 SE 17th AVENUE
PORTLAND, OREGON 97202

Pettis

May 26, 1982

Fred V. Stoffer
Special Mobility Services
2101 N. E. Flanders
Portland, Oregon 97232

Dear Fred:

Tri-Met has reviewed your 1982 preliminary applications for 16(b)(2) vehicles for Multnomah and Washington Counties. In light of the agreement between Tri-Met, ODOT, and METRO which proposes that Tri-Met will furnish the vehicles used in the LIFT program starting July 1, 1983, we do not feel your need for additional 16(b)(2) vehicles has been adequately demonstrated. Consequently, we cannot support your applications at this time.

Sincerely,

A handwritten signature in cursive script that reads "Park Woodworth".

Park Woodworth
Manager, Special Needs Transportation

PW:js

cc: Andy Cotugno
Erik East

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

JUNE 24, 1982

Members present: Couns. Banzer, Bonner, Burton, Deines, Etlinger, Kafoury, Kirkpatrick, Oleson, Rhodes, Schedeen and Williamson.

Members absent: Coun. Berkman.

Staff present: Andy Jordan, Andy Cotugno, Peg Henwood, Dan LaGrande, Mel Huie, Tim Cauller, Keith Lawton, Jennifer Sims, Don Carlson, Kay Rich, John Cullerton, Judy Bieberle, Craig O'Hare, Doug Robertson, and Chum Chitty.

Visitors present: Lloyd Anderson, Port of Portland;
Jan Egger, Metro Citizens League;
Steve Dotterer, City of Portland Planning Bureau;
Larry Cole, Washington County Transportation Coordinating Committee;
Tom Walsh, Oregon Transportation Commission;
W. J. Monasch, City of Gresham;
Winston Kurth, Clackamas County Dept. of Environmental Services;
Caroline Miller, Multnomah County Commissioner;
Geraldine L. Ball, DJB, Inc., 11515 SW 91st, Tigard;
Elaine Woolsey, an Oregon City resident;
Jody Wilkinson, Acting Director of Portland Recycling Team;
Robert Breihof, Portland Association of Sanitary Service Operators.

The meeting was called to order by Presiding Officer Banzer at 7:30 PM.

1. Introductions.

There were no introductions at this time.

2. Written Communications to Council.

Coun. Williamson stated he had received two written communications relative to the Regional Transportation Plan and he would enter them into the record during the public hearing.

3. Citizen Communications to Council on Non-agenda Items.

There were no citizen communications to Council on non-agenda items.

4. Councilor Communications.

Presiding Officer stated confirmation of the Solid Waste Review Committee was due to come to the Council at this meeting; however, there was a problem with the selection of a chairman, so approval will be postponed until the July 1 Council meeting.

5. Consent Agenda.

The consent agenda for this meeting consisted of:

5.1 A-95 Review.

Motion that the consent agenda be approved; carried unanimously. (Kafoury/Kirkpatrick)

6.1 Resolution No. 82-337, For the Purpose of Amending the Transportation Improvement Program (TIP) to Incorporate Three Projects of Innovative Techniques and Methods in the Operation and Management of Public Transportation.

Motion that Resolution No. 82-337 be approved; carried unanimously. (Williamson/Kirkpatrick)

6.2 Resolution No. 82-338, For the Purpose of Authorizing Federal Funds for 16(b)(2) Special Transportation Projects and Amending the Transportation Improvement Program (TIP).

Motion that Resolution No. 82-338 be adopted; carried unanimously. (Williamson/Kafoury)

7.1 Public Hearing on Ordinance No. 82-135, For the Purpose of Adopting the Regional Transportation Plan (RTP). (First Reading)

Motion to adopt Ordinance No. 82-135. (Williamson/Kirkpatrick)

Geraldine Ball, representing DJB, Inc., reviewed with the Council the objection she has to the RTP map showing additional portions of DJB's property being acquired for the Tigard interchange. At the suggestion of the Council, Ms. Ball was asked to arrange a meeting with Andy Cotugno to resolve the situation.

The following people testified in favor of the Regional Transportation Plan:

Larry Cole, representing the Washington County Transportation Coordinating Committee;
Tom Walsh, representing the Oregon Transportation Commission;
Steve Dotterer, Chief Transportation Planner, City of Portland;
Lloyd Anderson, representing the Port of Portland;
Walter Monasch, representing the City of Gresham;
Winston Kurth, representing Clackamas County Dept. of Environmental Services; and

Caroline Miller, representing Multnomah County Board of Commissioners.

The Council also received the following letters in support of the RTP:

Jane Cease, Chair, House Transportation Committee, Oregon Legislative Assembly;
Vern Ryles, Dick Burnham, Earl Bolliger and Peter Fry of the Central Eastside Industrial Council;
Larry Cole, Chairman, Washington County Transportation Coordinating Committee;
Mildred Schwab, City of Portland Commissioner; and
Al Myers, Mayor of Gresham.

7.2 Public Hearing on Ordinance No. 82-137, An Ordinance Relating to Contested Case Procedures and Amending Metro Code Chapter 5.02. (First Reading)

Motion to adopt Ordinance No. 82-137. (Deines/Schedeen)

Andy Jordan reviewed with the Council the proposed amendments to the contested case procedures.

General discussion by the Council.

Motion to amend the ordinance to allow for new evidence to be accepted by the Council at its discretion; (Williamson/Etlinger) passed by the following vote:

Yeas: Etlinger, Williamson, Schedeen, Banzer, Oleson.
Nays: Rhodes, Kafoury, Deines, Kirkpatrick.
Absent: Burton, Bonner Berkman.

There were no comments from the public on this matter.

7.3 Public Hearing on Ordinance No. 82-138, For the Purpose of Amending Appropriations, Increasing the Transfer from the Solid Waste and the Zoo Operating Funds to the General Fund, and Declaring an Emergency.

Motion to adopt Ordinance No. 82-138 (Deines/Schedeen); carried by the following roll call vote:

Yeas: Couns. Banzer, Burton, Deines, Kafoury, Kirkpatrick, Oleson, Rhodes, Schedeen and Williamson.
Nays: None.
Absent: Couns. Berkman, Bonner and Etlinger.

There were no public comments during this hearing.

General discussion of the changes to the FY '82 Budget.

8.1 Resolution No. 82-333, For the Purpose of Providing Pay Plan Adjustments for Fiscal Year 1983.

John Cullerton, Chairman of the Employees' Association, stated that after meeting with the Coordinating Committee, he had presented the Committee's alternative to the Employees' Association. The employees do not feel it is unreasonable to request the additional three (3) days personal leave and have agreed that such a compromise would be satisfactory.

Motion to adopt Resolution No. 82-333. (Kirkpatrick/Williamson)

Motion to amend the resolution to read as follows:

"1. That the Council approves, in lieu of a cost of living adjustment for non-Zoo Metro employees for FY '83, three (3) paid personal leave days to be taken between July 1, 1982, and June 30, 1983."

(Rhodes/Kirkpatrick); carried by the following vote:

Yeas: Couns. Etlinger, Williamson, Rhodes, Schedeen, Banzer, Oleson, Kafoury and Kirkpatrick.

Nays: Couns. Deines and Burton.

Absent: Couns. Berkman and Bonner.

A vote on the previous motion (to adopt Resolution No. 82-333 as amended) indicated that the motion passed, with Couns. Burton and Deines dissenting.

8.2 Resolution No. 82-340, For the Purpose of Amending the Pay Plan.

Motion to adopt Resolution No. 82-340; carried unanimously. (Deines/Kirkpatrick)

8.3 Portland Recycling Team (PRT) Contract - 30-day Extension.

Motion to extend the contract with PRT from July 1 to July 31, 1982; carried unanimously. (Rhodes/Kafoury)

8.4 Ordinance No. 82-132, An Ordinance Adopting the Annual Budget for FY '83, Making Appropriations from the Funds of the District in Accordance with Said Annual Budget and Levying Ad Valorem Taxes. (Second Reading).

Elaine Woolsey, a resident of Oregon City, spoke in opposition to adoption of the budget with the inclusion of the Energy Recovery Facility.

A vote on the previous motion to adopt Ordinance No. 82-132 indicated that the motion passed unanimously.

There were no Executive Officer nor Committee reports.

The meeting adjourned at 10:20 PM.

Respectfully submitted,

Sue Haynes
Sue Haynes, Clerk of the Council

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

JULY 1, 1982

Members present: Couns. Banzer, Bonner, Burton, Deines,
Etlinger, Kafoury, Kirkpatrick, Rhodes,
Schedeen and Williamson.

Members absent: Couns. Berkman and Oleson.

Staff present: Andy Jordan, Don Carlson, Tom O'Connor,
James Giesecking, Karen Thackston, Sonnie
Russill, Joe Cortright, Andy Cotugno, Steve
Siegel, and Dan LaGrande.

Visitors present: Beth Blunt, League of Women Voters;
Geraldine Ball, DJB, Inc.;
Tom Pry, publisher of the Sellwood Bee, 8113
SE 13th, Portland;
Mark Greenfield, 1000 Friends of Oregon;
Kevin Hanway, Portland Homebuilders
Association.

The meeting was called to order by Presiding Officer Banzer at
7:30 PM.

There were no introductions at this time.

2. Written Communications to Council.

Presiding Officer read a thank-you note received from Leslie
Carlson, 1982 Rose Festival Queen, expressing her appreciation for
the flowers the Council sent.

There were no citizen communications or Councilor communications.

5. Consent Agenda.

The consent agenda consisted of the following:

5.1 Minutes of 3/25/82 and 4/1/82 Council meetings.

Motion to adopt the consent agenda; carried unanimously.
(Schedeen/Williamson)

Metro Energy Recovery Review Task Force

Presiding Officer asked for Council's confirmation of the task
force, which consists of the following members:

Bob Mitchell, U. S. National Bank President;
Loren Wyss, Financial Consultant;

Rebecca Marshall, Financial Counsel, Clements & Marshall;
Phil Bogue, Managing Partner (ret.), Arthur Anderson & Co.;
Art Talow, Partner, Bolliger, Hampton & Tarlow, Attorneys;
Jim Durham, Sr. Vice President & General Counsel, Portland
General Electric;
Bob Elfers, Executive Director, Oregon State Bar;
Dr. Bill Holden, Oregon Health Sciences Center;
Vern Rifer, Development Manager, Moran Construction Co.;
Bill Ryan, Administrative Dean, Clackamas Community College.

Motion to confirm the appointments of the members of the Energy Recovery Review Task Force; carried unanimously.
(Schedeen/Williamson)

6.2 Ordinance No. 82-135, For the Purpose of Adopting the Regional Transportation Plan (RTP). (Second Reading)

Presiding Officer stated she received a letter from Ralph Wright, Chairman of the Economic Principles & Policies Committee of the Portland Chamber of Commerce, expressing concern that the Plan has no mention of annual review and change. Presiding Officer introduced wording for an amendment to the RTP.

Motion to amend the Regional Transportation Plan, page 1, in the list of items titled "Adoption of the Regional Transportation Plan represents":

"Recognition of the need to update the Regional Transportation Plan to respond to changing growth trends, public attitudes, financial resources, and other socio-economic condition."

carried unanimously. (Schedeen/Kafoury)

Presiding Officer stated she had received a letter from Geraldine Ball, representing DJB, Inc., as well as herself, thanking Andy Cotugno for contacting the State Right-of-Way Department to assist in resolving her objection to the acquired property indicated on the map.

Tom Pry, publisher of the Sellwood Bee, spoke in opposition to the RTP on the basis of what he feels is lack of consideration for the financing of the elements of the Plan.

General discussion of the Plan, the summary of testimony, and the amendment proposed by staff.

Motion to adopt staff's recommended amendment to the RTP Ordinance No. 82-135, Section 1, to read as follows:

"1. The Metropolitan Service District Regional Transportation Plan, dated March 1982, with the amendments set forth in a memorandum to Council from the Executive Officer dated June 10, 1982, copies of which are on file with the Clerk of the Council, is hereby adopted effective July 1, 1982."

carried unanimously. (Rhodes/Williamson)

A vote on the previous motion to adopt Ordinance No. 82-135, as amended, (Williamson/Kirkpatrick) indicated that the motion passed by the following roll call vote:

Yeas: Banzer, Bonner, Burton, Etlinger, Kirkpatrick,
Rhodes, Schedeen and Williamson.

Nays: Kafoury.

Absent: Berkman, Deines and Oleson.

Coun. Kafoury stated she voted in opposition to the RTP since she feels inadequate consideration has been given to energy supplies, telecommunications, and funding of the elements of the Plan.

6.1 Public Hearing on Ordinance No. 82-133, An Ordinance Amending Ordinance No. 81-105, Establishing Procedures for Locational Adjustments of the Metropolitan Service District's Urban Growth Boundary. (First Reading)

Motion to adopt Ordinance No. 82-133. (Bonner/Etlinger)

Motion to adopt amendments to Ordinance No. 82-133, as outlined in memo from staff dated June 30, 1982; carried unanimously. (Bonner/Kirkpatrick)

Mark Greenfield of 1000 Friends of Oregon stated his organization's concern with land speculation created with the provision for trades of property outside the UGB for property inside the UGB. Mr. Greenfield also stated that Metro should consider adopting standards for major amendments to the UGB.

Coun. Kafoury stated it has been the policy of the Council not to increase the size of the UGB and if standards for major amendments are adopted, the Council will not be limiting the UGB size.

Kevin Hanway, attorney representing the Homebuilders' Association, stated that Metro should consider doing away with trades altogether, because of additional expenses incurred for developing properties.

General discussion.

6.3 Ordinance No. 82-137, An Ordinance Relating to Contested Case Procedures and Amending Metro Code Chapter 5.02. (Second Reading)

Andy Jordan reviewed his memo relating the proposed amendments allowing Council to accept new testimony at its discretion.

Motion to adopt the amendments to Ordinance No. 82-137, as stated in memo from General Counsel dated June 25, 1982 (Williamson/Kirkpatrick); carried by the following vote:

Yeas: Banzer, Bonner, Burton, Etlinger, Kafoury, Schedeen,
and Williamson.
Nays: Rhodes and Kirkpatrick.
Absent: Berkman, Deines, and Oleson.

Waiver of Personnel Rules

Motion to approve the following variances to Metro's Personnel Rules:

1. Waive the required in-house posting for the Council Assistant Position.
2. Allow an extension of temporary employment for Gus Rivera to September 30, 1982.

carried unanimously. (Rhodes/Kirkpatrick)

There was no Executive Officer's report.

7.2 Committee Reports.

The following meetings were discussed:

DEQ Air Quality Hearing - Oregon City - July 12.

Special Services Committee meetings scheduled for July 15, 20, and 27.

Coun. Kafoury stated that she and Coun. Schedeen will be in Washington, DC, for a futures conference from July 17-25.

The meeting adjourned at 9:30 PM.

Respectfully submitted,



Sue Haynes, Clerk of the Council

DJB INC. 11515 S.W. 91ST AVENUE PORTLAND, OREGON 97223 U.S.A. (503) 639-2900

DEL W. BALL ~~DIRECTOR~~
President

BECKY EARLY ~~DIRECTOR~~
Geraldine L. Ball
Sec. - Treas.



HAND DELIVERED - August 5, 1982

Metropolitan Service District Council
527 S. W. Hall Street
Portland, Oregon

^{Mr} Chairman and Councilors:

We wish to call your attention to errors in minutes of
June 24, 1982 - Item 7.1 and
July 1, 1982 - Item 6.2

JUNE 24, 1982

NEVER SAW RTP map at Highway Division or Metropolitan Service District Office and was told it did not include interchanges. (Map seen at Highway Division was just of S. Tigard Interchange)

MINUTES READ:

"Geraldine Ball, representing DJB, Inc. reviewed with the Council the objection she has to the RTP map showing additional portions of DJB's property being acquired for the Tigard Interchange. At the suggestion of the Council, Ms. Ball was asked to arrange a meeting with Andy Cotugno to resolve situation."

SUGGESTED CORRECTION (See June 24, 1982 document attached)

Geraldine L. Ball, representing DJB, Inc. and herself personally reviewed with the Council her objection to changing the location of the S. Tigard portion of the N. Tigard-S. Tigard Interchange from the Alternate 2 design. At the suggestion of the Council, Ms. Ball was asked to arrange a meeting with Andy Cotugno to resolve the situation.

NOTE: Meeting was held with Mr. Cotugno and he later called and advised Geraldine L. Ball that she had talked to Mr. Mac Eldowney of Dept. of Transportation, Highway Division, and he advised they did not plan to acquire any additional property for the S. Tigard portion of the N. Tigard-S. Tigard Interchange and could not understand why J (Geraldine L. Ball) was shown the design with the interchange being moved further south.

JULY 1, 1982

WE HAVE NEVER OBJECTED TO PROPERTY ALREADY ACQUIRED - only to the possibility of Highway Division acquiring additional property. We have no opposition to property acquired as shown on map received from Mr. Jack L. Sallis, Asst. Attorney General and Attorney in Charge.

MINUTES READ:

"Presiding Officer stated she had received a letter from Geraldine Ball, representing DJB, Inc., as well as herself, thanking Andy Cotugno for contacting the State Right-of-Way Department to assist in resolving her objection to the acquired property indicated on the map."

SUGGESTED CORRECTION: (See July 1, 1982 document attached)

Presiding Officer read letters received from Geraldine L. Ball, representing DJB, Inc., as well as herself personally, thanking Andy Cotugno for contacting the State Right-of-Way Department to assist in resolving their objections to the possibility of the Dept. of Transportation acquiring additional property.

(Next page please)

DJB INC. 11515 S.W. 91ST AVENUE PORTLAND, OREGON 97223 U.S.A. (503) 639-2900

DEL W. BALL ~~DIRECTOR~~ ~~SECRETARY-TREASURER~~

President Geraldine L. Ball
Secretary-Treas.



Metropolitan Service District Council - 2 -

August 5, 1982

Please make this letter with copies of documents of June 24, 1982 and July 1, 1982 and all attachments part of the Metropolitan Service District record.

Sincerely,

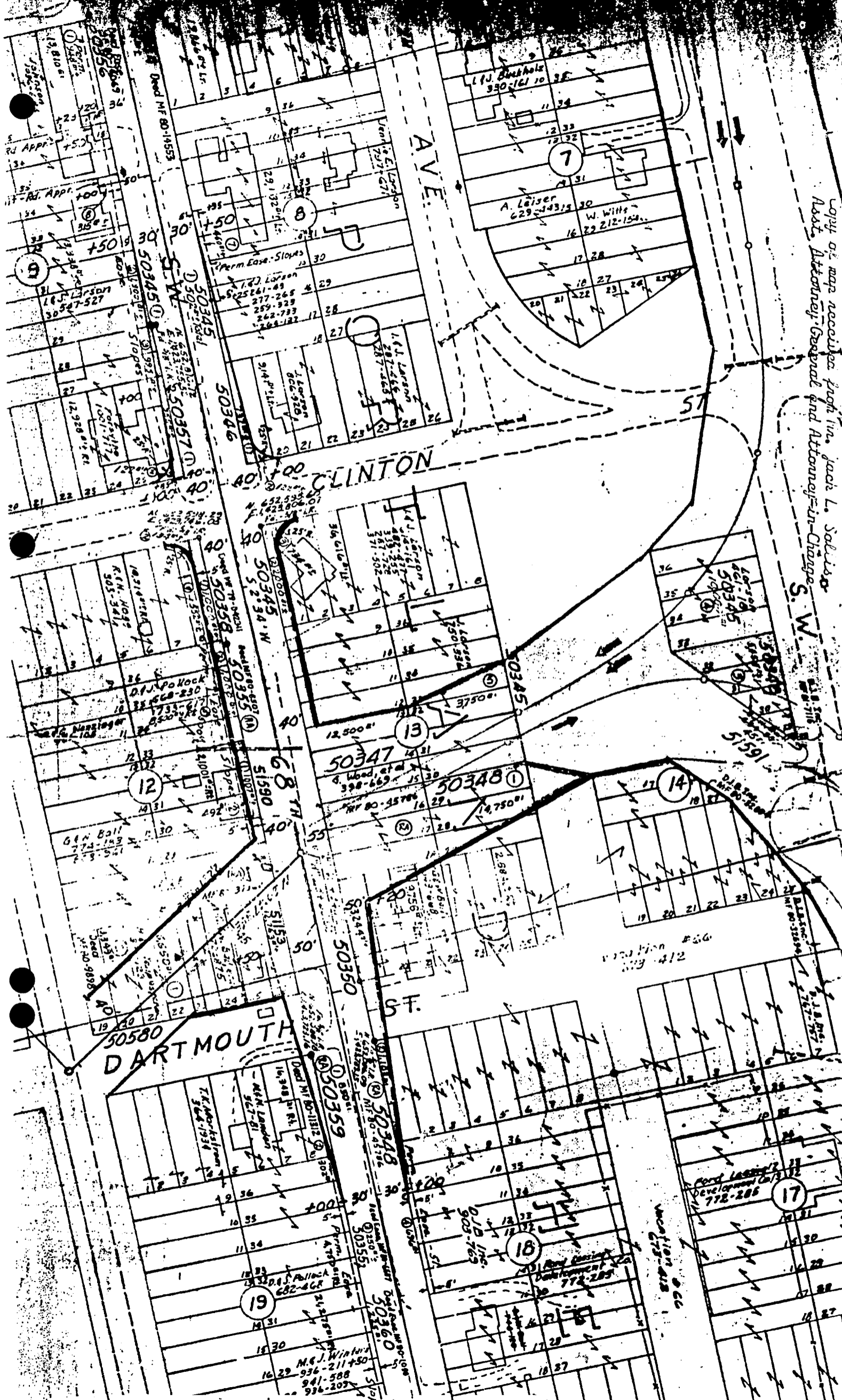
DJB, Inc.

Geraldine L. Ball
Geraldine L. Ball
Secretary-Treas.

Geraldine L. Ball
Geraldine L. Ball
Personally

Copy of map received from Jacob L. Solis
Asst. Attorney General and Attorney-in-Charge

S. W.



June 24, 1982

Mr. Chairman and Councilors

My name is Geraldine L. Ball and I am representing DJB, Inc. and myself personally

I am reading this so that you may have a record and we also may have a record.

We object to the changing of the location of the S. Tigard portion of the N. Tigard-S. Tigard Interchange from the Alternate 2 design on which the public hearing was held and project approved and is to be funded by the Federal Government.

It was publicly announced at the Public Hearing held on October 22, 1981 that all property had been acquired and the design was final. A recent letter from Washington, D. C. also disclosed this same information.

A check with the Oregon Dept. of Transportation, Highway Division, on June 8, 1982 showed that the design had been changed from Alternate 2, which means the design was changed moving project further south without a public hearing, which also means all property has not been acquired.

The majority of the property which would be taken by moving the Interchange further south has been continually leased as commercial since 1970 and is presently leased as commercial.

Our property has been zoned Commercial since 1967. We were annexed into the City of Tigard under Boundary Commission Order No. 1668 signed by Peter McDonald and attested to by Donald Carlson on March 20, 1981 and changed to CP in accordance with the City of Tigard Comprehensive Plan under City of Tigard Ordinance 87-30 on May 18, 1981. Certified copies of both documents were acknowledged by the Secretary of State on November 13, 1981.

Although Washington County Tax records do not show the acquisition by the State of Oregon through the Dept. of Transportation of the property furthest to the north and needed under Alternate 2, same was acquired through Circuit Court Case 47-145 and funds were disbursed to the retired Highway man, who also owns the balance of the property to the North, on July 10, 1980, Check No. 86662, as per copy attached.

We ask that you take this information into consideration before approving a Transportation Plan if property involved for the S. Tigard portion of the N. Tigard-S. Tigard Interchange is not in accordance with Alternate 2 as publicly funded.

Property presently owned by the Dept. of Transportation, Highway Division, is colored pink on attached map. As you can see they already own considerable property. The Alternate 2 on which public hearing was held does not show the on-ramp to I-5 as abrupt as shown on this map.

We ask that this along with all attachments be made part of the Metropolitan Service District record.

9



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CLINTON ST.

DARTMOUTH ST.

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603-521

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14750'

Vacation 673-412

Ford Leasing/Development Co
772-285

Ford Leasing/Development Co
772-285

D.B. Inc.
716

D.B. Inc.
32694

D.B. Inc.
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DATE	INVOICE NO	ACCOUNT NO.	NET INVOICE AMOUNT	VOUCHER TOTAL	MEMO
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FEDERAL NATIONAL BANK OF OREGON

86662 ²⁴⁻¹²/₁₂₃₀ 000



90 DAYS

AMOUNT

10,80 86662

INGVIRG A. AND JUDITH S. LINDSEY
AND G. BURTON A. RAYMOND, JR. WOOD
11720 SW 60th AVE
BEAVERTON, OREGON 97223

634,275.10

634,275.10

NON NEGOTIABLE



DJB INC. 11515 S.W. 91ST AVENUE PORTLAND, OREGON 97223 U.S.A. (503) 639-2900

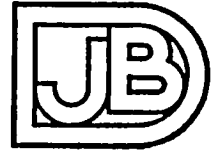
DEL W. BALL DIRECTOR

BECKY DEAN DIRECTOR

President

Geraldine L. Ball

Sec. - Treas.



HAND DELIVERED
July 1, 1982

Re: Ord. 82-135

Metropolitan Service District Council
527 S. W. Hall Street
Portland, Oregon

Madam Chairman and Councilors:

We appreciated very much the opportunity to appear before you on June 24, 1982.

We certainly want to commend and thank Mr. Andy Cotugno for his efforts in contacting the Right-of-Way Dept. of the Dept. of Transportation, Highway Division, and being advised by them that they plan to use the Alternate 2 design for the South Tigard portion of the N. Tigard-S. Tigard Interchange, on which hearing was held, and not move the Interchange further south as shown on the map that I saw at the Highway Division on June 8, 1982, on which no hearing was held.

Our attorney, Mr. Fred Anderson, received confirmation of this fact in letter dated June 29, 1982 - with map attached - from Mr. Jack L. Sallis, Assistant Attorney General and Attorney-In-Charge.

We ask that this communication be made part of the Metropolitan Service District record. Attached is a copy of the map received from Mr. Jack L. Sallis and we ask that this also be made part of the Metropolitan Service District record.

Sincerely,

DJB, INC.

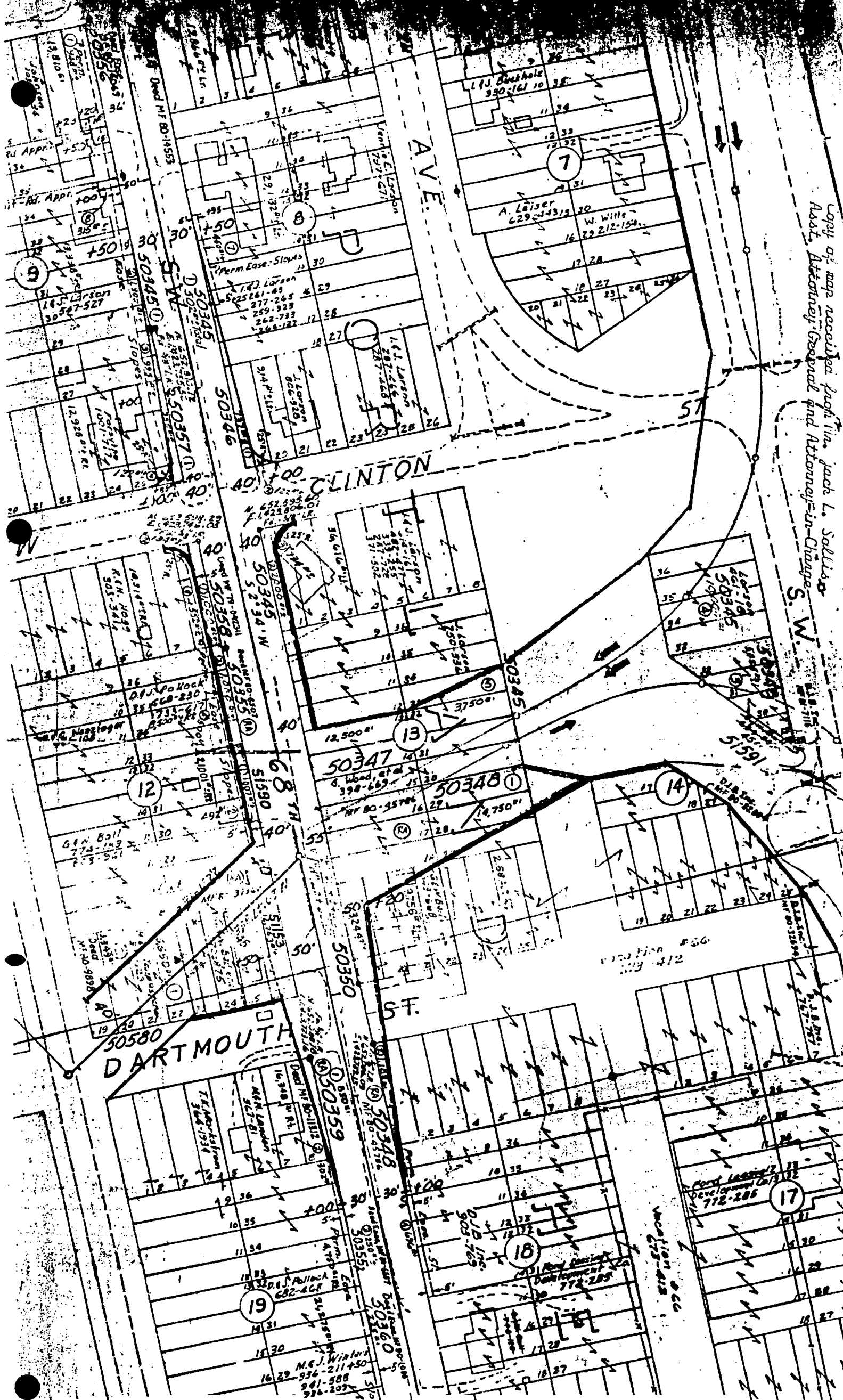
Geraldine L. Ball

Geraldine L. Ball
Secretary-Treas.

GLB:l

Copy of map received from Jack L. Salliba
Asst. Attorney General and Attorney-in-Charge

S. W.



G. L. Ball
11515 S. W. 91st Ave.
Tigard, Oregon 97223

Re: Ord. 82-135

HAND DELIVERED
July 1, 1982

Metropolitan Service District Council
527 S. W. Hall Street
Portland, Oregon

Madam Chairman and Councilors:

I appreciated very much the opportunity of appearing before you on June 24, 1982.

I especially want to thank and commend Mr. Andy Cotugno for his efforts in contacting the Right-of-Way Dept. of the Dept. of Transportation, Highway Division, and being advised by them that they plan to use the Alternate 2 design for the South Tigard portion of the H. Tigard-S. Tigard Interchange, on which hearing was held, and no more the Interchange further south as shown on the map that I saw at the Highway Division on June 8, 1982, on which no hearing was held.

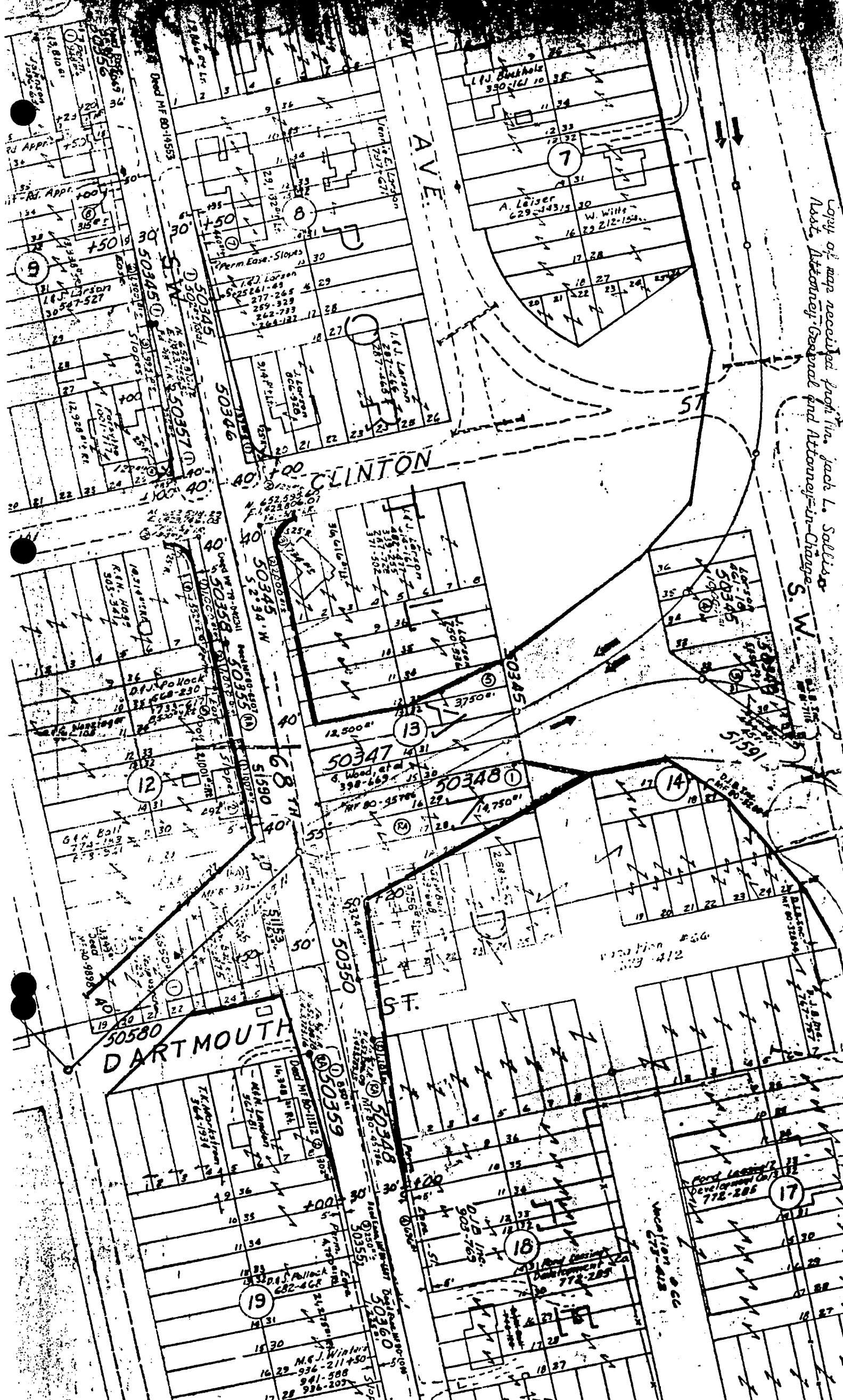
Mr. Jack L. Sallis, Assistant Attorney General and Attorney-In-Charge, confirmed this information in a letter dated June 29, 1982 to my attorney, Mr. Fred Anderson. Mr. Sallis attached map showing property acquired for Alternate 2 design.

Please make this communication part of the Metropolitan Service District Council record, as well as the copy of map attached which was received from Mr. Jack L. Sallis.

Sincerely,

GLB:l

Copy of map received from Jack L. Sallisa
Asst. Attorney General and Attorney-in-Charge
S. W.



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
FROM: Regional Services Committee
SUBJECT: Proposed Revisions to the Disposal Franchise Ordinance

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the proposed language revisions to the Disposal Franchise Ordinance.
- B. POLICY IMPACT: Adopting the proposed changes to the Ordinance will:
- Clarify the language of certain sections of the Ordinance;
 - Give Metro the authority to revoke franchises if the franchisee is in violation of a city or county solid waste ordinance which requires compliance with Metro's ordinance; and
 - Change the current amount of public liability insurance to the amount required by statutory tort claims limits of liability for public agencies.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: The Regional Services Committee reviewed proposed changes to the Disposal Franchise Ordinance at its July 6, 1982 meeting. A quorum was not present, however the Committee directed staff to forward the amendments to the Council.

These amendments are shown below. The first amendment was suggested by SWPAC; the others by staff.

- Add a new subsection, 20(2)(f), which gives Metro the authority to revoke a franchise if the franchisee has been found to violate local, city or county solid waste ordinances. This change is requested so that Metro can join with local jurisdictions in strengthening enforcement of solid waste ordinances.
- Add language which requires an operator to demonstrate that allegedly recyclable material is actually being recycled in order to maintain an exemption from the franchise ordinance (see section 5(1)(e)). This change is requested so that the operator bears the burden of proving that stockpiled

material is indeed being recycled rather than being accumulated indefinitely at a gravel pit or other site.

- Revise the public liability insurance requirement so that the amount of insurance required conforms with statutory tort claim limits of liability for public agencies (section (7)(2)(c) and 8(5)(c)). This change is required to eliminate confusion which has occurred over the wording of the current language.
 - Require franchise applicants to submit DEQ permit application material to Metro when it is submitted to DEQ (section (7)(2)(e)).
 - Revise the language in 19(2) so that it is clear that the Council can grant a franchise and set the rate for the facility after it grants the franchise. This would allow private firms to obtain a franchise from Metro, obtain financing, build their facility and then have the rates set during or after construction. The rate will therefore more accurately reflect the actual cost of the facility.
- B. ALTERNATIVES CONSIDERED: Not adopting SWPAC's recommendation that Metro revoke franchises if the franchisee has been found to violate a local ordinance would prohibit a cooperative effort between Metro and local jurisdictions to strengthen enforcement of solid waste ordinances. Not adopting staff's recommended revisions would continue confusion over wording of certain sections of the Ordinance which interferes with Ordinance enforcement and administration.
- C. CONCLUSION: Adopt the proposed amendmends to the Disposal Franchise Ordinance.

TA/srb
6211B/252
07/08/82

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO SOLID) ORDINANCE NO. 82-136
WASTE DISPOSAL; AND AMENDING)
ORDINANCE NO. 81-111) Introduced by
) Councilor Rhodes and
) Councilor Deines

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Subsection 1 of Section 5 of Ordinance No. 81-111

is hereby amended to read as follows:

- "(1) The following are exempt from the provisions of this Ordinance governing franchisees:
- (a) Municipal and industrial sewage treatment plants accepting sewage, sludge, septic tank and cesspool pumpings or other sludge.
 - (b) Disposal sites, procesing facilities, transfer stations, or resource recovery facilities owned or operated by the District.
 - (c) Recycling drop centers.
 - (d) Disposal sites receiving only clean, uncontaminated earth, rock, sand, soil and stone, hardened concrete, hardened asphaltic-concrete, brick and other similar materials, provided that such clean, uncontaminated materials include only those materials whose physical and chemical properties are such that portions of these materials when subjected to moderate climatical fluctuations in heat, exposure to moisture or water, abrasion from normal handling by mechanical construction equipment or pressure from consolidation will not produce chemical salts, dissolved solutions, or gaseous derivatives at a rate sufficient to modify the biological or chemical drinking water quality properties of existing surface and ground waters or normal air quality.
 - (e) Persons who process, transfer or dispose of solid wastes which:

- (i) are not putrescible;
- (ii) have been source separated;
- (iii) are not and will not be mixed by type with other solid wastes; and
- (iv) [will be] are reused or recycled.

For the purpose of this section, putrescible does not include wood, dry cardboard or paper uncontaminated by food wastes or petroleum products.

- (f) Person or persons who generate and maintain residential compost piles for residential garden or landscaping purposes.
- (g) Temporary transfer stations or processing centers established and operated by a local government for sixty (60) days or less to temporarily receive, store or process solid waste if the District finds an emergency situation exists."

Section 2. Subsection 2 of Section 7 of Ordinance No. 81-111 is hereby amended to read as follows:

- "(2) In addition to the information required on the forms, applicants must submit the following to the Executive Officer:
 - (a) Proof that the applicant can obtain and will be covered during the term of the franchise by a corporate surety bond guaranteeing full and faithful performance by the applicant of the duties and obligations of the franchise agreement. In determining the amount of bond to be required, the Executive Officer may consider the size of the site, facility or station, the population to be served, adjacent or nearby land uses, the potential danger of failure of service, and any other factor material to the operation of the franchise.
 - (b) In the case of an application for a franchise transfer, a letter of proposed transfer from the existing franchisee.
 - (c) Proof that the applicant can obtain public liability insurance, including automotive

coverage, in the amounts of not less than [\$500,000] \$300,000 for [each occurrence] any number of claims arising out of a single accident or occurrence [\$300,000 for bodily injury or death for each person], \$50,000 to any claimant for any number of claims for damage to or destruction of property and [property damage insurance in the amount of not less than \$300,000 per occurrence], \$100,000 to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State law for public contracts.

- (d) If the applicant is not an individual, a list of stockholders holding more than five (5) percent of a corporation or similar entity, or of the partners of a partnership. Any subsequent changes in excess of five (5) percent of ownership thereof must be reported within ten (10) days of such changes of ownership to the Executive Officer.
- (e) A duplicate copy of the DEQ disposal site permit application and any other information required by or submitted to DEQ pursuant to chapter 459, Oregon Revised Statutes.
- (f) Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the franchisee, the duration of that interest and shall include a statement that the property owner(s) have read and agree to be bound by the provisions of Section 20(5) of this ordinance if the franchise is revoked or franchise renewal is refused.
- (g) Proof that the applicant has received proper land use approval.
- (h) Such other information as the Executive Officer deems necessary to determine an applicant's qualifications."

Section 3. Subsection 5 of Section 8 of Ordinance No. 81-111 is hereby amended to read as follows:

- "(5) Within ten (10) days after receipt of an order granting a franchise, the applicant shall:

- (a) Enter into a written franchise agreement with the District,
- (b) Obtain a corporate surety bond guaranteeing full and faithful performance during the term of the franchise of the duties and obligations of the franchisee under the franchise agreement, and
- (c) Proof that the applicant can obtain public liability insurance, including automotive coverage, in the amounts of not less than [\$500,000] \$300,000 for [each occurrence] any number of claims arising out of a single accident or occurrence [\$300,000 for bodily injury or death for each person], \$50,000 to any claimant for any number of claims for damage to or destruction of property and [property damage insurance in the amount of not less than \$300,000 per occurrence], \$100,000 to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State law for public contracts.
- (d) Name the District as an additional insured in the insurance policy required by Section 7(2)(c)."

Section 4. Subsection 2 of Section 19 of Ordinance No. 81-111 is hereby amended to read as follows:

- "(2) [When] At the time the Council grants a franchise, or after the Council grants a franchise it shall establish the rate(s) to be charged by the franchisee. The Council may establish uniform rates for all franchisees or varying rates based on the factors specified in this Section."

Section 5. Subsection 2 of Section 20 of Ordinance No. 81-111 is hereby amended to read as follows:

- "(2) The Council may direct the Executive Officer to give the franchisee notice that the franchise is, or on a specified date shall be, suspended, modified or revoked. The notice authorized by this subsection shall be based upon the Council's finding that the franchisee has:

- (a) Violated this Ordinance, the Code, ORS Chapter 459 or the rules promulgated thereunder or any other applicable law or regulation; or
- (b) Misrepresented material facts or information in the franchise application, annual operating report, or other information required to be submitted to the District;
- (c) Refused to provide adequate service at the franchised site, facility or station, after written notification and reasonable opportunity to do so.
- (d) Misrepresented the gross receipts from the operation of the franchised site, facility or station; or
- (e) Failed to pay when due the fees required to be paid under this Ordinance.
- (f) Been found to be in violation of a city or county solid waste management ordinance if such ordinances require licensees or franchisees to comply with the Metro Disposal Franchise Ordinance."

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1982.

Presiding Officer.

ATTEST:

Clerk of the Council

TA/srb
6210B/252
07/08/82

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: Amendments to the Personnel Rules Ordinance No. 81-116

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend approval of Ordinance No. 82-139 amending vacation and sick leave accrual rates and providing classification on employment contracts.
- B. POLICY IMPACT: The vacation and sick leave accrual rate amendments are housekeeping in nature. The Ordinance authorizes the use of employment contracts for positions designated by the Council.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: Vacation and sick leave accrual rates were established under a biweekly payroll system. The payroll is changing to a semi-monthly system effective July 1. The Personnel Rules specify accrual rates so they must be modified to accommodate the new system. This will retain the same total annual vacation and sick leave currently awarded each employee.

It is also recommended that a section be added to the Rules to authorize employment contracts for designated positions. Such contracts are currently planned for the positions of Zoo Director and Director of Solid Waste.

- B. ALTERNATIVES CONSIDERED: None.
- C. CONCLUSION: Recommend approval of Ordinance No. 81-amending vacation and sick leave accrual rates and providing for employment contracts.

JS/srb
6313B/252
07/07/82

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO PERSONNEL) ORDINANCE NO. 82-139
AND AMENDING ORDINANCE NO. 81-116)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT ORDAINS:

Section 1. Section 37 of Ordinance No. 81-116 is hereby amended to read as follows:

Section 37 Vacation Credit and Accrual Rate: The vacation credit and accrual schedules for regular and regular part-time employees are as follows:

<u>Total Years of Continuous Service</u>	<u>Accrual Rate Per Pay Period</u>	<u>Equivalent Annual Hours for Full-Time Employees</u>
Date of Hire through completion of 3 years	<u>3.33</u> [3.08] hours	80 hours
4 years through completion of 9 years	<u>5.00</u> [4.62] hours	120 hours
10 plus years	<u>6.66</u> [6.16] hours	160 hours

The above schedule may vary from Metro contracts with employee unions in which case the contract provisions shall apply to union employees. Regular part-time employees shall accrue vacation under the above schedule at a rate proportionate to the time worked per week.

Section 2. Subsection (a) of Section 38 of Ordinance No. 81-116 is hereby amended to read as follows:

Section 38 Sick Leave:

(a) Regular employees shall earn sick leave with pay at a rate of 104 hours per year (.05 hours per hour worked) [four (4) hours per bi-weekly or semi-monthly payroll period]; such sick leave shall accrue in an unlimited amount.

Section 3. Ordinance No. 81-116 is hereby amended to

include the following:

Section 56: Employment Contracts:

(a) Persons employed in certain positions may be employed subject to employment contracts. In that event, the terms of such contracts shall control the conditions of employment, and this Ordinance shall apply to such employment to the extent not inconsistent with such contracts.

(b) Employment contracts shall be authorized only for positions designated by resolution of the Council, and compensation to be paid pursuant to such contracts shall not exceed those approved by the Council.

Section 4. The provisions of this Ordinance shall be effective retroactively to July 1, 1982.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1982.

Presiding Officer

ATTEST:

Clerk of the Council

JS/srb
6314B/252
07/07/82

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: Amendments to FY 1982-83 Budget and Appropriations

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend approval of the attached Ordinance amending the FY 1982-83 budget and appropriations schedule. This action is requested as a part of the increased staff effort in monitoring the budget and maintaining fiscal control.
- B. POLICY IMPACT: This action will provide funding for a temporary assistant to the ERF Study Commission, reclassification of two Staff Assistants to Planner 1, and portions of the Waste Reduction program.
- C. BUDGET IMPACT: Requires transfer from Contingency to Personal Services and Materials and Services in the Solid Waste Operating Fund. Details are described in Exhibit A of the Ordinance and in staff reports. The total proposed transfer is \$118,296.

II. ANALYSIS:

- A. BACKGROUND: The policy aspects of the various items to be funded have been described in separate reports. The Council must approve transfers from Contingency and amendments to the appropriations schedule. Appropriations are set by ordinance, therefore, two readings and a public hearing are required.
- B. ALTERNATIVES CONSIDERED: Alternatives are described in separate reports.
- C. CONCLUSION: Recommend Approval of Ordinance No. 82-140.

JS/srb
6306B/252
07/08/82



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: July 22, 1982
To: Metro Council
From: Councilors Banzer, Burton and Kirkpatrick
Regarding: Recommendation on Amendments to FY 1982-83
Budget and Appropriations (Agenda Item 6.3)

As a Subcommittee assigned by the Chairman of the Council Coordinating Committee, we considered three budget change requests and a status report on the Energy Recovery Facility (ERF) budget.

Our conclusions are as follows:

1. If a budget change requires Council approval to carry out an action, it is essential that the request be brought to the Council prior to taking action.
2. The ERF program budget is being monitored. There are currently adequate funds budgeted for contractual services to provide for identified needs for a Council decision on the project. Any additional needs will require a transfer from Contingency.
3. The Executive Officer has the authority and flexibility to make adjustments within budget categories for a department without Council approval. The request for funds for a temporary assistant to the ERF Study Commission and two reclassifications can be accommodated by administrative revisions to the Solid Waste budget.
4. It may be necessary to extend the temporary ERF support staff, in which case, staff will notify the Council if budget action is required.
5. The request for funds for the waste reduction program should be treated separately.

We recommend the following:

1. The Executive Officer should administratively transfer funds saved from the Solid Waste Director position to the ERF program for a temporary administrative assistant and two reclassifications. Of course, this action will limit future uses of that budgeted item.

Memorandum
July 22, 1982
Page 2

2. The Council should approve the transfer of funds from Contingency for the expenditures supported by the Waste Reduction Steering Committee. The total transfer should be \$106,977.
3. The acceptance of these recommendations would result in an ERF program Contingency of \$68,518 and a total Solid Waste Operating Fund Contingency of \$566,951.

Attachment 1 displays the various ERF contracts. Attachment 2 shows the recommended administrative program budget adjustments.

JS/gl
6410B/D4

PERSONNEL SERVICES EXPENDITURES FOR SOLID WASTE ADMINISTRATION
AND ENERGY RECOVERY FACILITY PLANNING (PROGRAM BUDGET)

SOLID WASTE ADMINISTRATION

<u>ADOPTED FY83 BUDGET</u>			<u>REVISED REQUEST</u>		
Personnel Services	FTE	Amount	Personnel Services	FTE	Amount
Director	1.0	\$ 50,000	Director	1.0	\$ 42,700
Engineering Manager	.6	18,283	Engineering Manager	.6	18,283
Regional Planner III	1.0	24,068	Regional Planner III	1.0	24,068
Solid Waste Engineer	.5	12,034	Solid Waste Engineer	.5	12,034
Secretary	1.0	13,166	Secretary	1.0	13,166
Solid Waste Accountant	1.0	21,824	Solid Waste Accountant	1.0	21,824
Total Salaries		\$139,375	Total Salaries		\$132,075
Merit @ 4%		5,575	Merit @ 4%		5,325
Fringe @ 28%		40,586	Fringe @ 28%		38,669
Total Personnel Services	5.1¹	\$185,536	Total Personnel Services	5.1¹	\$176,069

ENERGY RECOVERY FACILITY PLANNING

<u>ADOPTED FY83 BUDGET</u>			<u>REVISED REQUEST</u>		
Personnel Services	FTE	Amount	Personnel Services	FTE	Amount
Staff Assistant	1.0 ¹	\$10,546	Planner I	1.0 ¹	\$15,579
Public Information Specialist	.25 ¹	4,968	Public Information Specialist	.25 ¹	4,968
Field Office Manager	.5 ¹	13,609	Field Office Manager	.5 ¹	13,609
Field Office Secretary	.375 ¹	4,595	Field Office Secretary	.375 ¹	4,595
Secretary	.5 ¹	6,715	Secretary	.5 ¹	6,715
Administrative Assistant	.5 ¹	9,015	Administrative Assistant	.671,2	11,782
Total Salaries		\$49,448	Total Salaries		57,248
Merit - 4%		1,978	Merit - 4%		2,180
Fringe - 28%		14,399	Fringe - 28%		15,864
Total Personnel Services	3.125	\$65,825	Total Personnel Services	3.125	75,292

1 These items are budgeted for appropriation for only six (6) months pending a decision by Council on the ERF project. Sufficient funds are included in the Contingency (\$65,826 for Personnel Services and \$2,692 for Materials & Services) to fund the items for the full year.

2 Include two month temporary Administrative Assistant to aid the ERF Study Commission.

ENERGY RECOVERY FACILITY CONTRACT DETAIL

Item	Explanation	Budget	Revised Request	Revision
Louis Martinot	Rent Oregon City Field Office	\$ 2,200	\$ 2,200	
	Laboratory Services (chemical and physical test)	10,000	-0-	-10,000
	Water Samples	3,000	-0-	- 3,000
	Engineering Report	10,000	-0-	-10,000
Cary Jackson & Assoc.	Project Management	51,000	51,000	
Clifton & Co.	Insurance	6,000	6,000	
Arthur Anderson	Financial Review	10,000	10,000	
R. W. Beck	Council Review	50,000	34,000	-16,000
McEwen, Newman, Hanna & Gisvold (Dean Gisvold)	Legal	58,000	58,000	
Roy Ruel	Technical	50,000	20,000	-30,000
Independent Review		0	60,000	+60,000
Writing & Misc.		0	9,000	+ 9,000
TOTAL		\$250,200	\$250,200	

EXHIBIT A

AMENDMENTS TO THE FY 1982-83 ADOPTED BUDGET,
SOLID WASTE OPERATING FUND

Item	Current Budget	Amendment	Revised Appropriation	Reason
Clerk Typist 2	5,241	5,241	10,482	Increase to full-time.
All Other Positions	483,278	0	483,278	
Merit	20,323	210	20,533	For Clerk Typist 2.
Fringes	<u>148,753</u>	<u>1,526</u>	<u>150,279</u>	For Clerk Typist 2.
Total Personal Services	677,156	6,977	684,133	
Contractual Services	3,899,904	100,000	3,999,904	Waste Reduction Program
All Other Materials & Services	<u>480,285</u>	<u>0</u>	<u>480,285</u>	
Total Materials & Services	4,380,189	100,000	4,480,189	
Capital Outlay	52,835	0	52,835	
Transfers	1,723,900	0	1,723,900	
Contingency	<u>673,905</u>	<u>(106,977)</u>	<u>566,928</u>	Transfer to Personal Services and Materials & Services.
Total Fund	7,507,985	0	7,507,985	

JS/gl
6328B/252
07/22/82

EXHIBIT B

SOLID WASTE OPERATING FUND

Personal Services	677,156	6,977	684,133
Materials & Services	4,380,189	100,000	4,480,189
Capital Outlay	52,835	0	52,835
Transfers	1,723,900	0	1,723,900
Contingency	<u>673,905</u>	<u>(106,977)</u>	<u>566,928</u>
Total Solid Waste Operating Fund Requirements	7,507,985	0	7,507,985

ZOO OPERATING FUND

Personal Services	2,429,775	142,183	2,571,958
Materials & Services	1,512,929	0	1,512,929
Capital Outlay	325,299	0	325,299
Transfer	2,603,002	0	2,603,002
Contingency	476,777	(142,183)	334,594
Unappropriated Balance	<u>986,304</u>	<u>0</u>	<u>986,304</u>
	8,334,086	0	8,334,086

JS/srb
6328B/252
07/08/82

METRO PERSONNEL CLASSIFICATION STUDY SUMMARY

Staff Assistant
(Solid Waste)

Position No. 17

Reason for Study: The duties and qualifications required for this position have changed.

Summary of Current Responsibilities: Current duties include economic analysis of rates at Metro franchised disposal facilities, staff support to Rate Review Committee.

Methodology: The incumbent and his supervisor were interviewed, descriptions of similar positions with other governmental units were gathered for comparison.

Findings: The duties and qualifications required for this position vary substantially from the existing classification. The current class of Staff Assistant is an entry level position performing primarily data collection work. A Staff Assistant requires close supervision and may have as little as one year of related training or experience. The responsibilities for the position which is the subject of this study differ as follows:

1. the incumbent participates extensively in developing assumptions, preparing options and making recommendations in the rate setting process;
2. minimum supervision is required;
3. the incumbent works directly with other jurisdictions and agencies in data gathering; and
4. the incumbent performs responsible administrative tasks for state and federal grants and loans.

This position requires knowledge of accounting, statistics and economics and the ability to work independently.

Recommendation: This position should be reclassified to Planner 1. Principal duties correspond closely to those of the current class specification. The following task option should be added for Solid Waste: collects and analyses data related to fiscal impacts of plan alternatives and/or various rates and rate structures. May conduct surveys and prepare grant and program evaluations. Writes technical reports, gives presentations of technical information and performs administrative tasks as needed.

Action Required: Reclassification to an existing class requires approval of the Executive Officer. In this case, funds have not been budgeted. The Council must approve a transfer from Contingency of \$3,349.00 to fund and implement this action. The incumbent qualifies for the position and should be retained. The action should be retroactive to July 1, 1982.

METRO PERSONNEL CLASSIFICATION STUDY SUMMARY

Staff Assistant
(Solid Waste)

Position No. 18

Reason for Study: The duties and qualifications required for this position have changed.

Summary of Current Responsibilities: Analyzes fiscal impacts of various planning alternatives, collects and analyzes data, and prepares technical reports.

Methodology: The incumbent and his supervisor were interviewed. Responsibilities and required qualifications were compared with other positions in the organization.

Findings: The duties and qualifications required for this position vary substantially from the existing classification. The current class of Staff Assistant is an entry level position performing primarily data collection work. A Staff Assistant requires close supervision and may have as little as one year of related training or experience. The responsibilities for the position which is the subject of this study differ as follows:

1. the incumbent performs a variety of technical analyses including cost-benefit studies, assessment of risks, and sensitivity of costs to changing circumstances;
2. minimum supervision is required; and
3. the incumbent gathers data and prepares technical reports for its presentation.

This position requires knowledge of economics and planning, analytical skills and the ability to work independently.

Recommendation: This position should be reclassified to Planner 1. Principal duties correspond closely to those of the current class specification. The following task option should be added for Solid Waste: collects and analyses data related to fiscal impacts of plan alternatives and/or various rates and rate structures. May conduct surveys and prepare grant and program evaluations. Writes technical reports, gives presentations of technical information and performs administrative tasks as needed.

Action Required: Reclassification to an existing class requires approval of the Executive Officer. In this case, funds have not been budgeted. The Council must approve a transfer from Contingency of \$3,349.00 to fund and implement this action. The incumbent qualifies for the position and should be retained. The action should be retroactive to July 1, 1982.



METRO

METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: July 8, 1982
To: Council Coordinating Committee
From: Tom O'Connor, Field Office Manager T.O.
Regarding: Temporary Hire Position

Dan LaGrande and I are requesting that we hire a temporary person as an administrative assistant to the ERF Study Committee.

Due to the extremely short time frame under which the ERF Study Committee will be operating sixty days, it is critical that the Committee receive information and assistance in a timely organized fashion. The temporary administrative assistant would handle meeting schedules, agendas, information gathering, and summaries of reports.

The administrative assistant would also work with the Deputy Executive Officer and ERF Project Manager in the same role as above for Council work sessions. The administrative assistant would report to the Field Officer Manager as staff to the Review Committee.

The rate should be \$7.86/hour and the timeline would be from July 6 to Council decision on ERF. Estimated budget impact would be \$4,620.00.

TO:bb

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO THE)
FY 1982-83 BUDGET AND APPROPRIA-)
TIONS SCHEDULE; AND AMENDING)
ORDINANCE NO. 82-132)

ORDINANCE NO. 82-140
Introduced by the

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY
ORDAINS:

The FY 1982-83 Budget of the Metropolitan Service District
attached hereto as Exhibit A and amendments to the FY 1982-83
schedule of appropriations attached hereto as Exhibit B to this
Ordinance are hereby adopted.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1982.

Presiding Officer

ATTEST:

Clerk of the Council

JS/srb
6328B/252
07/08/82

ORDINANCE NO. 82-140

EXHIBIT A

AMENDMENTS TO THE FY 1982-83 ADOPTED BUDGET,
SOLID WASTE OPERATING FUND

Item	Current Budget	Amendment	Revised Appropriation	Reason
Clerk Typist 2	5,241	5,241	10,482	Increase to full-time.
All Other Positions	483,278	0	483,278	
Merit	20,323	210	20,533	For Clerk Typist 2.
Fringes	<u>148,753</u>	<u>1,526</u>	<u>150,279</u>	For Clerk Typist 2.
Total Personal Services	677,156	6,977	684,133	
Contractual Services	3,899,904	100,000	3,999,904	Waste Reduction Program
All Other Materials & Services	<u>480,285</u>	<u>0</u>	<u>480,285</u>	
Total Materials & Services	4,380,189	100,000	4,480,189	
Capital Outlay	52,835	0	52,835	
Transfers	1,723,900	0	1,723,900	
Contingency	<u>673,905</u>	<u>(106,977)</u>	<u>566,928</u>	Transfer to Personal Services and Materials & Services.
Total Fund	7,507,985	0	7,507,985	

JS/gl
6328B/252
07/22/82

ORDINANCE NO. 82-140

EXHIBIT B

SOLID WASTE OPERATING FUND

Personal Services	677,156	6,977	684,133
Materials & Services	4,380,189	100,000	4,480,189
Capital Outlay	52,835	0	52,835
Transfers	1,723,900	0	1,723,900
Contingency	<u>673,905</u>	<u>(106,977)</u>	<u>566,928</u>
Total Solid Waste Operating Fund Requirements	7,507,985	0	7,507,985

ZOO OPERATING FUND

Personal Services	2,429,775	142,183	2,571,958
Materials & Services	1,512,929	0	1,512,929
Capital Outlay	325,299	0	325,299
Transfer	2,603,002	0	2,603,002
Contingency	476,777	(142,183)	334,594
Unappropriated Balance	<u>986,304</u>	<u>0</u>	<u>986,304</u>
	8,334,086	0	8,334,086


JS/srb
6328B/252
07/08/82



METRO

METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: July 28, 1982
To: Metro Council
From: Donald E. Carlson, Deputy Executive Officer 
Regarding: Resolution No. 82-345 -- Zoo Director Employment Contract

This item is on the August 5 Council agenda from the Coordinating Committee. Please find attached as Exhibit "A" my analysis of the Coordinating Committee's actions. Three changes to the agreement are being suggested. Attached as Exhibit "B" is Andy Jordan's analysis of one of the changes.

After consultation with Warren Iliff, we concur with the changes suggested by the Coordinating Committee in Sections II and IV of the contract, but ask that you not approve the change in Section III. If the Council wishes to restrict the Executive Officer's authority to discharge employees, we suggest you proceed with an amendment to the Personnel Rules.

Attached as Exhibit "C" is a copy of the Employment Contract as originally submitted.

DEC:sh



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: July 13, 1982
To: Rick Gustafson, Executive Officer
From: Donald E. Carlson, Deputy Executive Officer *DEC*
Regarding: Warren Iliff's Employment Contract

As I indicated today, the Coordinating Committee made several changes to Warren's contract at its July 12 meeting for recommendation to the full Council. The revised contract will be before the Council at its August 5th meeting. Any response we make regarding the changes should be ready by July 23rd.

It appears that one of the changes is insignificant, but that two are significant in that they alter: 1) financial matters of the agreement (removal of merit pay provision) and 2) your ability to unilaterally remove the Zoo Director (insertion of Council concurrence for termination). The specific changes are listed below.

The first change is on Page 3 in Section II dealing with the terms of the agreement; the following subsection was deleted:

~~"F.--Notwithstanding any other provision of this Agreement, the parties understand that the position of Director of the Washington Park Zoo may be abolished during the term of this Agreement as a result of initiative petition.--In that event, the terms of this Agreement shall remain in effect and EMPLOYEE may elect either to continue employment in a capacity to be determined at that time or to consider himself terminated in accordance with Section III."~~

The above deletion does not appear to be significant because the initiative petition to abolish Metro was not successful and it is unlikely that such action would occur during the life of this agreement.

The second change is on Page 4 in Section III, which sets forth the termination and severance pay provisions of the agreement. In subsection B, language was inserted as follows:

"B. In the event METRO at any time during the employment term refuses, following written notice, to comply with any provision benefiting EMPLOYEE herein, or the EMPLOYEE resigns following a formal suggestion by the Executive Officer of METRO, with concurrence of the Council, that he resign, then, in that event, EMPLOYEE may at his option be deemed to be 'terminated' at the date of such refusal or suggestion within the meaning and context of the severance pay provision herein cited as Section III.A."

The third change was made on Page 4 in Section 4, which deals with salary provisions. The following language was deleted from the section:

"Section IV. Salary

METRO agrees to pay EMPLOYEE for his services rendered pursuant hereto an annual base salary of FIFTY THOUSAND (\$50,000.00) DOLLARS payable in installments at the same time as other employees of METRO are paid. ~~In addition, METRO agrees to increase said base salary and/or other benefits of EMPLOYEE, based upon merit, in such amounts and to such an extent as the METRO Executive Officer may determine that it is desirable to do so, but not to exceed eight (8) percent per year, on the basis of an annual salary review of said EMPLOYEE made at the same time as similar consideration is given other employees generally.~~ EMPLOYEE shall also receive cost of living increases at the same time and at the same rate as approved by METRO for all other employees."

I suggest that we make Warren knowledgeable of these changes and discuss with him his response. I'm not sure at this time how to respond to the termination change except to try to understand how the process would work.

DEC:sh

c: W. Iliff
A. Jordan



METRO

METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: July 16, 1982
To: Don Carlson, Deputy Executive Officer
From: Andy Jordan, General Counsel *Andy*
Regarding: Warren Iliff's Employment Contract

I have reviewed the three changes the Council Coordinating Committee made to Warren's contract (see attached memo). I agree with the changes to Section II F (deleting the language on abolishment of Metro) and to Section IV (deleting merit pay).

The change to Section III B, however, appears to be based upon a misunderstanding of the section. The purpose of the section is to assure the employee that if Metro asks him to resign, he will receive termination benefits, such as unemployment compensation, as if he had been discharged. If the Committee's language is inserted, the section will only serve to protect the employee if the Executive Officer's suggestion of resignation is approved by the Council. Consequently, if the Executive Officer suggested the resignation, the Council did not approve the suggestion, and the employee resigned, the resignation would then be a voluntary resignation without the termination benefits of a discharge. The employee would not be well protected.

I assume that the Committee's purpose in adding language for Council approval was not to restrict the employee's termination benefits but rather was to prevent the Executive Officer from unilaterally suggesting resignation. I don't know of any way that the Council could prevent such a suggestion from being made. The Council could strip the Executive Officer of the power to unilaterally discharge the employee, but that is not accomplished by the amendment to Section III B. That can only be accomplished by changing the Metro Personnel Rules. ORS 268.180(5) allows the Executive Officer the power to hire and fire subject only to such rules. Alterations in employment contract language cannot extinguish the Executive Officer's statutory authority.

Based on the above, I suggest that the amendment to Section III B of the contract be reconsidered. If the purpose of the amendment is to restrict the Executive Officer's authority to discharge employees generally, or this employee in particular, an amendment to the Personnel Rules should be prepared instead.

AJ/srb-6382B/D3

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 1982, by and between the METROPOLITAN SERVICE DISTRICT, a municipal corporation, hereinafter called "METRO," and WARREN ILIFF, hereinafter called "EMPLOYEE."

W I T N E S S E T H :

WHEREAS, METRO desires to continue to employ the service of Warren Iliff as Director of the Washington Park Zoo; and

WHEREAS, It is the desire of METRO to provide certain benefits, establish certain conditions of employment, and to set working conditions of said EMPLOYEE; and

WHEREAS, It is a primary purpose of this Agreement to assure EMPLOYEE'S continuing leadership of the Zoo; and

WHEREAS, It is the desire of METRO to: 1) secure and retain the services of EMPLOYEE and to provide inducement for him to remain in such employment; 2) to make possible full work productivity by assuring EMPLOYEE'S morale and peace of mind with respect to future security; 3) to act as a deterrent against malfeasance or dishonesty for personal gain on the part of the EMPLOYEE; and 4) to provide a just manner for terminating EMPLOYEE'S services at such time as he may be unable fully to discharge his duties due to age or disability or when METRO may desire to otherwise terminate his employ; and

WHEREAS, EMPLOYEE desires to accept and continue employment as Director of the Washington Park Zoo;

NOW, THEREFORE, in consideration of the mutual covenants

herein contained, the parties hereto agree as follows:

Section I. Duties

METRO hereby agrees to continue to employ Warren Iliff as Director of the Washington Park Zoo to perform the functions and duties specified in the attached Job Description, and to perform such other legally permissible and proper duties and functions as the METRO Executive Officer shall from time to time assign.

EMPLOYEE hereby agrees to accept and continue such employment.

Section II. Term

A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of METRO to terminate the services of EMPLOYEE at any time, subject only to the provisions set forth in Section III, paragraphs A and B, of this Agreement.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the EMPLOYEE to resign at any time from his position with METRO, subject only to the provision set forth in Section III, paragraph C, of this Agreement.

C. EMPLOYEE agrees to remain in the exclusive employ of METRO until July 1, 1984, and neither to seek, to accept, nor to become employed by any other employer until said termination date, unless termination occurs sooner as hereinafter provided. The term "employed" shall not be construed to include occasional teaching, writing or consulting performed on EMPLOYEE'S time off.

D. In the event written notice is not given by either party to this Agreement to the other six (6) months prior to the termination date as hereinafter provided, this Agreement shall be extended on the same terms and conditions as herein provided, all

for an additional period of one (1) year. Said Agreement shall continue thereafter for one-year periods unless sixty (60) days written notice is given prior to time of expiration.

E. This Agreement shall be subject to renegotiation of any or all terms, such renegotiation to occur between ninety (90) and sixty (60) days prior to normal expiration of the period of the Agreement. Such renegotiation may be requested by either party, and all changes in terms resulting from renegotiation shall be decided upon by both parties prior to sixty (60) days before normal expiration.

F. Notwithstanding any other provision of this Agreement, the parties understand that the position of Director of the Washington Park Zoo may be abolished during the term of this Agreement as a result of initiative petition. In that event, the terms of this Agreement shall remain in effect and EMPLOYEE may elect either to continue employment in a capacity to be determined at that time or to consider himself terminated in accordance with Section III.

Section III. Termination and Severance Pay

A. In the event EMPLOYEE is terminated by METRO before expiration of the aforesaid term of employment and during such time that EMPLOYEE is willing and able to perform the duties of Director of the Washington Park Zoo, then in that event METRO agrees to pay EMPLOYEE a lump sum cash payment equal to three (3) months' aggregate salary; provided, however, that in the event EMPLOYEE is terminated because of his conviction of any illegal act involving personal gain to him, then, in that event, METRO shall have no

obligation to pay the aggregate severance sum designated in this paragraph.

B. In the event METRO at any time during the employment term refuses, following written notice, to comply with any provision benefiting EMPLOYEE herein, or the EMPLOYEE resigns following a formal suggestion by the Executive Officer of METRO that he resign, then, in that event, EMPLOYEE may at his option be deemed to be "terminated" at the date of such refusal or suggestion within the meaning and context of the severance pay provision herein cited as Section III. A.

C. In the event EMPLOYEE voluntarily resigns his position with METRO before expiration of the aforesaid term of employment, then EMPLOYEE shall give METRO three (3) months notice in advance.

Section IV. Salary

METRO agrees to pay EMPLOYEE for his services rendered pursuant hereto an annual base salary of FIFTY THOUSAND (\$50,000.00) DOLLARS payable in installments at the same time as other employees of METRO are paid. In addition, METRO agrees to increase said base salary and/or other benefits of EMPLOYEE, based upon merit, in such amounts and to such an extent as the METRO Executive Officer may determine that it is desirable to do so, but not to exceed eight (8) percent per year, on the basis of an annual salary review of said EMPLOYEE made at the same time as similar consideration is given other employees generally. EMPLOYEE shall also receive cost of living increases at the same time and at the same rate as approved by METRO for all other employees.

Section V. Hours of Work

A. It is recognized that this Agreement is for professional service, that EMPLOYEE must devote substantial time to METRO business outside of normal office hours and that his duties are not limited to a forty-hour week. Therefore, EMPLOYEE is expected and allowed to establish personal office hours consistent with the need to carry out his responsibilities.

B. EMPLOYEE may engage in teaching, consulting and other non-METRO connected business to an extent which will not affect or infringe upon his performance as Director of the Washington Park Zoo, and no compensation may be accepted for such activities which are engaged in during normal office hours.

Section VI. Dues and Subscriptions

METRO agrees, subject to availability of funds, to budget and to pay the professional dues and subscriptions of EMPLOYEE necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, and for the good of METRO.

Section VII. Professional Development

A. METRO hereby agrees, subject to availability of funds, to budget and to pay the travel and subsistence expenses of EMPLOYEE for professional and official travel, meetings, and occasions adequate to continue the professional development of EMPLOYEE and to adequately pursue necessary official and other functions for METRO.

B. METRO also agrees, subject to availability of funds,

to budget and to pay for the travel and subsistence expenses of EMPLOYEE for short courses, institutes, and seminars that are necessary for his professional development and for the good of METRO.

Section VIII. General Expenses

METRO recognizes that certain expenses of a nonpersonal and generally job-affiliated nature are incurred by EMPLOYEE, and hereby agrees to reimburse or to pay said general expenses up to an annual budgeted amount upon receipt of duly executed expense or petty cash vouchers, receipts, statements, or personal affidavits.

Section IX. Vacation, Sick and Military Leave

A. EMPLOYEE shall accrue, and have credited to his personal account, vacation and sick leave at the same rate as other regular employees of METRO.

B. EMPLOYEE shall be entitled to military reserve leave time pursuant to state law and existing METRO policy.

Section X. Disability, Health, Life Insurance and Retirement

METRO agrees to provide fringe benefits such as health and dental insurance, retirement plan, life insurance and disability insurance in the same manner and to the same extent as provided other employees of METRO generally.

Section XI. Other Terms and Conditions of Employment

A. The Executive Officer shall fix any such other terms and conditions of employment, as he may determine from time to time, relating to the performance of EMPLOYEE, provided such terms and conditions are not inconsistent with or in conflict with the provisions of law or this Agreement.

B. All provisions of ordinances, regulations and rules

of METRO relating to vacation and sick leave, retirement and pension system contributions, holidays, and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to EMPLOYEE as they would to other employees of METRO, in addition to said benefits enumerated specifically for the benefit of EMPLOYEE, except as herein provided.

Section XII. General Provisions

A. The text herein shall constitute the entire Agreement between the parties, and this Agreement shall supercede the METRO Employee Rules to the extent of any inconsistency therewith.

B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of EMPLOYEE.

C. This Agreement shall become effective commencing July 1, 1982.

D. If any provisions, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, METRO has caused this Agreement to be signed and executed on its behalf by its Executive Officer and the EMPLOYEE has signed and executed this Agreement, both in duplicate, the day first above written.

EMPLOYEE:

METROPOLITAN SERVICE DISTRICT:

WARREN ILIFF

EXECUTIVE OFFICER

AJ/srb
5581B/289

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 82-345
EMPLOYMENT CONTRACT FOR THE)
POSITION OF ZOO DIRECTOR AND)
ESTABLISHING A RATE OF)
COMPENSATION)

WHEREAS, Metro wishes to maintain a competitive salary for
the position of Zoo Director; and

WHEREAS, The Council wishes to modify the terms of
employment for the Zoo Director; now, therefore,

BE IT RESOLVED,

1. That the Council authorizes an employment contract
for the position of Zoo Director.

2. That the rate of compensation for said position shall
not exceed \$50,000; provided, however, that the contract may provide
for COLA and merit adjustments during the term of the contract.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1982.

Presiding Officer

JS/srb
6322B/252
07/07/82

GENERAL STATEMENT OF DUTIES:

Responsible for the administration and implementation of the Zoo's policies and programs including animal management, education and research, buildings and grounds maintenance, visitor services, public relations and budget and personnel services. Director formulates overall Zoo policies on the basis of Board direction. Evaluates general operational policies and procedures and takes appropriate action as required. Coordinates all planning and development programs associated with education and research, animal acquisition and exhibit design. Coordinates fund-raising activities and maintains communications with special groups and the general public through personal appearances and news media appearances.

SUPERVISION RECEIVED:

Works under the general policies and objectives of the Metropolitan Service District Council. The Director is expected to function with independence of action in developing specific program goals and content and appropriate operational procedures and methods of accomplishing Council policy and objectives. Work of the Director is periodically reviewed by the Council on the basis of results obtained.

SUPERVISION EXERCISED:

Directly supervises the Assistant Director who is responsible for day-to-day operations of the Zoo and the support staff in the office of the Director. Assigns or delegates assignments of activities to Assistant Director. Reviews performances and provides program direction through periodic consultation with the Assistant Director, department heads, observation of activities and participation in regular department staff meetings.

EXAMPLES OF PRINCIPAL DUTIES:

An employee in this classification may perform any of the following duties; however, these examples do not include all the specific tasks which an employee may be expected to perform.

1. Serves as the principal representative of Metro's Washington Park Zoo at all Council meetings, in fund-raising and other public relations activities and in all contacts associated with overall Zoo planning and development.
2. Carries out Council policy and serves as the primary contact between the Council and the Zoo; coordinates planning and development activities in accordance with Council policy.
3. Develops and maintains liaison with representatives, government agencies, private businesses and community organizations for the purpose of developing financial, policy or program support for the Zoo; meets with concern groups or individuals to

- discuss current or proposed programs or policies or resolve problems or complaints.
4. Determines program needs, identifies planning and program implementation problems, seeks resolution of problems and recommends to the Council adoption of policies to support program goals.
 5. Directs and participates in all planning activities associated with facilities or exhibit development.
 6. Carries out an extensive fund-raising and community support program through numerous appearances and membership on civic committees.
 7. Reviews preparation of annual budget to ensure proper relationship of proposed budget to program goals, presents budget to Council. Delegates preparation and administration of operating budget and resolution of budgetary problems to Assistant Director. Periodically reviews budget expenditures to ensure adherence to program objective guidelines.
 8. Maintains final authority for the appointment and dismissal of all permanent, full-time employees. Administration of the personnel system including labor contract administration is delegated to the Assistant Director.
 9. Holds regular meetings with the Assistant Director and department heads to review programs and activities.

RECRUITING REQUIREMENTS:
KNOWLEDGE, SKILL, ABILITY

Thorough knowledge of the principles and practices associated with management of a zoo, including care for animals in captivity, animal husbandry, exhibit design and visitor and education services. Thorough knowledge of scientific research principles and practices associated with captive animals. Thorough knowledge of modern public administration principles and evaluation, budgeting, personnel administration, problem identification and conflict resolution.

Considerable knowledge of community organization and development techniques and of resources available to assist in the developing of funding and skill in direct fund-raising.

Ability to analyze complex problems, conduct necessary research and use sound judgment in making decisions about difficult program, budget or administrative problems. Ability to discern appropriate program direction and develop and implement comprehensive program plans and direct completion of projects, in part through delegated responsibilities. Ability to adapt to and work effectively within the varied political and social environments encountered. Ability and skill in establishing and maintaining cooperative and productive working relationships with Council and advisory committee members, representatives of business, civic and government organizations, Zoo staff and the general public. Ability to write concise and effective correspondence, administrative reports and proposals and to speak effectively before various groups. Ability to plan, assign and review the work of staff either directly or through subordinate

supervisors. Ability to appraise the quality of varied services and programs through inspection and review of work and to develop and implement improvements. Ability to provide direction and evaluation of animal behavior research programs. Ability to effectively interpret Council policy, laws, rules and regulations and explain their impact on the operation of Zoo to staff.

EXPERIENCE AND TRAINING:

Five years of progressively responsible program and general administrative experience in a zoo or related animal exhibit facility. Program experience should have provided exposure to animal propagation, acquisition and management and exhibit and visitor services development. General administrative work should have provided experience in budgeting, planning, employee supervision and fund-raising. Graduation from a four-year college or university with major course work in zoology, animal science, biology or closely related field. Any satisfactory equivalent combination of experience and training with ensures the ability to perform the work may substitute for the above.

SW:ss
2144B/157

2/81

METRO PERSONNEL CLASSIFICATION STUDY SUMMARY

Chief Landfill Clerk
(Solid Waste)

Position No. 4

Reason for Study: The duties and qualifications required for this position have changed. A study was requested by the department head.

Summary of Current Responsibilities: Trains and supervises landfill gatehouse staff, monitors contract compliance, oversees day-to-day financial transactions, handles customer complaints and input, prepares daily and monthly reports, will be responsible for equipment purchasing, staffing and training for Clackamas Transfer & Recycling Center (CTRC).

Methodology: The incumbent and his supervisor were interviewed. Responsibilities and required qualifications were compared with other positions in the organization.

Findings: The responsibilities of this position have increased substantially over the last year and will be further increased with the construction of the CTRC. Elimination of the Operations Assistant in the FY 1982-83 Budget has added duties to this position. The existing class requires three years experience in bookkeeping and two years of college level coursework. The responsibilities for the position differ from the existing class as follows:

1. supervisory responsibilities are doubling;
2. excellent public relations skills are needed;
3. the incumbent monitors contract compliance; and
4. oversight of a new facility, the CTRC, will add new responsibilities.

The position requires knowledge of accounting and business management, the ability to work independent and excellent public relations skills.

Recommendation: Reclassify this position to Facilities Supervisor at salary range 8.

Action Required: Funding was previously authorized for the recommended salary range. Council approval is needed to establish the new class. The incumbent qualifies for the new position and should be retained. The action should be retroactive to July 1, 1982.

JS/srb
6336B/294
07/08/82

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING)
A NEW CLASSIFICATION OF 322)
FACILITIES SUPERVISOR)

RESOLUTION NO. 82-346

) Introduced by
)

WHEREAS, Metro is or will be involved in the operation of various solid waste disposal facilities; and

WHEREAS, The responsibilities and required qualifications for the position of Chief Landfill Clerk have changed; now, therefore,

BE IT RESOLVED,

That the new classification of 322 Facilities Supervisor be established at salary range 8 (\$8.66 per hour - \$18,018).

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1982.

Presiding Officer

JS/srb
6340B/252
07/08/82

Date AUGUST 5, 1982

Meeting Title REGULAR COUNCIL MEETING

Name

Affiliation/Address

Gerardo L. Ball

DJB Inc. 11515 S.W. 91st - Tigard

~~Robert Ball~~

PAROS PO BOX 66388

NEIL BULLIET

PRT 2105 N.W. FLANDERS PORT.

JOHN TROUT

COLLECTION INDUSTRY 1020 N. E. 3rd Ave.

Joe W. Cancelli Jr.

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