



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Agenda

Meeting: COUNCIL MEETING
Date: November 22, 1988
Day: Tuesday
Time: 7:00 p.m.
Place: Council Chamber

Approx.
Time*

Presented By

7:00

CALL TO ORDER
ROLL CALL

1. Introductions
2. Citizen Communications to Council on Non-Agenda Items
3. Executive Officer Communications
4. Councilor Communications

- 4.1 Confirmation of the Presiding Officer's Appointment of a Legislative Task Force
(Action Requested: Motion to Confirm Appointment)

Ragsdale

7:15

5. Minutes of October 27, 1988
(Action Requested: Approval of the Minutes)

7:20
(5 min.)

6. ORDINANCES, FIRST READINGS

- 6.1 Ordinance No. 88-274, An Ordinance Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Provide Funding for an Analysis for a Publicly Owned Metro East Transfer & Recycling Center (Referred to the Solid Waste Committee)
- 6.2 Ordinance No. 88-275, for the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Wastewater Management Plan and Submitting it for Recertification
(Referral to the Intergovernmental Relations Committee)
- 6.3 Ordinance No. 88-277, An Ordinance Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Reorganize Metro's Word Processing Function
(Referred to the Finance Committee)

6.4 ORD. 88-278, *Continued Rates*

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

Approx.
Time*

Presented By

7. RESOLUTIONS

- | | | | |
|-------------------|-----|--|---------|
| 7:25
(5 min.) | 7.1 | <u>Resolution No. 88-1011</u> , for the Purpose of Amending the Contract with Zimmer Gunsul Frasca Partnership to Include Design Work for Finishing the Towers (Convention Center Project) (Referred from the Convention Center Committee) (Action Requested: Adoption of the Resolution) | Knowles |
| 7:30
(15 min.) | 7.2 | <u>Consideration of Resolution No. 88-1012</u> , for the Purpose of Prioritizing Those Elements of the Waste Reduction Program Not Yet Complete and to Develop an Implementation Schedule (Referred from the Solid Waste Committee) (Action Requested: Motion to Adopt the Resolution) | Hansen |
| 7:45
(5 min.) | 7.3 | <u>Consideration of Resolution No. 88-1013</u> , for the Purpose of Appointing Citizens to the Metropolitan Service District's FY 1989-90 Budget Committee (Referred from the Finance Committee) (Action Requested: Motion to Adopt the Resolution) | Collier |
| 7:50
(5 min.) | 7.4 | <u>Consideration of Resolution No. 88-1014</u> , for the Purpose of Authorizing an Exemption to the Public Contracting Procedure Set Out in Metro Code Section 2.04.010 et. seq. for the Purchase of a Production Copier and Telephone Switch Upgrade (Referred from the Finance Committee) (Action Requested: Motion to Adopt the Resolution) | Collier |
| 7:55
(30 min.) | 7.5 | <u>Consideration of Resolution No. 88-1015</u> , for the Purpose of Considering Report of Independent Certified Public Accountants on Metro's FY 1988 Annual Financial Report and Schedule of Federal Financial Assistance (Referred from the Finance Committee) (Action Requested: Motion to Adopt the Resolution) | Collier |
| 8:25 | 7.6 | <u>Resol. 88-1017, CTS Task Force</u> | Knowles |
| | 8. | COMMITTEE REPORTS | |

8:30 ADJOURN

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: November 23, 1988

To: Metro Councilors
Executive Officer
Interested Staff

From: Marie Nelson, Clerk of the Council *Ann*

Regarding: COUNCIL ACTIONS OF NOVEMBER 22, 1988

Agenda Items

Action Taken

- | | |
|--|---|
| 4.1 Confirmation of the Presiding Officer's Appointment of a Legislative Task Force | Motion carried to confirm the appointment of Executive Officer Cusma and Councilors Gardner (Chair), Collier, Knowes and Ragsdale to the Task Force (Van Bergen/Kirkpatrick; 11/0 vote) |
| 5. Minutes of October 27, 1988 | Approved (Coleman/Collier; 11/0 vote) |
| 6.1 Ordinance No. 88-274, Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Provide Funding for an Analysis for a Publicly Owned East Transfer & Recycling Center (First Reading) | Referred to the Finance Committee for a public hearing and recommendation |
| 6.2 Ordinance No. 88-275, Amending Code Chapter 3.02, Amending the Regional Wastewater Management Plan and Submitting it for Recertification (First Reading) | Referred to the Intergovernmental Relations Committee for a public hearing and recommendation |
| 6.3 Ordinance No. 88-277, Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Reorganize Metro's Word Processing Function (First Reading) | Referred to the Finance Committee for a public hearing and recommendation |

(continued)

Agenda Items

Action Taken

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|---|--|
| 6.4 Ordinance No. 88-278, Amending Code Chapter 5.02 Relating to Solid Waste Rates (First Reading) | Referred to the Solid Waste Committee for a public hearing and recommendation |
| 7.1 Resolution No. 88-1011, Amending the Contract with Zimmer Gunsul Frasca Partnership to Include Design Work for Finishing the Towers (Convention Center Project) | Adopted (Knowles/DeJardin; 11/0 vote) |
| 7.2 Resolution No. 88-1012, Prioritizing Those Elements of the Waste Reduction Program Not Yet Complete and to Develop an Implementation Schedule | Adopted as amended (Hansen/Kirkpatrick; 10/0 vote) |
| 7.3 Resolution No. 88-1013, Appointing Citizens to the FY 1989-90 Budget Committee | Adopted (Collier/Kirkpatrick; 11/0 vote) |
| 7.4 Resolution No. 88-1014, Authorizing an Exemption to the Public Contracting Procedure Set Out in Code Section 2.04.010 et. seq. for the Purchase of a Production Copier and a Telephone Switch Upgrade | Adopted (Collier/Kirkpatrick; 11/0 vote) |
| 7.5 Resolution No. 88-1015, Considering the Report of Independent Certified Public Accountants on Metro's FY 1988 Annual Financial Report and Schedule of Federal Financial Assistance | Adopted (Van Bergen/DeJardin; 11/0 vote) |
| 7.6 Resolution No. 88-1017, Creating a Task Force on Consolidation of Convention, Trade and Spectator Facilities | Adopted (Knowles/Waker; 11/0 vote). Presiding Officer Ragsdale (Chair), Executive Officer Cusma, Councilor Knowles, Ted Runstein and Tom Walsh were appointed to the Task Force. |

Marie

AGENDA NOTES: COUNCIL MEETING OF NOVEMBER 22, 1988

TO: Mike Ragsdale, Presiding Officer
FROM: Marie Nelson, Clerk of the Council

CALL TO ORDER
ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

3. EXECUTIVE OFFICER COMMUNICATIONS

4. COUNCILOR COMMUNICATIONS

4.1 Confirmation of the Presiding Officer's Appointment of a
Legislative Task Force

(Action Requested: Motion to Confirm Appointments)

- a. Present appropriate background information concerning the appointments.
- b. Receive and vote on a motion to confirm the Presiding Officer's appoint of Executive Officer Cusma and Councilors Gardner (Chair), Collier, Knowles and Ragsdale to the Legislative Task Force.

5. Consideration of Minutes of October 27, 1988

(Action Requested: Approval of the Minutes)

- a. Receive and vote on a motion to approve the minutes of October 27, 1988.

6. ORDINANCES, FIRST READINGS

6.1 Ordinance No. 88-274, An Ordinance Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Provide Funding for an Analysis for a Publicly Owned Metro East Transfer & Recycling Center
(Referred to the Finance Committee)

- a. Have the Clerk read the ordinance by title only a first time.
- b. Announce that you have referred the ordinance to the Council Finance Committee for a public hearing and recommendation (the printed agenda erroneously listed the ordinance as being referred to the Solid Waste Committee).

6.2 Ordinance No. 88-275, for the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Wastewater Management Plan and Submitting it for Recertification
(Referred to the Intergovernmental Relations Committee)

- a. Have the Clerk read the ordinance by title only a first time.
- b. Announce that you have referred the ordinance to the Council Intergovernmental Relations Committee for a public hearing and recommendation.

6.3 Ordinance No. 88-277, An Ordinance Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget and Appropriations Schedule to Reorganize Metro's Word Processing Function
(Referred to the Finance Committee)

- a. Have the Clerk read the ordinance by title only a first time.
- b. Announce that you have referred the ordinance to the Council Finance Committee for a public hearing and recommendation.

6.4 Ordinance No. 88-278, for the Purpose of Amending Metro Code Chapter 5.02 to Provide a Commercial Rate for Yard Debris at St. Johns Landfill and to Change the Definition of Residential Self-Haul Relating to Solid Waste Rates

- a. Announce that this item has been added to the agenda. Councilors have been provided with copies of the ordinance.
- b. Have the Clerk read the ordinance by title only a first time.
- c. Announce that you have referred the ordinance to the Solid Waste committee for a public hearing and recommendation.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 88-1011, for the Purpose of Amending the Contract with Zimmer Gunsul Frasca Partnership to Include Design Work for Finishing the Towers (Convention Center Project)

(Referred from the Convention Center Committee)

(Action Requested: Adoption of the Resolution)

- a. Announce that there have been some revisions to the staff report and resolution printed in the agenda packet which Councilor Knowles will explain. The revised material has been distributed to Councilors (see the yellow handouts).

- b. Have Councilor Knowles, Convention Center Committee Chair, present the Committee's report and recommendation.
- d. Receive a motion to adopt the resolution.
- d. Discussion: Councilor questions and comments.
- d. Vote on the motion to adopt the resolution.

7.2 Consideration of Resolution No. 88-1012, for the Purpose of Prioritizing Those Elements of the Waste Reduction Program Not Yet Complete and to Develop an Implementation Schedule (Referred from the Solid Waste Committee)
(Action Requested: Motion to Adopt the Resolution)

- a. Have Councilor Hansen, Solid Waste Committee Chair, present the Committee's report and recommendation.
- b. Receive a motion to adopt the resolution.
- c. Discussion: Councilor questions and comments.
- d. Vote on the motion to adopt the resolution.

7.3 Consideration of Resolution No. 88-1013, for the Purpose of Appointing Citizens to the Metropolitan Service District's FY 1989-90 Budget Committee
(Referred from the Finance Committee)
(Action Requested: Motion to Adopt the Resolution)

- a. Have Councilor Collier, Finance Committee Chair, present the Committee's report and recommendation.
- b. Receive a motion to adopt the resolution.
- c. Discussion: Councilor questions and comments.
- d. Vote on the motion to adopt the resolution.

7.4 Consideration of Resolution No. 88-1014, for the Purpose of Authorizing an Exemption to the Public Contracting Procedure Set Out in Metro Code Section 2.04.010 et. seq. for the Purchase of a Production Copier and Telephone Switch Upgrade
(Referred from the Finance Committee)
(Action Requested: Motion to Adopt the Resolution)

- a. Have Councilor Collier, Finance Committee Chair, present the Committee's report and recommendation.
- b. Receive a motion to adopt the resolution.

c. Discussion: Councilor questions and comments.

d. Vote on the motion to adopt the resolution.

7.5 Consideration of Resolution No. 88-1015, for the Purpose of
Considering Report of Independent Certified Public Accountants
on Metro's FY 1988 Annual Financial Report and Schedule of
Federal Financial Assistance
(Referred from the Finance Committee)
(Action Requested: Motion to Adopt the Resolution)

a. Have Councilor Collier, Finance Committee Chair, present
the Committee's report and recommendation.

b. Receive a motion to adopt the resolution.

c. Discussion: Councilor questions and comments.

d. Vote on the motion to adopt the resolution.

7.6 Resol 88-1017, CTS Task Force
8. COMMITTEE REPORTS

ADJOURN

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11/21/88

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

October 27, 1988

Councilors Present: Mike Ragsdale (Chair), Corky Kirkpatrick
(V. Chair), Elsa Coleman, Tanya Collier,
Larry Cooper, Tom DeJardin, Jim Gardner,
Gary Hansen, Sharron Kelley, David Knowles,
George Van Bergen and Richard Waker

Others Present: Rena Cusma, Executive Officer
Dan Cooper, General Counsel

Presiding Officer Ragsdale called the meeting to order at 5:30 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Cuama announced she would present agenda items 7.3 and 7.4 at this time rather than later in the agenda as originally scheduled.

7.3 Consideration of Resolution No. 88-1005, for the Purpose of
Expressing Appreciation to Sue McGrath for Services Rendered to
Metro

Councilor Collier, Chair of the Finance Committee, reported the Committee had unanimously recommended the resolution be adopted. The Executive Officer said that Sue McGrath had served on the Investment Advisory Board for five years and the resolution would acknowledge her valuable contribution to Metro.

Motion: Councilor Collier moved, seconded by Councilor Cooper, to adopt Resolution No. 88-1005.

Vote: A vote on the motion resulted in all twelve Councilors present voting aye.

The motion carried and the resolution was unanimously adopted. The Executive Officer presented Ms. McGrath with a plaque in recognition of her service.

7.4 Consideration of Resolution No. 88-1006, for the Purpose of
Confirming the Appointment of William Naito to the Investment
Advisory Board

Councilor Collier reported the Finance Committee had unanimously recommended William Naito be appointed to the Investment Advisory Board which would fill the vacancy created by Ms. McGrath's completed term. Executive Officer Cusma said she was very pleased Mr. Naito was willing to serve on the Board because of his excellent qualifications.

Motion: Councilor Collier moved to adopt Resolution No. 88-1006 and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in all twelve Councilors present voting aye.

The motion carried and the resolution was unanimously adopted.

4. COUNCILOR COMMUNICATIONS

None.

5. CONSENT AGENDA

Motion: Councilor DeJardin moved to approve items 5.1 through 5.6 of the Consent Agenda. Councilor Knowles seconded the motion.

Vote: A vote on the motion resulted in all twelve Councilors present voting aye.

The motion carried and the following items on the Consent Agenda were unanimously approved.

- 5.1 Minutes of September 22, 1988
- 5.2 Resolution No. 88-992, for the Purpose of Authorizing an Amendment to the Contract with Portland Bureau of Water Works for Relocation of Water Lines from the Oregon Convention Center Site
- 5.3 Resolution No. 88-1000, for the Purpose of Authorizing an Amendment to the Contract with Zimmer Gunsul Frasca Partnership for Further Specified Design Services for the Oregon Convention Center
- 5.4 Resolution No. 88-981, for the Purpose of Adopting Disadvantaged Business Program Goals for FY 1988-89

- 5.5 Resolution No. 88-994, for the Purpose of Adopting Affirmative Action Goals and Objectives for FY 1988-89
- 5.6 Resolution No. 88-1007, for the Purpose of Confirming the Appointment of Members to the One Percent for Recycling Advisory Committee

6. ORDINANCES, FIRST READINGS

- 6.1 Consideration of Ordinance No. 88-270, for the Purpose of Amending Ordinance No. 88-247, Revising the Budget and Appropriations Schedule to Provide Funding for Legislative Expenditures and Increased National Association of Regional Council (NARC) Dues

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he had referred the ordinance to the Council Finance Committee for a public hearing and recommendation.

- 6.2 Consideration of Ordinance No. 88-272, for the Purpose of Amending Ordinance No. 88-247, Revising the Budget and Appropriations Schedule to Provide Funding for an Increase in Oregon Laborer's Trust Health Care Premiums

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he had referred the ordinance to the Council Finance Committee for a public hearing and recommendation.

- 6.2a Consideration of Ordinance No. 88-271, for the Purpose of Amending Metro Code Chapter 2.04 Relating to Contracting Procedures

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he had referred the ordinance to the Council Internal Affairs Committee for a public hearing and recommendation.

ORDINANCES, SECOND READINGS

- 6.3 Consideration of Ordinance No. 88-268, Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 87-3: Blazer Homes

The Clerk read the ordinance by title only a second time. The Presiding Officer announced the first reading had been conducted before the Council on October 13, 1988, and no testimony had been received at that meeting. The ordinance had been prepared by Counsel because on September 8, 1988, the Council had adopted a motion to reject the Report and Recommendations of the Hearings

Officer and to direct the Office of General Counsel to prepare findings of fact in support of the petition for locational adjustment of the Urban Growth Boundary (UGB).

Dan Cooper, General Counsel, reviewed the procedures by which the Council would consider the case. Referring to a letter to Presiding Officer Ragsdale from himself dated October 27, 1988, Mr. Cooper explained that pursuant to Metro Code Section 2.05.045(b), the Council must allow parties an opportunity to orally comment on the ordinance because it represented a revision from the order originally recommended by the Hearings Officer. He noted that unless the Council decided otherwise, the opportunity for oral comments was not intended to give parties the opportunity to re-argue the case previously considered by the Hearings Officer. Rather, comments should be confined to the narrow questions of whether the findings and ordinance in front of the Council would carry out the intent of the Council.

Counsel answered questions of Councilors concerning the procedures for this consideration of the ordinance. Mr. Cooper explained parties could not refer to matters of new evidence unless the Council took specific action to consider new evidence.

Councilor Knowles declared he had received a call from Jack Kane concerning the Blazer Homes matter and that Mr. Kane was not an official party to the case.

Councilor Kirkpatrick declared she had been contacted by several constituents living in her neighborhood who had questions about the Council's process for consideration of the Blazer Homes matter.

Councilor Collier declared she had engaged in a conversation with Jack Churchill concerning the Blazer Homes case.

Presiding Officer Ragsdale opened the public hearing after announcing the Council would only hear comments limited specifically to the findings prepared by counsel from official parties who had previously testified before the Hearings Officer on the Blazer Homes Case.

Kenneth H. Wright, 22560 S.W. Stafford Road, Tualatin, Oregon 97062, started to read a letter from Kenneth Fink of the Stafford/Lower Tualatin Valley Community Planning Organization. Presiding Officer Ragsdale asked Mr. Wright to discontinue reading the letter when it became apparent Mr. Fink's statement did not specifically address Counsel's findings. At the Presiding Officer's request, Mr. Cooper reviewed Mr. Fink's letter. Later in the meeting (after the completion of Ms. Griffin's testimony), Mr. Cooper declared the letter was not germane to Counsel's findings, but that it would be filed with the Blazer Homes case record.

Wilma McNulty, 4100 Colts Foot Lane, began testimony concerning the lack of proper notice given by the City of Lake Oswego before its hearing on Blazer Homes. At the Presiding Officer's request, Ms. McNulty discontinued her testimony because it did not specifically address Counsel's findings.

Ed Oeltjen, 18785 West View Drive, Lake Oswego, Oregon 97034, started to read a statement concerning the case but discontinued his testimony when the Presiding Officer declared it did not specifically address Counsel's findings.

Carole Atherton, 1670 Fircrest Drive, Lake Oswego, Oregon, 97034, stated her objections to Metro's process. She said citizens had not been advised in advance that testimony before the Council had to be specifically limited to the Counsel's findings. She further stated that the Counsel's findings were arbitrary, capricious and flawed. She requested the case record be re-opened for the purpose of accepting a letter from James Schell of the Lake Oswego School District which related to Counsel's findings.

In response to Presiding Officer Ragsdale's questions, Mr. Cooper declared that Mr. Schell had standing because he had testified before the Hearings Officer on the case. The content of the letter appeared to constitute new evidence, he said. He then read the Council's procedures for hearing new evidence. After reviewing the rules, the Presiding Officer concurred that the letter was new evidence.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Gardner, to allow as additional evidence the letter from James Schell of the Lake Oswego School District.

Mr. Cooper then read Metro Code Section 2.05.035(c) relating to the acceptance of new evidence:

"A party may, in addition to filing written exceptions, file a written request to submit evidence that was not available or offered at the hearing provided for in Code Section 2.05.025. A written request to submit additional evidence must explain why the information was not provided at the hearing, and must demonstrate that such evidence meets the standards of Section 2.05.030 and would likely result in a different decision. Upon receipt of a written request to submit additional evidence, the Council shall:

- (1) Refuse the request; or

(2) Remand the proceeding to the Hearings Officer for the limited purpose of receiving the new evidence and oral argument and rebuttal argument by the parties on the new evidence; or

(3) If the nature of the new evidence to be submitted is such that remand would serve no useful purpose, proceed to hear and consider the evidence and argument and rebuttal from the parties on the evidence."

The Presiding Officer declared that after reviewing the Code, Councilor Kirkpatrick's motion did not appear to be in order. Councilor Kirkpatrick pointed out, however, that the Code rules did not specifically apply to cases where the Council had overturned the Hearings Officer's recommendation. The Presiding Officer thought the Council was restricted to its written rules concerning any new evidence.

Councilor Waker suggested Counsel edit Mr. Schell's letter to delete any material that would constitute new evidence. The Presiding Officer acknowledged that as an option but announced that Councilor Kirkpatrick's motion would have precedence over Councilor Waker's suggestion.

Councilor Knowles questioned whether Councilor Kirkpatrick's motion should include the specific reason why the new evidence was being submitted at this point in time.

At the Council's request, Mr. Cooper reviewed Mr. Schell's letter. He determined the letter amplified on the school district's position and went beyond commenting on Counsel's findings. The letter was new evidence, he said. He also determined the letter had not explained why the new evidence had not been submitted during the initial hearing.

Councilor Kirkpatrick again reminded the Council that Metro's rules did not specifically apply to circumstances where the Council had overturned the Hearings Officer's decision. She urged the Council to accept Mr. Schell's letter as new evidence.

Councilor Waker pointed out the process to date had included an extensive public hearing and ample opportunity to submit evidence.

Ms. Atherton urged the Council to receive Mr. Schell's letter as new evidence because the Council's decision would impact the Lake Oswego School District.

Councilor Van Bergen thought re-opening the case was unnecessary. Mr. Schell's letter had not explained why the evidence deadline had not been met, he said, and the time to decide was at hand.

Councilor Gardner asked if Councilor Kirkpatrick's motion would limit new evidence to Mr. School's letter. Mr. Cooper answered that it would. Councilor Gardner thought the letter should be accepted as new evidence if indeed it addressed specific findings related to the Lake Oswego School District.

Vote: A vote on the motion to admit Mr. Schell's letter as new evidence resulted in:

Ayes: Councilors Gardner, Kelley and Kirkpatrick

Nays: Councilors Coleman, Collier, Cooper, DeJardin, Hansen, Knowles, Van Bergen, Waker and Ragsdale

The motion failed to carry.

Councilor Kirkpatrick suggested Mr. Cooper review Mr. Schell's letter and extract only the material that directly related to Counsel's findings. Ms. Atherton said she objected to the Council not receiving the entire letter. She then submitted the letter for the Blazer Case record even though it would not be distributed to the Council. Mr. Cooper declared the letter could not be read to Councilors because it did not address the findings.

Ms. Atherton continued her testimony as it related specifically to Counsel's findings. She observed that Metro's process had been difficult and confusing and that staff had not clearly communicated with the parties regarding the purpose of this hearing. She recalled that when the Blazer Homes matter was last before the Council, Councilor Knowles had stated he would not support the Hearings Officer's decision because it was "wishy-washy." Councilor Collier had said she would not support the Hearings Officer's decision because the Lake Oswego School District and City of Lake Oswego supported the locational adjustment.

Ms. Atherton was concerned that Counsel's findings relied heavily on the City of Lake Oswego's support of the UGB amendment. She pointed out the City's hearing process had not allowed for adequate notice or public debate. Had adequate notice been given, many parties would have testified before the City against the amendment and the City's position would most likely have been different, she said. She noted the Hearings Officer had appropriately given the City's decision minimal weight in his findings.

Councilor Van Bergen was concerned that Ms. Atherton's statements at this meeting had not addressed Counsel's findings.

Leonard G. Stark, 5050 S.W. Childs Road, Lake Oswego, Oregon 97035, testified that approving the petition would result in a depletion of

valuable agricultural land. He was also concerned about possible increased traffic if the request were approved.

Karen Griffin, President, Lake Oswego Women Voters, 2855 Brookside Road, Lake Oswego, Oregon 97035, testified she wished the City of Lake Oswego's hearing on the case had been as strict as this hearing because the outcome of the case would probably been different.

Frank Josselson, an attorney representing the applicant, reminded the Council the case had undergone a long and extensive review process and it was now time for the Council to make a decision.

Motion: Councilor Waker moved, seconded by Councilor Cooper, to adopt Ordinance No. 88-268.

Councilor Kirkpatrick explained she had not attended the September 8 meeting when the Council had voted to overturn the Hearings Officer's original decision. She had reviewed the case materials, however, and did not think the Council's decision was proper because the Hearings Officer's findings had substantiated the 50 acre land requirement had been met.

Mr. Cooper said he was confident his findings in support of the locational adjustment would sustain an appeal before the Land Use Board of Appeals (LUBA).

Vote: A vote on the motion resulted in:

Ayes: Councilors Coleman, Collier, Cooper, DeJardin, Hansen, Kelley, Knowles, Van Bergen, Waker and Ragsdale

Nays: Councilors Gardner and Kirkpatrick

The motion carried and Ordinance No. 88-268 was adopted.

Presiding Officer Ragsdale announced to the audience that Metro was currently reviewing its UGB amendment process. He asked that anyone interested submit written comments and suggestions to Councilors or staff.

6.4 Consideration of Ordinance No. 88-261, for the Purpose of Amending Chapter 3.01 of the Metro Code to Clarify Standards and Procedures for Identifying Protected Agricultural Land (Second Reading)

The Clerk read the ordinance a second time by title only. Presiding Officer Ragsdale announced the first reading had been conducted before the Council on August 25, 1988. The ordinance was then

referred to the Council Intergovernmental Relations Committee. The Committee conducted a public hearing on October 11, 1988.

Councilor Gardner, Committee Chair, summarized the Committee's written report and recommendation. He said Paul Ketchum of 1000 Friends of Oregon had indicated he viewed the change in procedures as a reasonable solution to the problems identified by staff.

Motion: Councilor Gardner moved to adopt Ordinance No. 88-261. Councilor Waker seconded the motion.

Councilor Van Bergen cautioned that problems could result if terms such as "school" and "church" could not be clearly defined.

Vote: A roll call vote on the motion resulted in all ten Councilors present voting aye. Councilors Hansen and Knowles were absent when the vote was taken.

The motion carried and the ordinance was adopted.

Presiding Officer Ragsdale called a ten-minute recess from 7:00 p.m. to 7:10 p.m.

6.5 Consideration of Ordinance No. 88-266B, for the Purpose of Adopting the Regional Solid Waste Management Plan and Rescinding Prior Solid Waste Plan Provisions

The Clerk read the ordinance by title only for a second time. Presiding Officer Ragsdale reviewed that the ordinance had received a first reading before the Council on October 13, 1988, before being referred to the Council Solid Waste Committee (CSWC). The Committee held a public hearing on October 18, 1988.

Councilor Hansen, Solid Waste Committee Chair, first thanked Executive Officer Cusma for her commitment to the Solid Waste Planning program. He discussed the extensive, cooperative process in which participants from local jurisdictions had, by consensus, worked out the Plan. He said the Solid Waste Committee had then reviewed the document forwarded to it by the Solid Waste Policy Committee (SWPC). Several amendments were recommended, the most significant of which was that the Host Fee program be administered by Metro rather than by local jurisdictions.

Motion: Councilor Hansen moved, seconded by Councilor Knowles, to adopt Ordinance No. 88-266B.

Bob Koch, 4215 N.E. 22nd Avenue, Portland, City of Portland Commissioner, agreed with Councilor Hansen that the SWPC process had been one of extensive cooperation and integrity. For that reason, he

urged the Council not to adopt the CSWC's recommendation to place responsibility of the Host Fee program with Metro. He pointed out the SWPC had recommended local jurisdictions administer those program and to change that recommendation could result in a loss of confidence in the entire process. He then distributed copies of a resolution adopted unanimously by the Portland City Council and asked the Metro Council to reverse the CSWC's recommendation concerning Host Fees. He asked the Council to place its trust in the working class neighborhoods who were striving to control their own destinities. He cited a local North Portland film project as an excellent example of local neighborhood cooperation in producing a project that would benefit the entire community.

Councilor Hansen pointed out the film project mention by Commissioner Koch had come about because of the North Portland Enhancement Committee (NPEC) administered by Metro. The Committee was chaired by a Metro Councilor and comprised of North Portland citizens. Metro had initially tried to garner the participation of the City of Portland but the Commissioner in charge of public works at that time had opted not to participate after attending only a few meetings. Because the NPEC model was working well, he recommended it be used in other communities.

The Commissioner thought it appropriate for Metro to have representation on each local Host Fees committee but thought project control should rest with the host community.

Councilor Kirkpatrick asked Commissioner Koch if Metro did not reinstate the Host Fee Program as originally recommended by the SWPC, would the City of Portland endorse the Solid Waste Management Plan as a whole. The Commissioner responded that although the City of Portland had worked in a partnership with Metro, it was sometimes necessary for partners to separate if a trusting relationship could not be worked out. He added he understood from the Committee's inception that it was an advisory group but he was also concerned whether the efforts of SWPC members would have value. He had understood throughout the process the comments and compromises of members would be respected. He felt very strongly if the Council did not accept the SWPC's recommendation on the Host Fee issue, that trust would be violated.

Barbara Rutherford, representing the Wood Village City Council, testified in favor of local jurisdictions having control over the Host Fee programs. She recommended Section 12 be removed from the Solid Waste Management Plan and that it be brought back before the CSWC and the SWPC for consideration.

Clifford Clark, 1814 Douglas Street, Forest Grove, Oregon, Mayor of the City of Forest Grove, addressed the Council in favor of local

control over the Host Fee program. He explained the SWPC had conducted a retreat meeting to develop cooperation and consensus. He read parts of the meeting summary which stated an objective of the retreat session was to be responsive to local solutions and to develop a regional partnership. He thought if the Council adopted the amendment to the Host Fee program as recommended by the CSWC, the spirit of the retreat would be "turned on its head."

Mayor Clark also explained the City of Forest Grove had supported granting a franchise to the Forest Grove Transfer Station with the understanding the City would administer the Host Fee program. The City had bargained in good faith. He requested the Council defer action of Ordinance No. 88-266B until the SWPC had reviewed the recommended amendments.

Councilor Hansen said the amendment language should not be interpreted to overturn good faith. He pointed out Metro had a proven track record of keeping good faith.

Mayor Clark noted the Host Fee program amendment language offered no comfort to the City of Forest Grove. He explained that when he entered into the Solid Waste Management Planning process he had no particular axe to grind. Other local officials, however, had warned him he might come out on the "short end." Mayor Clark thought the best process was one of negotiation. He said Metro had made good progress with local jurisdictions and he urged the Council to maintain that progress and trust.

Councilor Gardner pointed out the proposed amendment language would not preclude Metro from appointing an entire City Council from serving as a Host Fee committee. The purpose of the amendment, he explained, was to achieve a greater level of local control.

Mayor Clark said he had proposed an amendment to the SWPC which would allow the host fee fund be distributed on a neighborhood level for cities over 250,000 in population. He also pointed out the proposed amendment language did not guarantee him that a city council would be appointed as the Host Fee committee.

In response to Councilor Kirkpatrick's question, Rich Carson, Director of Planning & Development, said the SWPC had been advised of the October 18 hearing before the Council Solid Waste Committee.

Councilor Waker said after listening to testimony at this meeting he was confident that if the Council referred the ordinance back to the CSWC, language for the Host Fee program could be developed that would be acceptable to all parties.

In response to Councilor Van Bergen's question, Mayor Clark said he was comfortable with all aspects of the Solid Waste Management Plan with the exception of the Host Fee Program language as amended.

Councilor Knowles declared he had a potential conflict of interest because he was working under a subcontract with Northwest Strategies who was working with Washington County on a Tualatin River project.

Steve Larrance, 150 North First, Hillsboro, Oregon 97124, Washington County Commissioner, testified that Metro would have ample control over Host Fee projects because it would approve the contracts and because it had flow control. He did not think a resolution could be reached by sending the ordinance back to the CSWC. He recommended the Council adopt the language recommended by the SWPC because it had been drafted after extensive discussion and negotiation. He explained that local solutions were a major step in the overall success of the Solid Waste Management Plan. Finally, he thanked staff for doing an excellent job on the project.

Commissioner Larrance read a letter from Washington County Commission Chair Bonnie Hays urging the Council to adopt the Host Fee program language recommended by the SWPC.

Commissioner Larrance said he was surprised the amendment proposed by Forest Grove Mayor Clark had not been incorporated into the Plan document. He did not think Metro would have the staff and time to monitor the activities of all the Host Fee committees. He advised the Metro Council not to jeopardize the entire Solid Waste Management Plan for the sake of a few dollars.

Councilor Cooper said he was concerned that if the Host Fee program were managed by local jurisdictions, the funds would become lost in a city's operating budget and no significant projects would result. Commissioner Larrance assured him that watchful citizen groups would not allow that to happen.

Ed Sullivan, an attorney representing the City of Oregon City, asked if Section 16.0 of the Plan would allow solid waste facilities to be located anywhere in the region or would they be limited to industrial zones. Rich Carson responded the Plan would leave that question to local jurisdictions and the jurisdictions would make that siting determination using clear and objective standards. Mr. Sullivan explained that Oregon City was concerned about the standard being applied uniformly.

Motion to Amend: Councilor Cooper moved, seconded by Councilor Coleman, to delete Section 12 of the Plan relating to the Host Fee Program and to send that portion of the Plan back to the Council Solid Waste Committee for further consideration and recommendation.

Councilor DeJardin supported the amendment, noting Metro and the local jurisdictions both wanted to accomplish the same objective. He was confident better language could be drafted to accomplish the objective.

Councilor Van Bergen was concerned the Host Fee Program funds would become lost in administrative budgets and not used for projects. As an alternative he suggested the funds be used to reduce solid waste rates or given to citizens with specific requirements.

Councilor Kirkpatrick recommended sending the entire ordinance back to the Committee rather than one portion of the Plan. She was concerned that local government officials had testified the integrity of the entire Plan was a stake over the single Host Fee issue. She was concerned that Host Fee Program money would become lost in a city of county budget unless neighborhood control was exercised.

Councilor Hansen was confident the Solid Waste Committee could reach consensus on the Host Fee Program issue in one meeting. All parties wanted strong local control, he explained.

Councilor Coleman noted it was a common budgeting practice to set up dedicated funds within local government budgets that would ensure the money would be spent for a specific purpose.

Councilor Gardner supported the amendment but was bothered that the partnership experience of compromise stopped at the point where the Plan was forwarded to the Solid Waste Committee. He hoped the SWPC could accept a third version of the Plan if the broad goal were accomplished. Councilor Gardner also thought an important issue was that the local community next to a solid waste facility realized the connection between that facility and the enhancement program.

Vote on the Motion to Amend: A roll call vote on the motion to amend Ordinance No. 88-266B resulted in all Councilors voting aye except Councilor Kirkpatrick who voted no. All Twelve Councilors were present.

The motion to amend carried.

Councilor Kirkpatrick announced she would vote against the motion to adopt the ordinance because she did not think the Host Fee Program issue should be separated from the rest of the ordinance.

Vote on the Main Motion as Amended: A roll call vote resulted in all Councilors voting aye except Councilor Kirkpatrick who voted no. All Twelve Councilors were present.

The motion carried and Ordinance No. 88-266B was adopted as amended.

6.6 Consideration of Ordinance No. 88-267B, for the Purpose of
Revising Metro Code Section 5.04.040 Relating to the Membership
of the Recycling Advisory Committee

The Clerk read the ordinance by title only a second time. Presiding Officer Ragsdale reported the ordinance had received a first reading before the Council on October 13, 1988. It was then referred to the Solid Waste Committee where a public hearing was conducted on October 18.

Councilor Hansen reported the Solid Waste Committee had unanimously recommended the ordinance be adopted.

Motion: Councilor Hansen moved, seconded by Councilor Kirkpatrick, that Ordinance No. 88-267B be adopted.

Vote: A roll call vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and Ordinance No. 88-267B was unanimously adopted.

6.7 Consideration of Ordinance No. 88-263A, for the Purpose of
Amending Ordinance No. 88-247, Revising the FY 1988-89 Budget
and Appropriations Schedule for the Purpose of Additional
Staffing and Capital Purchases within the Transportation
Department

The Clerk read the ordinance by title only a second time. Presiding Officer Ragsdale announced the ordinance was first read before the Council on October 13, 1988. It was then referred to the Finance Committee where a public hearing was conducted on October 20.

Councilor Collier reported the Finance Committee had recommended the ordinance be adopted.

Motion: Councilor Collier moved, seconded by Councilor Waker, that Ordinance No. 88-263A be adopted.

Vote: A roll call vote on the motion resulted in all ten Councilors present voting aye. Councilors Coleman and Hansen were absent when the vote was taken.

The motion carried and Ordinance No. 88-263A was unanimously adopted.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 88-991, for the Purpose of Approving a Contract with ESRI, Inc., for a Turnkey Geographic Information System (GIS)

Councilor Gardner reported the Intergovernmental Relations Committee had reviewed the resolution. The Committee's written report was distributed to all Councilors. Andy Cotugno, Transportation Planning Director, reported on the contractor selection process. The Committee had recommended the Council adopt the resolution as amended: the contract sum was authorized for up to \$135,628.

Motion to Amend: Councilor Kirkpatrick moved to amend the resolution to indicate that the contract sum be authorized for up to \$135,628. Councilor Collier seconded the motion.

Main Motion: Councilor Gardner moved, seconded by Councilor Waker, to adopt the resolution as amended.

Councilor Knowles strongly supported the Geographic Information System and said it would reflect very positively on Metro.

Vote on the Motion to Amend: A vote resulted in all eleven Councilors present voting aye. Councilor Kelley was absent.

The motion carried.

Vote on the Main Motion: A vote resulted in all eleven Councilors present voting aye. Councilor Kelley was absent.

The motion carried and Resolution No. 88-991 was adopted as amended.

7.2 Consideration of Resolution No. 88-997, for the Purpose of Confirming the Appointment of Bob Martin, P.E., to the Position of Director of Solid Waste

Councilor Hansen reported the Solid Waste Committee had unanimously recommended the resolution be adopted. Executive Officer Cusma said she was pleased to present Mr. Martin for confirmation.

Motion: Councilor Hansen moved, seconded by Councilor Kirkpatrick, to adopt Resolution No. 88-997.

Vote: A vote resulted in all eleven Councilors present voting aye. Councilor Kelley was absent.

The motion carried and Resolution No. 88-997 was unanimously adopted.

7.3 Consideration of Resolution No. 88-1005, for the Purpose of Expressing Appreciation to Sue McGrath for Services Rendered to Metro

7.4 Consideration of Resolution No. 88-1006, for the Purpose of Confirming the Appointment of William Naito to the Investment Advisory Board

Resolution Nos. 88-1005 and 88-1006 were considered at the beginning of the meeting under Item 3, "Executive Officer Communications."

7.5 Consideration of Resolution No. 88-1001, for the Purpose of Authorizing a Request for Proposals to Prepare an Analysis for a Publicly Owned East Transfer & Recycling Center

Councilor Hansen reported the resolution had been introduced in response to the Council's request that a publicly owned option be considered. The Solid Waste Committee recommended adoption of the resolution.

Councilor Van Bergen noted that some studies could already been completed for the project. He advised keeping the project as simple as possible. Councilor Hansen agreed.

In response to Councilor Knowles' question, Bob Martin, Solid Waste Director, explained the resolution would provide consultants to identify three site options for Committee and Council consideration.

Vote: A vote on the motion to adopt the resolution resulted in all ten Councilors present voting aye. Councilors Kelley and Waker were absent.

The motion carried and Resolution No. 88-1001 was adopted.

7.6 Consideration of Resolution No. 88-996, for the Purpose of Transmitting District Legislative Proposals for the 1989 State Legislative Session to the Interim Task Force on Regional Metropolitan Government

Councilor Gardner reported the Intergovernmental Relations Committee had reviewed all the proposed legislation covered under the resolution. The Committee recommended the resolution be adopted.

Main Motion: Councilor Gardner moved, seconded by Councilor Kirkpatrick to adopt Resolution No. 88-996.

Executive Officer Cusma requested the Council consider all governance legislation separately and not include those matters with Resolution No. 88-996. She explained that would help to give a clear direction concerning issues with which she and the Council concurred.

Councilor Cooper supported the Executive Officer's request. He questioned whether the issue of the Council's contracting authority was valid or of an emergency nature. He said he would not vote for the resolution if that matter were part of the resolution.

Councilor Kelley concurred with Councilor Cooper, adding she thought it was unlikely Senator Glen Otto's Interim Committee on Regional Government would consider legislation other than what it had previously reviewed.

Councilor Collier supported including the contracting authority legislation in Metro's 1989 legislative package. She pointed out that when Councilor Knowles had lobbied in support of Senate Bill 629, it had been his understanding the Council would continue to have contracting authority similar to all other local governments. She said the issue was an emergency because it had to be settled as quickly as possible.

Councilor Gardner thought the Council should adopt the resolution with the understanding it would then be up to the Legislature to debate the issues and adopt final legislation.

Executive Officer Cusma requested the title of Resolution No. 88-996 be changed to read: "For the Purpose of Transmitting [District] Metro Council Legislative Proposals for the 1989 State Legislative Session to the Interim Task Force on Regional Metropolitan Government."

Motion to Amend: Councilor Kirkpatrick moved to amend the title of Resolution No. 88-996 to read: "For the Purpose of Transmitting [District] Metro Council Legislative Proposals for the 1989 State Legislative Session to the Interim Task Force on Regional Metropolitan Government." Councilor Gardner seconded the motion.

Vote on the Motion to Amend: A vote resulted in:

Ayes: Councilors Coleman, Collier, DeJardin, Gardner, Hansen, Kirkpatrick, Van Bergen and Waker

Nays: Councilors Cooper, Kelley, Knowles and Ragsdale

The motion to amend the resolution carried.

Presiding Officer Ragsdale said he had voted against the motion because he did not think separation of the legislative package was necessary.

Vote on the Main Motion as Amended: A vote on the motion to adopt the resolution as amended resulted in:

Ayes: Councilors Coleman, Collier, DeJardin, Gardner, Hansen, Kirkpatrick, Knowles, Van Bergen, Waker and Ragsdale

Nays: Councilors Cooper and Kelley

The motion carried and Resolution No. 88-996 was adopted as amended.

Councilor Van Bergen requested General Counsel render an opinion concerning whether his legal opinions carried the weight of law. He explained he was especially concerned about Counsel's previous opinion that the Council did not have contracting authority.

Presiding Officer Ragsdale asked Mr. Cooper to consider Councilor Van Bergen's request official and to share the question with the Councilor before he rendered his opinion.

7.7 Consideration of Resolution No. 88-1002, for the Purpose of Supporting Proposed Solid Waste Bills and Concept for the 1989 Legislative Session

Councilor Hansen reported the Solid Waste Committee had unanimously recommended the Council adopt the resolution.

Motion: Councilor Hansen moved, seconded by Councilor Kirkpatrick, to adopt Resolution No. 88-1002.

Discussion followed about proposed legislation entitled "Internally Imposed Tipping Fee Surcharges." Greg McMurdo, Government Relations Manager, explained the legislation would give Metro the authority, by adoption of ordinances, to decide how to disburse tipping fee surcharges. Councilor Coleman questioned why the State of Oregon could not be added to the list of parties that could not impose fees. Mr. McMurdo and Executive Officer Cusma explained Governor Goldschmidt had advised Metro he would impose a state mandated fee if costs increased to an unacceptable level.

Motion to Amend: Councilor Coleman moved, seconded by Councilor Collier, to amend Exhibit B, "Legislative Concept: Externally Imposed Tipping Fee Surcharges", paragraph 1 of the "Proposal" section to read: "Prohibit counties, [and] cities and the state from establishing any new fees, surcharges or taxes upon the tipping fee. . ."; and to delete paragraph 2 of the "Proposal" section.

Councilor Waker thought it might be advantageous for the state to have collection authority to finance such projects as household hazardous waste collection drives. Mr. McMurdo explained that was why the initial draft had not listed the State.

Vote on the Motion to Amend: A vote resulted in:

Ayes: Councilors Coleman, Collier and Kirkpatrick

Nays: Councilors Cooper, DeJardin, Gardner, Hansen, Knowles, Van Bergen, Waker and Ragsdale

Absent: Councilor Kelley

The motion failed to carry.

Vote on the Main Motion: A vote on the motion to adopt the Resolution resulted in all eleven Councilors present voting aye. Councilor Kelley was absent.

The motion carried and Resolution No. 88-1002 was adopted.

7.8 Consideration of Resolution No. 88-998, for the Purpose of Approving Amendments to the Oregon Tourism Alliance Regional Compact

Councilor Knowles said the Convention Center Committee had reviewed the resolution and recommended its adoption.

Motion: Councilor Knowles moved, seconded by Councilor Coleman, to adopt Resolution No. 88-998.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilors Kelley and Waker were absent.

Presiding Officer Ragsdale announced the Council needed to appoint a designee and one alternate designee to the Oregon Tourism Alliance. He asked Councilors to submit names for those positions.

7.9 Resolution No. 88-999, for the Purpose of Authorizing the Finance Committee to Appoint Citizens to Metro's FY 1989-90 Budget Committee

Councilor Collier reported the Finance Committee had recommended adoption of the resolution which would authorize the Committee to appoint five members to the Budget Committee.

Motion: Councilor Collier moved, seconded by Councilor Van Bergen, to adopt Resolution No. 88-999.

Jessica Marlitt, Councilor Analyst, explained if the resolution were adopted, five of the six Budget Committee members who served last year would be asked to serve again.

Councilor Waker requested the Committee be comprised of a geographical representation of the region.

Councilor Knowles suggested new members be solicited in order to open up the selection process.

Councilor Hansen thought it was inappropriate to have any one member serve more than two years on the committee.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Kirkpatrick, to send Resolution No. 88-999 back to the Finance Committee and for the Committee to return to the Council with a resolution which would appoint citizens to the Budget Committee.

Councilor Waker agreed the Budget Committee appointments should be made by the Council rather than the Finance Committee.

Councilor Collier asked Councilors to submit names of potential citizen Budget Committee members to staff as soon as possible. Don Carlson, Council Administrator, said he would publish an invitation in the newspaper for citizens to apply for committee membership.

Vote on the Motion to Send the Resolution Back to the Committee:
A vote resulted in all eleven Councilors present voting aye. Councilor Kelley was absent.

The motion carried.

8. COMMITTEE REPORTS

Councilors reported on upcoming committee meetings and agenda.

Metro Council
October 27, 1988
Page 21

There was no other business and the meeting was adjourned at
11:50 p.m.

Respectfully submitted,

A. Marie Nelson
Clerk of the Council

amn
0290D/313
11/15/88



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

ITEM # 4.1
NOV. 22, 1988

Date: November 15, 1988

To: Metro Council

From: Councilor Mike Ragsdale, Presiding Officer *MR*

Regarding: LEGISLATIVE COMMITTEE STRUCTURE AND PROCESS FOR THE 1989 SESSION

I reviewed the Intergovernmental Relations Committee's October 25 discussion about the 1989 legislative committee structure and bill tracking process and consulted with Council committee chairpersons. Based on this information, I would like to recommend the following course of action for the Council:

- The Presiding Officer appoints the legislative committee as a task force (per Metro Code Section 2.01.160) to the full Metro Council. I believe this will serve the Council best within Metro Code provisions. The IGR Committee recommended having a legislative "subcommittee" to the IGR committee. While the proposal would seem appropriate given the IGR Committee's general purview, I believe a task force to the full Council will work more efficiently. As with past Metro legislative committees, the task force will monitor legislation and target bills for lobbying efforts based on the Council's legislative concepts and priorities outlined in Resolution No.'s 88-996 (structure and financing legislation to the Otto Task Force) and 88-1002 (Metro's solid waste legislation). Legislative Task Force members would be as follows:
 - Per the IGR Committee's recommendation, include the Metro Executive Officer as a member of the legislative task force.
 - Per discussions with Council Committee Chairpersons, appoint the following councilors to the legislative task force: Collier, Gardner, Knowles, Ragsdale
- Per the IGR Committee's recommendation, have the Legislative Task Force use the bill tracking process developed by Metro during the 1987 legislative session. At its October 25 meeting, the IGR Committee reviewed last session's bill tracking process with Metro's Government Relations Manager and lobbyist Greg McMurdo. The Committee noted that the process worked very well and recommended that it be used again this session.

Essentially, the tracking system involves a color-coded bill review, monitoring, prioritizing and tracking process coordinated between the Salem and Portland offices. The legislative task force and Metro's lobbyist will evaluate Metro staff bill reviews, compare them to the Council's legislative priorities, decide which bills to monitor and

assign them an A, B or C priority. This process may occur weekly early in the session and more often as the session proceeds. Metro's Government Relations staff will prepare a legislative status report by functional subject area, bill priority and bill number and distribute the report weekly to the Council, Executive Officer, Department Heads and other interested staff.

* * *

I will ask for your approval of the task force and its appointments at the November 22, 1988 Council meeting under Councilor Communications. If you have any questions or concerns, please contact me or Don Carlson prior to the Council meeting.

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STAFF REPORT

Agenda Item No. 6.1

Meeting Date November 22, 1988

CONSIDERATION OF ORDINANCE NO. 88-274 AMENDING
ORDINANCE NO. 88-247, REVISING THE FY 1988-89
BUDGET AND APPROPRIATIONS SCHEDULE TO PROVIDE
FUNDING FOR AN ANALYSIS FOR A PUBLICLY-OWNED METRO
EAST TRANSFER & RECYCLING CENTER

Date: November 3, 1988

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

The Metropolitan Service District has identified the need to have a transfer and recycling center in place in the east watershed by January 1990, in order to transport waste to the out-of-region landfill.

On July 28, 1988, the Council adopted Resolution No. 88-835C which provides that "the Metro East Transfer & Recycling Center(s) may be publicly or privately owned, depending on which option best serves the public interests."

It is necessary to have cost estimates, conceptual design, preliminary analysis of land use, environmental considerations, transportation concepts, preliminary site evaluation and other information available to make comparisons between public and private proposals for a Metro East Transfer & Recycling Center.

On October 27, 1988, the Council adopted Resolution No. 88-1001 which directed the Solid Waste Department to prepare a Request for Proposals (RFP) for a consultant to prepare and analyze the information shown in the paragraph above. The resolution also directed Council staff to amend the FY 1988-89 Budget and Appropriations Schedule to provide funding for the consulting work. Currently, the Solid Waste Budget does not provide for this work which is estimated to cost \$60,000.

It is recommended that Solid Waste Operating Fund, System Planning & Engineering Program, Materials & Services, Account #7500 be increased by \$60,000, from \$753,500 to \$813,500, as shown in Exhibit A attached; that the \$60,000 be transferred from the Solid Waste Operating Fund Contingency.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)	ORDINANCE NO. 88-274
88-247 REVISING THE FY 1988-89)	
BUDGET AND APPROPRIATIONS SCHEDULE)	Introduced by Gary Hansen,
TO PROVIDE FUNDING FOR AN ANALYSIS)	Chair, Solid Waste Committee
FOR A PUBLICLY OWNED METRO EAST)	
TRANSFER & RECYCLING CENTER)	

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered various needs to modify the FY 1988-89 Budget; and

WHEREAS, The need for a modified budget plan has been justified; and

WHEREAS, Adequate funds exist for identified needs; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 88-247, Exhibit B, FY 1988-89 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in Exhibits A and B to this Ordinance.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

ATTEST:

Clerk of the Council

a(res1):\ord88-274

EXHIBIT A
ORDINANCE NO. 88-274

		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE OPERATING FUND: System Planning & Engineering							
	Total Personal Services	7.25	322,149			7.25	322,149
	Materials & Services						
7100	Travel		8,325				8,325
7110	Meetings & Conferences		3,100				3,100
7120	Training & Tuition		3,150				3,150
7130	Dues & Subscriptions		3,700				3,700
7140	Ads & Legal Notices		36,540				36,540
7150	Printing		46,450				46,450
7160	Typesetting		4,470				4,470
7300	Postage		7,250				7,250
7330	Maintenance & Repair-Equipment		120				120
7360	Equipment Rental		1,250				1,250
7410	Supplies- Office		700				700
7440	Supplies-Graphics		8,700				8,700
7450	Supplies-Other		675				675
7500	Misc. Professional Services		753,500		60,000		813,500
7510	Payments to Other Agencies		700,000				700,000
	Total Materials & Services		1,577,930		60,000		1,637,930
	Total Capital Outlay		850		0		850
	TOTAL EXPENDITURES	7.25	1,900,929	0.00	60,000	7.25	1,960,929

EXHIBIT A
ORDINANCE NO. 88-274

		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE OPERATING FUND: General Expenses							
	Transfers, Contingency, Unappropriated Balance						
9100	Transfer to General Fund		1,296,939				1,296,939
9130	Transfer to Building Mgmt Fund		67,103				67,103
9150	Transfer to Insurance Fund		559,684				559,684
9320	Transfer to Solid Waste Debt		683,919				683,919
9330	Transfer to Solid Waste Cap.		902,250				902,250
9340	Transfer to St. Johns Reserve		10,429,010				10,429,010
9680	Transfer to Rehab & Enhance.		392,500				392,500
9400	Transfer to Planning		489,625				489,625
9700	Contingency		788,287		(60,000)		728,287
	Unappropriated Fund Balance		1,243,329				1,243,329
	Total Trans., Contin., Unappr. Fund Bal.		16,852,646		(60,000)		16,792,646
TOTAL EXPENDITURES		39.00	30,156,660	0.00	0	39.00	30,156,660

EXHIBIT B
ORDINANCE NO. 88-274
SCHEDULE OF APPROPRIATIONS FY 1988-89

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
<hr/>			
SOLID WASTE OPERATING FUND			
<hr/>			
Administration			
Personal Services	251,083		251,083
Materials & Services:	27,508		27,508
Capital Outlay:	5,615		5,615
	<hr/>	<hr/>	<hr/>
Subtotal	284,206	0	284,206
Operations			
Personal Services	549,892		549,892
Materials & Services:	8,783,590		8,783,590
Capital Outlay:	850,000		850,000
	<hr/>	<hr/>	<hr/>
Subtotal	10,183,482	0	10,183,482
System Planning & Engineering			
Personal Services	322,149		322,149
Materials & Services:	1,577,930	60,000	1,637,930
Capital Outlay:	850		850
	<hr/>	<hr/>	<hr/>
Subtotal	1,900,929	60,000	1,960,929
Waste Reduction			
Personal Services	225,462		225,462
Materials & Services:	706,435		706,435
Capital Outlay:	3,500		3,500
	<hr/>	<hr/>	<hr/>
Subtotal	935,397	0	935,397
General Expense			
Contingency	788,287	(60,000)	728,287
Transfers	14,821,030		14,821,030
	<hr/>	<hr/>	<hr/>
Subtotal	15,609,317	(60,000)	15,549,317
Unappropriated Balance	1,243,329		1,243,329
Total Solid Waste Operating Fund Requirements	30,156,660	0	30,156,660

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

CONSIDERATION OF ORDINANCE NO. 88-275 FOR THE
PURPOSE OF AMENDING METRO CODE CHAPTER 3.02,
AMENDING THE REGIONAL WASTE TREATMENT MANAGEMENT
PLAN AND SUBMITTING IT FOR RECERTIFICATION

Date: November 22, 1988

Presented by: Mel Huie

FACTUAL BACKGROUND AND ANALYSIS

The Regional Wastewater Management Plan is required under the Clean Water Act of 1977 (P.L. 95-217), and was first adopted by the Metro Council in 1980. The plan was last amended in October of 1987.

An ongoing requirement of the Act is that the Plan be maintained as an accurate statement of the region's water quality management problems and the short- and long-term solutions to those problems. The Plan also delineates the region's water quality management service areas for collection, transmission and treatment. Local plans must be coordinated and comply with the regional plan prior to the allocation of federal funds for sewers, transmission lines and sewage treatment plants.

To assist in the maintenance of the plan, the Council maintains an advisory body on water quality management issues called the Water Resources Policy Alternatives Committee (WRPAC). The WRPAC is composed of individuals representing the region's cities, the three counties, sanitary districts, as well as soil and water conservation districts.

On July 20, 1988, WRPAC held its annual meeting to review the Regional Waste Treatment Plan (attached as Exhibit A). The following amendments were approved by WRPAC. The amendments are map changes which reflect updated collection and transmission/treatment service areas, local plans and service agreements or text changes. Updated maps will be available at the Council meetings.

Amendments to the Regional Wastewater Management Plan

1. Metro

Retitle Regional Waste Treatment Management Plan to "Regional Wastewater Management Plan." This is a more accurate description.

2. Metro

Annually update all city and sanitary service district boundary maps, and collection service areas and transmission and treatment areas maps in one encompassing amendment, rather than by each annexation. The date in time for updating is: as of July 1, 1988, as recorded with the appropriate county assessor's office. These maps will be used to update the Regional Wastewater Management Plan's Collection System Service Areas map and Sewerage Transmission and Treatment Service Areas map. (1" to 4,000' scale maps and local area maps highlighting changes are available for inspection at the Metro office.) For future annual updates of the Plan's maps, July 1 will be used as the date in time.

3. Portland

Technical map changes updating collection and treatment areas under the City of Portland's responsibility.

- Hayden Island is now under City of Portland responsibility.
- A small area along the Clackamas County line, and east of 92nd Avenue should be shown as City of Portland's responsibility.
- An area east of 181st which is shown as City of Portland should be shown as Gresham's responsibility.

4. Clackamas County

Text -- page II-18, for Clackamas County, omit the "C" under the operating column and leave blank.

5. Milwaukie/Clackamas County

Establish a collection system study area for the geographic area east of Milwaukie which is currently unsewered. The city of Milwaukie and Clackamas County Service District No. 1 will work with Metro and other governmental agencies and commissions to develop a plan to service the area.

The city of Milwaukie has received approval from the Portland Metropolitan Area Local Government Boundary Commission for extra-territorial extensions to serve the areas designated on the Milwaukie/Clackamas County map. The map will be available at the Council meetings. The city is in the process of forming local improvement districts to serve portions of the area.

Clackamas County has recently released its sewer plan for this unsewered area. During a six-month public review process, the County will work with residents, property owners, the cities of Milwaukie and Portland, Metro and other appropriate state and local agencies in making a final recommendation for the servicing of the study area.

6. Changes to Article III. Definitions in the Plan Text

Changes are proposed to make the definitions consistent with EPA and DEQ definitions. Terms used in this text employ the definitions defined herein:

(A) Collector Sewers. The common lateral sewers, within a publicly owned treatment system, which are primarily installed to receive wastewater directly from facilities which convey wastewater from individual systems, or from private property.

(B) Combined Sewers. Sewers which are designed as sanitary sewers and storm sewers.

(C) Effluent. The liquid that comes out of a treatment works after completion of the treatment process.

(D) Facilities Plan. Necessary plans and studies which directly relate to the construction of treatment works. Said plans shall be equivalent to those prepared in accordance with Title II of the federal Clean Water Act.

(E) Interceptor. A sewer which is designed for one or more of the following purposes:

(i) To intercept wastewater from a final point in a collector sewer and convey such wastes directly to a treatment facility or another interceptor.

(ii) To replace an existing wastewater treatment facility and transport the wastes to an adjoining collector sewer or interceptor sewer for conveyance to a treatment plant.

(iii) To transport wastewater from one or more municipal collector sewers to another municipality or to a regional plant for treatment.

(iv) To intercept an existing major discharge of raw or inadequately treated wastewater for transport directly to another interceptor or to a treatment plant.

(F) Land Application. The application of sewer sludge or effluent onto or into the ground.

(G) Pollution. Such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt or odor of the waters, or such radioactive, toxic, or other substance into any waters of the state which either by itself or in connection with any other substance present, will or can reasonably be expected to create a public nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial,

agricultural, recreational or other legitimate beneficial uses or to livestock, wildlife, fish or other aquatic life or the habitat thereof.

(H) Storm Sewers. Sewers designed to carry only storm waters, surface run-off, street wash waters and drainage.

(I) Sewage. Water carried human or animal or industrial wastes; from residences, industrial and commercial establishments or other places; together with such groundwater infiltration and surface water as may be present.

(J) Sanitary Sewers. A system of pipes that collects and delivers sewage to treatment works or receiving streams.

(K) Sewage Sludge. The accumulated, suspended and settleable solids of sewage or wastewater, respectively, deposited in tanks or basins mixed with water to form a semi-liquid mass.

(L) Step 3 Construction Grant. Money for construction or rehabilitation of all or a portion of treatment works.

(M) Wastewater. The flow of used water. See definition of sewage.

(N) Treatment Works. Any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes used to implement Title II of the federal Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the design life of the works. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application), storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

WRPAC recommends to the Metro Council that the package of amendments be approved, and that the amended Regional Plan be forwarded to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, the Federal Environmental Protection Agency for recertification.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the Council adopt Ordinance No. 88-275.

MH/sm
6000C/471-6
11/14/88

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 88-275
CODE CHAPTER 3.02, AMENDING THE)	
REGIONAL WASTE TREATMENT MANAGE-)	
MENT PLAN AND SUBMITTING IT FOR)	
RECERTIFICATION)	

WHEREAS, Metropolitan Service District Code Section 3.02.008(a) and (b) set forth criteria for the continuing planning process to implement the Regional Wastewater Management Plan (Regional Plan) and for amending support documents and maps; and

WHEREAS, The Water Resources Policy Alternatives Committee met on July 20, 1988, and recommends Council adoption of amendments; and

WHEREAS, Amendments needed to update the Regional Plan are based on new information from each of the 24 cities, three counties and Unified Sewerage Agency in Washington County showing updated local plans, maps and service agreements, and conformance of local plans with the Regional Plan; and

WHEREAS, If the Regional Plan is amended by the Council of the Metropolitan Service District, the Regional Plan will be submitted to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, to the U. S. Environmental Protection Agency for recertification; and

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The Title of Chapter 3.02 of the Code of the Metropolitan Service District and Sections 3.02.001 and 3.02.002 are amended to read as follows:

METRO CODE

CHAPTER 3.02

WASTE [TREATMENT] WATER MANAGEMENT PLAN

SECTIONS:

- 3.02.001 Authority and Purpose
- 3.02.002 Adoption
- 3.02.003 Conformity to the Regional Plan
- 3.02.004 Review of Violations of the Regional Plan
- 3.02.005 Regional Plan Amendments
- 3.02.006 Study Areas
- 3.02.007 Project Prioritization
- 3.02.008 Continuing Planning Process
- 3.02.009 Application of Ordinance
- 3.02.010 Severability

3.02.001 Authority and Purpose:

(a) This chapter is adopted pursuant to 268.390(1)(b) and 268.390(2) for the purpose of adopting and implementing the Regional Waste[Treatment] water Management Plan, hereinafter referred to as the "Regional Plan." The Regional Plan shall include the Regional Waste[Treatment] water Management Plan Text, Sewerage Transmission and Treatment Service Areas Map and Collection System Service Areas Map. (Amended by Ordinance No. 84-184)

(b) These rules shall become effective forty-five (45) days after the date of adoption. As a result of Metro's continuing "208" Water Quality Program, the Council hereby designates water quality and waste treatment management as an activity having significant impact upon the orderly and responsible development of the region. (Adopted by CRAG Rule; amended by Ordinance No. 80-102, Sec. 1; amended by Ordinance No. 84-184, Sec. 1)

3.02.002 Adoption: The Regional Waste[Treatment] water Management Plan, [dated August 1986] as amended, copies of which are on file at Metro offices, is adopted and shall be implemented as required by this chapter. (Adopted by CRAG Rule; amended by Ordinance No. 80-102, Sec. 2; Ordinance No. 86-206)

Section 2. The Regional Wastewater Management Plan Text and Maps (Collection System Service Areas Map, adopted October 22, 1987, and Transmission and Treatment Service Areas Map, adopted October 22, 1987), referred to in Metro Code Section 3.02.002, are amended to

read as shown in attached Exhibit A, which is hereby incorporated by reference and made a part of this Ordinance.

Section 3. The Council of the Metropolitan Service District hereby authorizes the Executive Officer to submit the Regional Plan, as amended, to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, to the U.S. Environmental Protection Agency for recertification.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

ATTEST:

Clerk of the Council

MH/sm
6000C/471
11/15/88

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 88-277 AMENDING
ORDINANCE NO. 88-247 REVISING THE FY 1988-89 BUDGET AND
APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REORGANIZING
METRO'S WORD PROCESSING FUNCTION

Date: November 14, 1988

Presented by Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

Several changes in the Metro work environment have occurred which indicate the word processing function should be reorganized. A central WANG word processing system was installed nearly ten years ago. This system has been staffed by up to 3.2 FTE in past years. The acquisition of personal computers throughout the organization has brought desk top publishing and word processing software to every department and all primary users. The availability of word processing on a decentralized basis has resulted in declining use of the central system.

Also, the standard WordPerfect and Microsoft Word software are incompatible with WANG which further detracts from use of the central system. Another change which has forced an evaluation of word processing services is the recent transfer of the Lead Word Processing Operator to the newly created position of Administrative Secretary, Office of General Counsel. Over 40% of her time in word processing had been devoted to contracts and General Counsel support. As she is continuing that work in her new position, two departments remain in need of word processing/clerical support. The Transportation Department requirements have been met through the authorization of a new secretary position. The Accounting and Data Processing Divisions of Finance & Administration need a Secretary. Therefore it has been concluded that the word processing function can be decentralized with minimum disruption.

WORD PROCESSING REORGANIZATION PLAN

This is a plan for the reallocation of resources to decentralize the word processing function.

The current adopted central word processing budget includes 1.7 FTE at \$45,181 and \$20,310 in materials and services. Planned expenses include the acquisition of a new IBM compatible central system through a lease purchase and the conversion of documents from the WANG. The following plan outlines the key actions, schedule and budget changes for the reorganization:

1. Complete purging of unnecessary documents and conversion to

- Wordperfect by December 31, 1988.
2. Eliminate the Lead Word Processing Operator position and reclassify the Word Processing Operator position to Secretary for Accounting and Data Processing. Duties for the Secretary are in Attachment A.
 3. Utilize savings in personal services and in materials and services resulting from not doing the lease purchase and eliminating maintenance to make capital purchases detailed in Attachment B.

A summary of the budget change is shown below.

	<u>CURRENT BUDGET</u>	<u>REVISION</u>	<u>PROPOSED BUDGET</u>
Personal Services	\$45,181	\$(20,000)	\$25,181
Materials & Services	20,310	(7,310)	13,000
Capital Outlay	<u>-0-</u>	<u>22,467</u>	<u>22,467</u>
	\$65,491	\$(4,843)	\$60,648

This action will result in a net savings in FY 1988-89 of \$4,843 and a future annual savings of \$26,000. The resale value of the old equipment has not been determined but will also add to the cost effectiveness of this proposal.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 88-277.

ATTACHMENT A

Duties of New Accounting/Data Processing Secretary

Under the supervision of the Chief Accountant and Data Processing Administrator, the Secretary will perform the following duties:

1. Serve as receptionist for the Accounting and Data Processing divisions, answering phones and greeting customers.
2. Type correspondence, letters, memos and reports.
3. Open, date stamp and distribute mail.
4. Photocopy reports (monthly financial), memos, letters, etc.
5. Maintain filing systems. Prepare labels/file folders. File correspondence, reports, numerical copies of checks, purchase orders, invoices, statements, canceled checks, accounts payable invoices, payroll information.
6. Perform data entry functions as needed.
7. Prepare payments authorizations for signature by division and department managers.
8. Prepare timesheet summary for submittal to payroll.
9. Prepare daily cash deposit and packet.
10. Maintain and file data disks. Perform print functions of materials prepared by Data Processing/Accounting staff.
11. Distribute payroll checks to departments and monitor pickup log.
12. Accept cash for various Metro document sales, prepare receipts and/or Visa (charge) card invoices.
13. Place invoices, statements or checks into envelopes for mailing.

ATTACHMENT B

Recommended Capital Purchases Under Word Processing Reorganization Plan

The primary objectives of this recommendation are:

1. Establish a consistent word processing software throughout the downtown office.
2. Acquire additional PC's at the highest need locations.
3. Buy A-Series hook-up capability now for maximum buying power.
4. Solve the printer access problem with buffers that allow queuing and access from all connected machines and by providing an additional printer on the second floor.
5. Buy a display projection system that connects to PC's for training use.

The specific hardware and software acquisition recommendations follow in priority order:

1. Standardize all of Metro on WordPerfect 5.0. This would cost about \$1,871 including upgrades of old versions of WordPerfect and purchase of some copies to support new acquisitions.
2. Purchase of Personal Computer for Transportation with ICC hook up to the A-Series. Cost about \$2,900
3. Purchase of Personal Computer for Accounting with ICC hook up to the A-Series. Cost about \$2,900
4. Purchase of Personal Computer for Planning with ICC hook up to the A-Series. Cost about \$2,900.
5. Purchase of Personal Computer for Management Services/Personnel with ICC hook up to the A-Series. Cost about \$2,900.
6. Purchase of Printer Smart buffer for Finance & Administration. Cost about \$600.
7. Purchase of Laser Printer for East end of First Floor. Cost about \$2,600.
8. Purchase of Printer Smart buffer for Accounting/Data Processing. Cost about \$600.
9. Purchase of Printer Smart buffer for Transportation. Cost about \$600.

10. Purchase ICC hook up to the A-Series for four existing systems that will need access before the end of this fiscal year. (Budget, Solid Waste billing system, Data Processing, Contracts) Cost about \$3,000.
11. Purchase display projection unit QA50 or equivalent. Cost about \$1,595.

Total cost of all proposed items is \$22,467.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)	ORDINANCE NO. 88-277
88-247 REVISING THE FY 1988-89)	
BUDGET AND APPROPRIATIONS SCHEDULE)	Introduced by Rena Cusma,
TO REORGANIZE METRO'S WORD)	Executive Officer
PROCESSING FUNCTION)	

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered various needs to modify the FY 1988-89 Budget; and

WHEREAS, The need for a modified budget plan has been justified; and

WHEREAS, Adequate funds exist for identified needs; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 88-247, Exhibit B, FY 1988-89 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in Exhibits A and B to this Ordinance for the purpose of reorganizing word processing and making various capital purchases.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

ATTEST:

Clerk of the Council

a(res1):\ord88-277

EXHIBIT A
ORDINANCE NO. 88-277

		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Finance & Administration							
Personal Services							
6020	Directors	1.00	55,049	0.00	0	1.00	55,049
6030	Managers (Finan., Const.)	2.00	101,334	0.00	0	2.00	101,334
6050	Personnel Manager	1.00	41,874	0.00	0	1.00	41,874
6053	Data Processing Administrator	1.00	41,610	0.00	0	1.00	41,610
6055	Chief Accountant	1.00	47,792	0.00	0	1.00	47,792
6058	Administrative Secretary	1.75	36,572	0.00	0	1.75	36,572
6060	Secretary	1.00	17,934	0.66	9,762	1.66	27,696
6080	Sr. Management Analyst	1.00	29,547	0.00	0	1.00	29,547
6090	Assoc. Management Analyst	3.00	80,403	0.00	0	3.00	80,403
6120	Support Services Supervisor	0.50	14,921	0.00	0	0.50	14,921
6125	D.P. Systems Analyst	1.00	37,308	0.00	0	1.00	37,308
6130	D.P. Operations Analyst	2.00	68,643	0.00	0	2.00	68,643
6190	Senior Accountant	3.00	94,570	0.00	0	3.00	94,570
6195	Lead Accounting Clerk	1.00	23,180	0.00	0	1.00	23,180
6205	Receptionist	1.00	17,270	0.00	0	1.00	17,270
6210	Lead Word Processing Operator	1.00	23,037	(0.90)	(21,027)	0.10	2,010
6220	Reproduction Clerk	1.00	20,898	0.00	0	1.00	20,898
6222	Payroll Clerk	1.00	18,585	0.00	0	1.00	18,585
6230	Accounting Clerk 2	2.00	37,169	0.00	0	2.00	37,169
6240	Word Processing Operator	0.70	11,452	(0.25)	(4,003)	0.45	7,449
6260	Building Operations Worker	0.50	8,637	0.00	0	0.50	8,637
6300	Temporary	1.00	18,800	0.00	0	1.00	18,800
6700	Fringe	0.00	257,720	0.00	(4,732)	0.00	252,988
Total Personal Services		28.45	1,104,305	(0.49)	(20,000)	27.96	1,084,305
Materials & Services							
7100	Travel		12,041		0		12,041
7110	Meetings & Conferences		3,600		0		3,600
7120	Training & Tuition		38,470		0		38,470
7130	Dues & Subscriptions		4,075		0		4,075
7140	Ads & Legal Notices		22,300		0		22,300
7150	Printing		31,200		0		31,200
7190	Election Expenses		75,000		0		75,000
7230	Telephone		64,969		0		64,969
7250	Fuels & Lubricants		4,300		0		4,300
7300	Postage		68,060		0		68,060
7320	Maintenance & Repair-Vehicles		1,400		0		1,400
7330	Maintenance & Repair-Equipment		117,141		(2,110)		115,031
7360	Equipment Rental		2,300		0		2,300

EXHIBIT A
ORDINANCE NO. 88-277

		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Finance & Administration (continued)							
7410	Supplies- Office		33,743		0		33,743
7440	Supplies-Graphics		1,000		0		1,000
7450	Supplies-Other		200		0		200
7500	Misc. Professional Services		40,500		0		40,500
7510	Payments to Other Agencies		28,660		0		28,660
7540	Audit Services		35,000		0		35,000
7760	Lease Payment-Vehicle		13,680		0		13,680
7770	Lease Pay.-Furniture & Equip.		206,894		(5,200)		201,694
7900	Miscellaneous		1,395		0		1,395
Total Materials & Services			805,928		(7,310)		798,618
Capital Outlay							
8570	Office Furniture & Equipment		25,520		22,467		47,987
Total Capital Outlay			25,520		22,467		47,987
TOTAL EXPENDITURES		28.45	1,935,753	(0.49)	(4,843)	27.96	1,930,910

EXHIBIT A
ORDINANCE NO. 88-277

		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: General Expenses							
	Transfers, Contingency, Unappropriated Balance						
9130	Transfer to Building Mgmt Fund		237,257		0		237,257
9150	Transfer to Insurance		12,579		0		12,579
9400	Transfer to Planning Fund		50,709		0		50,709
9700	Contingency		184,830		4,843		189,673
	Unappropriated Fund Balance		85,161		0		85,161
	Total Trans., Contin., Unappr. Fund Bal.		570,536		4,843		575,379
TOTAL EXPENDITURES		57.36	4,006,780	(0.49)	0	56.87	4,006,780

EXHIBIT B
ORDINANCE NO. 88-277

SCHEDULE OF APPROPRIATIONS FY 1988-89

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
<hr/>			
GENERAL FUND			
Council			
Personal Services	274,510	0	274,510
Materials & Services:	87,110	0	87,110
Capital Outlay:	3,000	0	3,000
	<hr/>	<hr/>	<hr/>
Subtotal	364,620	0	364,620
General Counsel			
Personal Services	221,485	0	221,485
Materials & Services	9,660	0	9,660
Capital Outlay:	6,426	0	6,426
	<hr/>	<hr/>	<hr/>
Subtotal	237,571	0	237,571
Executive Management			
Personal Services	325,610	0	325,610
Materials & Services:	59,273	0	59,273
Capital Outlay:	4,980	0	4,980
	<hr/>	<hr/>	<hr/>
Subtotal	389,863	0	389,863
Finance & Administration			
Personal Services	1,104,305	(20,000)	1,084,305
Materials & Services:	805,928	(7,310)	798,618
Capital Outlay:	25,520	22,467	47,987
	<hr/>	<hr/>	<hr/>
Subtotal	1,935,753	(4,843)	1,930,910
Public Affairs			
Personal Services	416,762	0	416,762
Materials & Services:	89,675	0	89,675
Capital Outlay:	2,000	0	2,000
	<hr/>	<hr/>	<hr/>
Subtotal	508,437	0	508,437
General Expense			
Contingency	184,830	4,843	189,673
Transfers	300,545	0	300,545
	<hr/>	<hr/>	<hr/>
Subtotal	485,375	4,843	490,218
Unappropriated Balance	85,161	0	85,161
Total General Fund Requirements	4,006,780	0	4,006,780

6.4

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING	)	ORDINANCE NO. 88-278
METRO CODE CHAPTER 5.02)	
RELATING TO SOLID WASTE RATES	)	Introduced by Councilor Gary
	)	Hansen

The Council of the Metropolitan Service District hereby ordains;

Section 1. Metro Code Section 5.02.015, Definitions, is amended as follows:

(i) ["Residential"] Self-Haul" means loads of mixed [residential] waste transported inside a passenger car, or pick-up truck with a one-axle trailer, and disposed at authorized disposal sites or transfer stations by the generator of that waste. Loads in any other vehicle configuration [-- such as a pick-up truck with trailer, a passenger car with a double axle trailer, a passenger car with an unclosed trunk, or a truck with a capacity more than three-quarters of a ton --] shall not be considered [Residential] Self-Haul.

Section 2. Metro Code Section 5.02.020, Disposal Charges at St. Johns Landfill, is amended as follows:

(a) A commercial base disposal rate of \$31.75 per ton of solid waste delivered is established for disposal at the St. Johns Landfill. A [Residential] Self-Haul base disposal rate of \$11.00 per trip is established for disposal at the St. Johns Landfill. Said rate shall be in addition to other fees, charges and surcharges established pursuant to this chapter.

(b) Notwithstanding the provisions of 5.02.020(a), the base disposal rate for [Residential] Self-Haul base trips of two and one-half cubic yards or less of garbage shall be \$3.75 per cubic yard if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables. This rate shall be in addition to other fees and charges established pursuant to this chapter.

Section 3. Metro Code Section 5.02.025, Disposal Charges at Clackamas Transfer & Recycling Center, is amended as follows:

(a) A commercial base disposal rate of \$31.75 per ton of solid waste delivered is established for disposal at the Clackamas Transfer & Recycling Center. A [Residential] Self-Haul base

disposal rate of \$11.00 per trip is established at the Clackamas Transfer & Recycling Center.

(b) A convenience charge of \$3.00 per commercial ton and \$1.25 per [Residential] Self-Haul trip delivered is established to be added to the base disposal rate at the Clackamas Transfer & Recycling Center. An Oregon City enhancement fee of \$.50 per commercial ton and \$.25 per [Residential] Self-Haul trip is established to be charged at the Clackamas Transfer & Recycling Center.

(c) Notwithstanding the provisions of Sections 5.02.025(a) and (b), the following charges apply for [Residential] Self-Haul trips of two and one-half cubic yards or less of garbage if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables.

Section 4. Metro Code Section 5.02.045, User Fees, is

amended as follows:

(c) For [Residential] Self-Haul, \$1.75 per trip at the St. Johns Landfill and the Clackamas Transfer & Recycling Center and \$.50 per cubic yard at franchised facilities that are not otherwise exempt from such charge.

(d) Notwithstanding the provisions of 5.02.045(c), the User Fee at the St. Johns Landfill and Clackamas Transfer & Recycling Center, for [Residential] Self-Haul trips of two and one-half cubic yards or less of garbage shall be \$.50 per cubic yard if the disposer has separated and included in his/her load at least one-half yard of cubic recyclables.

Section 5. Metro Code Section 5.02.050, Regional Transfer Charge, is

amended as follows:

(b)(3) For [Residential] Self-Haul, \$1.25 per trip at the St. Johns Landfill and the Clackamas Transfer & Recycling Center or \$.50 per cubic yard at franchised facilities that are not otherwise exempt from such charge.

(c) Notwithstanding the provisions of 5.02.050(b)(3), the Regional Transfer Charge at the St. Johns Landfill and Clackamas Transfer & Recycling Center, for [Residential] Self-Haul trips of two and one-half cubic yards or less of separated garbage shall be \$.50 per cubic yard if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables.

Section 6. Metro Code Section 5.02.070, Source Separated Yard Debris

Disposal Charge is amended as follows:

(a) There is hereby established a reduced disposal fee for Source Separated Yard Debris which shall be collected on all source separated yard debris disposed at the St. Johns Landfill by commercial and [Residential] Self-Haul disposers. Said disposal charge is in lieu of other Base Disposal charges, User Fees, Regional Transfer Charges, Rehabilitation and Enhancement Fees, State Landfill Siting Fees and Certification Non-Compliance Fees which may be required by Sections 5.02.020, 5.02.025, 5.02.041, 5.02.045, 5.02.046, 5.02.050, and 5.02.075 of this chapter. These other fees shall not be collected on waste which is accepted as source separated yard debris, under the definition of 5.02.015(d). The purpose of the Source Separated Yard Debris Charge is to encourage greater source separation of yard debris so that material is diverted from land disposal at St. Johns and is made available for reuse.

(b) The amount of the Source Separated Yard Debris charge to be collected at the St. Johns Landfill shall be \$10.00 per trip for source separated yard debris delivered by [Residential] Self-Haul disposers.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

ATTEST:

Clerk of the Council

GH:RB:pa



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

Agenda Item No. 7.1

Meeting Date November 22, 1988

Date: November 14, 1988

To: Metro Council

From: Councilor David Knowles
Chair, Convention Center Committee

Regarding: CONVENTION CENTER COMMITTEE REPORT
ON NOVEMBER 22, 1988 COUNCIL MEETING
RESOLUTION NO. 88-1011, CONSIDERATION
OF AMENDMENT TO CONTRACT WITH
ZIMMER GUNSUL FRASCA PARTNERSHIP FOR
DESIGN WORK FOR SKYVIEW TERRACES

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
Presiding Officer
District 1

Corky Kirkpatrick
Deputy Presiding
Officer
District 4

Richard Waker
District 2

Jim Gardner
District 3

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Elsa Coleman
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Recommendation: At its November 7 meeting, the Convention Center Committee unanimously voted to recommend Council adoption of Resolution No. 88-1011 attached. Councilors present were : Cooper, Kelley, Knowles and Waker. Councilor VanBergen was absent.

Background & Committee Discussion: The Convention Center project staff reported on this agenda item, relaying the recommendation from the Advisory Committee on Design and Construction (ACDC) that design proceed on the "skyview" terraces.

The Committee reviewed the history of the terraces, or lounges, as they have been called earlier. These spaces present an opportunity for private conversation and meetings that is not readily available elsewhere in the convention center. The original design had included finishing these spaces, but budget constraints had eliminated that work in favor of more basic needs.

The schedule for construction dictates that if the terraces are to be completed, the best and most inexpensive time to include them is during the initial construction of the towers. Design must precede construction and be ready for the steel erection.

The Committee approved forwarding Resolution 88-1011 for full Council consideration.

STAFF REPORT

Agenda Item No. 7.1

Meeting Date: November 22, 1988

CONSIDERATION OF AMENDMENT TO CONTRACT WITH ZIMMER GUNSUL FRASCA
PARTNERSHIP FOR DESIGN WORK FOR SKYVIEW TOWERS

Date: November 7, 1988

Presented by: Neil McFarlane

I. BACKGROUND

The twin towers of the convention center are expected to become symbols of this landmark building. The original design concept of these towers also envisioned them as public spaces, an opportunity for a restaurant or limited food and beverage facilities offering spectacular views of the downtown skyline across the Willamette River. The tower spaces or skyview terraces fulfilled the program requirement for private spaces where conventioners and their clients could discuss business in a quiet atmosphere. These tower spaces would also enable the public who might not routinely attend functions in the convention center to enjoy the building. However, budget constraints eliminated further design work in favor of more fundamental needs. No access or improvements are included in the construction documents.

II. TOWER SKYVIEW TERRACE ENHANCEMENTS

With the amount of the general contract now known, and other budget categories appearing to be sufficient, the Advisory Committee on Design and Construction suggests that the possibility of creating public spaces within the towers again be explored. Timing is critical, because the steel and other construction work for the tower skyview terraces should be included in the regular construction sequence. Deciding later to finish these spaces could mean paying twice or three times the cost. Delaying also increases the likelihood that extra time will be required for the contractor to complete the work. With substantial completion now scheduled for mid-July, 1990, delays should be avoided.

ACDC recommended that the architects, Zimmer Gunsul Frasca (ZGF) proceed with the required design work. ZGF's design fees for this work will be \$33,890, as described in the attached letter. The total cost of the completed work was estimated earlier in the project at approximately \$350,000.

When plans and specifications are completed, they will be submitted to the general contractor for pricing. Turner

Construction Company will also prepare a cost estimate for comparison. Once a price is known, it will be necessary to examine a range of alternatives for funding construction of the terraces. This action will provide design and cost information by late December, 1988.

III. BUDGET IMPLICATIONS

While recommending expenditure of design funds for the skyview terraces, ACDC believes the terrace construction should come from donations and/or savings generated by changes elsewhere in the Convention Center.

The Convention Center Committee also supports expenditure of \$33,890 from the Owner's Contingency. However, that committee believes funding for construction could also come from the Owner's Contingency. The fiscal impact of this course of action is shown in Table 1, attached.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No.88-1011, authorizing work for design and pricing of skyview terraces for the Oregon Convention Center.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING	) RESOLUTION NO. 88 - 1011
CONTRACT WITH ZIMMER GUNSUL FRASCA)
PARTNERSHIP TO INCLUDE DESIGN OF	) Introduced by
TERRACES	) Executive Officer Rena Cusma

WHEREAS, The Council of the Meropolitan Service District has contracted with the Zimmer Gunsul Frasca Partnership for the design of the Oregon Convention Center; and

WHEREAS, completing the lounges (skyview terraces) to allow public access was part of the original program for the convention center but was eliminated for budgetary reasons; and

WHEREAS, The Advisory Committee on Design and Construction believes the terraces to be a desirable addition to the Oregon Convention Center; and

WHEREAS, sufficient funds appear to be available to fund a design of the terraces; and

WHEREAS, a timely decision is necessary to avoid extra costs for out-of-sequence construction; now, therefore,

BE IT RESOLVED,

That the contract between Zimmer Gunsul Frasca Partnership and Metro be increased by \$33,890 to reflect design work necessary to proceed with orderly and timely planning and budgeting for the skyview terraces;

ADOPTED by the Council of the Metropolitan Service District this 22nd day of November, 1988.

Mike Ragsdale, Presiding Officer

STAFF REPORT

Agenda Item No.

Meeting Date: November 22, 1988

CONSIDERATION OF AMENDMENT TO CONTRACT WITH ZIMMER GUNSUL FRASCA
PARTNERSHIP FOR DESIGN WORK FOR SKYVIEW TOWERS

Date: November 7, 1988

Presented by: Neil McFarlane

I. BACKGROUND

The twin towers of the convention center are expected to become symbols of this landmark building. The original design concept of these towers also envisioned them as public spaces, an opportunity for a restaurant or limited food and beverage facilities offering spectacular views of the downtown skyline across the Willamette River. The tower spaces or skyview terraces fulfilled the program requirement for private spaces where conventioners and their clients could discuss business in a quiet atmosphere. These tower spaces would also enable the public who ordinarily would not come into the convention center to enjoy the building. However, budget constraints eliminated further design work in favor of more fundamental needs. No access or improvements are included in the construction documents.

II. TOWER SKYVIEW TERRACE ENHANCEMENTS

With the amount of the general contract now known, and other budget categories appearing to be sufficient, the Advisory Committee on Design and Construction suggests that the possibility of creating public spaces within the towers again be explored. Timing is critical, because the steel and other construction work for the tower skyview terraces should be included in the regular construction sequence. Deciding later to finish these spaces will mean paying twice or three times the cost. Delaying also increases the likelihood that extra time will be required for the contractor to complete the work. With substantial completion now scheduled for mid-July, 1990, delays should be avoided.

ACDC recommended that the architects, Zimmer Gunsul Frasca (ZGF) proceed with the required design work. ZGF's design fees for this work will be \$33,890, as described in the attached letter. The total cost of the completed work was estimated earlier in the project to be \$350,000.

When plans and specifications are completed, they will be submitted to the general contractor for pricing. Turner Construction Company will also prepare a cost estimate for

comparison. Once a price is known, a change order will be prepared for processing under Metro contract amendment procedures. The change order reflecting this change should be ready for consideration by late December, 1988.

III. BUDGET IMPLICATIONS

Funding for the skyview terraces would come from owner's contingency.

Owners generally carry contingencies totalling 5% of the value of the general contract to satisfy design and construction changes. Currently, Metro is carrying a total of 6.7% in contingencies, or a total of \$3.5 million. This amount includes approximately \$1.7 million in interest on the general obligation bonds.

This amendment will reduce owner's contingency by \$33,890. The total \$350,000 estimated cost would reduce owner's contingency from \$529,765 to \$179,765. Overall, contingencies would be 6.07% of the general contract. Please see Table 1 - attached.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No.88-1011, authorizing work for skyview terraces for the Oregon Convention Center.

ZIMMER·GUNSUL·FRASCA PARTNERSHIP

320 S.W. Oak Suite 500 Portland, Oregon 97204-2737

503/224-3860

Cable: ZGFOREGON Telecopier: 224-2482

NOV 4 1988

November 4, 1988

Neil Saling
METRO
2000 SW First Ave.
Portland, OR 97201

Reference: Job No. 6060-07
Oregon Convention Center

Subject: Sky Terraces -- Fee Proposal

Dear Neil:

Per your request we have developed a fee proposal to revise the contract documents to incorporate two sky terraces and a connecting corridor, all to be located directly under the sloped face of the pre-function skylights. The fee proposal follows below.

A brief recap of the history of the sky terraces (lounges). These were included in our late SD and early DD drawings and then were dropped due to budget constraints. Structural design was close to complete, architectural design treatment was conceptual in nature and was not carried through to the detail stage and the HVAC design had been done on a conceptual basis but no detail calculations or ductwork design was done.

To produce the contract documents and provide construction administration the following work is required:

- | | |
|-------------|---|
| ZGF | • Redraw interior elevation and complete design detail work. |
| | • Develop reflected ceiling plan for area under terraces and connecting corridor. |
| | • Coordinate structural, M & E. |
| | • Construction administration services. |
| KPFF | • Develop structural drawings for lounges and terraces. |
| | • Shop drawings. |
| | • Special inspection. |
| DMJM | • HVAC |
| | - Design for systems and produce drawings |
| | - Revise central matrix for smoke evacuation and fire life safety sequence. |
| | • Plumbing |
| | - Extend water and sanitary to terraces |
| | - Performance criteria for fire sprinklers |
| | • Electric |
| | - Lighting for area under terraces. |
| | - Power panel for terraces. |
| | • General |
| | - Shop drawings and construction administration for the above. |
| Rolf Jensen | • Consult on revisions to Fire/Life Safety Report and revisions to smoke evacuation matrix. |

Members American Institute of Architects

Partners Norman C. Zimmer FAIA Brooks R.W. Gunsul FAIA Robert J. Frasca FAIA Gregory S. Baldwin AIA Raymond A. Boucher AIA
Daniel J. Huberty AIA Robert G. Packard III AIA Larry S. Bruton AIA

Associate Partners Jack Cornwall AIA Janice E. Finney Brainard Joy Gannett AIA Ernest L. Grigsby Ronald P. Gronowski AIA Lee F. Kilbourn AIA FCSI
R. Doss Mabe Kenneth J. Mouchka AIA CCS Evett J. Rulfcorn AIA Patrick C. Tiliett RIBA MRTPI AICP AIA James N. Van Duyn AIA Stanley G. Zintel AIA

Associates John P. Blumthal AIA Sharon L. Bonney Richard E. Brown AIA Debra Curtin-Barbour Kelly D. Davis AIA Dennis W. Destefano AIA Nancy M. Fishman David A. Fisk AIA
Carl E. Freeze AIA Jack Golden AIA David B. Gonrowski AIA Dennis M. Harper AIA Duane R. Hunting William R. Hutchinson AIA Renee D. Kajimoto AIA Harold (Lee) Kerns AIA
Susan E. Kerns IBD Brian McCarter ASLA Todd Ira Miller AIA David J. Morey AIA Ronald W. Ramberg Thomas E. See Karl R. Sonnenberg AIA John H. Thompson AIA John S. Walling

Neil Saling
November 4, 1988
Page Two

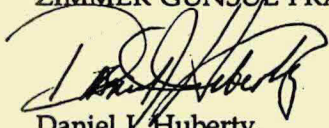
Proposed fees are as follows:

ZGF	178 hours	=	\$ 9,200
KPFF	\$3,100 x 1.1	=	3,410
DMJM	\$18,000 x 1.1	=	19,800
Rolf Jensen	\$800 x 1.1	=	880
Printing mylars etc.		=	<u>600</u>
			\$33,890

We will proceed with the above work upon receipt of authorization from Metro.

Sincerely,

ZIMMER GUNSUL FRASCA PARTNERSHIP



Daniel J. Huberty
Partner

DJH/mah

cc: Ernest Grigsby
Dan Huberty
M.F. Pending

NOV 4 1988

TABLE 1
IMPACT OF TOWER SKYVIEW TERRACES
(ASSUMING \$350,000 COST)
ON PROJECT CONTINGENCIES
7-Nov-88

	11/7/88	After tower enhancement
OWNER'S CONTINGENCY	529,765	179,765
CONSTRUCTION CONTINGENCY	1,286,046	1,286,046
INTEREST ALLOCATED TO CONTINGENCY*	<u>1,698,297</u>	<u>1,698,297</u>
TOTAL PROJECT CONTINGENCY	3,514,108	3,164,108
GENERAL CONTRACT	52,104,185	52,104,185
CONTINGENCY AS % OF GENERAL	6.74%	6.07%

BOND INTEREST SUMMARY*

Total interest estimated	8,040,320
Less arbitrage (rebated to federal govt)	<u>865,000</u>
Interest available to Metro	7,175,320
Less tax reduction 1987-88	1,739,121
Interest remaining	5,436,199
Allocated to project	<u>1,698,297</u>
Available for tax reduction or any catastrophic emergency	3,737,902

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING	) RESOLUTION NO. 88 - 1011
CONTRACT WITH ZIMMER GUNSUL FRASCA)
PARTNERSHIP TO INCLUDE DESIGN WORK	) Introduced by
FOR FINISHING THE TOWERS	) Executive Officer Rena Cusma

WHEREAS, The Council of the Meropolitan Service District has contracted with the Zimmer Gunsul Frasca Partnership for the design of the Oregon Convention Center; and

WHEREAS, completing the towers to allow public access was part of the original program for the convention center but was eliminated for budgetary reasons; and

WHEREAS, The Advisory Committee on Design and Construction reviewed the amounts budgeted for the general contract and other project obligations; and

WHEREAS, sufficient funds appear to be available to fund other project requirements and completing the towers presents a unique opportunity; and

WHEREAS, a timely decision is necessary to avoid extra costs for out-of-sequence construction; now, therefore,

BE IT RESOLVED,

That the contract between Zimmer Gunsul Frasca Partnership and Metro be increased by \$33,890 to reflect design work necessary for public access to the towers.

ADOPTED by the Council of the Metropolitan Service District this 22nd day of November, 1988.

Mike Ragsdale, Presiding Officer

AMENDMENT NO. 14

This amends the Agreement between the Metropolitan Service District ("Owner") and Zimmer Gunsul Frasca Partnership ("Architect") executed February 27, 1987 ("original agreement") as amended.

WHEREAS, the parties agreed to the conditions set forth in the original agreement and desire to amend the Agreement as amended;

The following changes are made to the original agreement as previously amended:

EXHIBIT C, COMPENSATION TO ARCHITECT

B. Total Cost

The total cost of the services provided under this agreement during all phases shall not exceed [4,231,374] \$4,265,264.

C. Architect's Basic Services Compensation

17. For design work for two sky terraces and a connecting corridor located directly under the sloped face of the pre-function skylights. Work includes required redrawing of interior elevation, developing reflected ceiling plan, developing structural drawings, producing shop drawings, providing special inspections, revising smoke evacuation matrix and Fire/Life Safety program, and completing required changes to HVAC, plumbing, and electrical systems. \$33,890

WHEREAS, all other conditions and covenants remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Addendum to be executed by their duly authorized officers.

ARCHITECT:
ZIMMER GUNSUL FRASCA PARTNERSHIP

OWNER:
METROPOLITAN SERVICE DISTRICT

BY: _____
(TITLE) _____

BY: _____
(TITLE) _____

DATE: _____

DATE: _____

On October 26, 1988, Dave Rozell and Peter Spendilow of the DEQ met with Bob Martin, Debbie Gorham, and Pat Vernon from Metro to discuss the 14 elements of the WRP that have not yet been completed or not yet initiated. These items are found in Section 3 of Attachment A, Summary of Progress. In summary, seven elements are in progress but the timeline for completion has passed. These include:

<u>Program</u>	<u>Activity</u>
Reduce Reuse	Salvageable Building Materials
Recycle 405	Technical Assistance
Post Collection Recycling	Material Recovery Centers Use of Transfer Stations
Materials Markets Assistance	Institutional Purchasing
System Measurement	Waste Reduction Performance Goals
Yard Debris	Bans on Disposal

Work needs to commence on three elements, including:

<u>Program</u>	<u>Activity</u>
Post Collection Recycling	Waste Audit and Consult
Materials Markets Assistance	Recycled Products Survey
System Measurement	Ongoing System of Measurement

The four remaining elements fall under Certification and Rate Incentives. The objectives of the Certification program are being pursued through the Solid Waste Management Planning process. Achievement of the objectives of the Certification and Rate Incentives programs will require a collaborative effort of Metro, local jurisdictions and the collection industry. DEQ staff agrees with this premise, and recognizes that Metro's Solid Waste Management Plan process will be instrumental in meeting the goals of both programs.

Resolution No. 88-1012 seeks Council agreement with the Summary of Progress and the items in Section 3 designated as the highest priority programs. Upon adoption of this resolution, staff will bring a detailed time schedule and work plan for implementation forward to the Council.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 88-1012 FOR THE PURPOSE OF PRIORITIZING WASTE REDUCTION PLAN ELEMENTS NOT YET COMPLETE AND TO DEVELOP AN IMPLEMENTATION SCHEDULE

Date: November 8, 1988

Presented by: Bob Martin
Debbie Gorham

FACTUAL BACKGROUND AND ANALYSIS

Metro is required to submit a progress report on implementation of the 1986 Waste Reduction Program (WRP) to the Environmental Quality Commission (EQC) no later than July 1, 1988 and every two years thereafter, according to ORS 459.345.

Metro's 1988 report was delivered to the Department of Environmental Quality (DEQ) by July 1, 1988. The DEQ's evaluation of the report was delivered to the EQC September 9, 1988. The evaluation found that, of the 49 action elements in the WRP, many were either complete or on schedule, several were behind schedule, others were not pursued, and some contained insufficient or conflicting information from which staff could not assess status. It was recommended that the EQC either:

- a) Concur with the staff evaluation and report to the legislative interim committee and full Legislative Assembly for action,
- b) direct Metro to implement the Waste Reduction Program as approved, or
- c) request Metro show cause why the EQC should not order implementation.

Metro staff did not concur with the DEQ's evaluation. A meeting between the staff of the two agencies occurred September 16, 1988 to discuss their differing analyses of Metro's implementation progress. This meeting was also a strategy session for handling the upcoming EQC hearing and to plot the course to implement priority programs.

October 12, 1988, Metro staff attended the EQC public hearing that was held to determine if "Metro has adequately implemented the 1986 Waste Reduction Program." The EQC sought comment on what, if any, action should be taken regarding Metro's Waste Reduction Program. Metro staff testified at the hearing and outlined achievements as well as program areas that need to be completed. A more aggressive pursuit of the WRP objectives was stressed and a commitment to "moving forward" was made.

COUNCIL SOLID WASTE COMMITTEE REPORT

November 16, 1988

Page 2

5. The eighth Whereas was amended to read: The Waste Reduction Plan [will] must be incorporated into the Solid Waste Management Plan [in part] to achieve regional consensus and local government action...
6. The Be It Resolved section was amended to read: The Council concurs with the Summary of Progress (Attachment A) and the need to accomplish those items in Section expeditiously. [Staff] The Solid Waste Department shall develop a time schedule and work plan and identify resources needed to implement those items for Council concurrence prior to presentation to the [DEQ] EOC.

The Solid Waste Department [will work in concert with] and the Planning and Development Department shall work to revise the Waste Reduction Program and [incorporate] submit the program to the Council for consideration of incorporating it into the Solid Waste Management Plan.

Attachment A was amended as follows:

1. Page 1, subtitle: Metro Waste Reduction Program Work Plan [as of DEQ/Metro meeting October 26, 1988].
2. Page 1, paragraph one: [DEQ and Metro concur that 21 of] the [49] activities, in this section, included in the 1986 Waste Reduction Program have been completed [satisfactorily:] or are on schedule.
3. Page 3, Section 2, first sentence: [DEQ agrees] The following six items are being pursued by Metro...
4. Page 4, Section 3, paragraph one: [DEQ and Metro agree that 14] the following activities, some of which are partially completed and others not yet initiated, [should] shall be completed in full.
5. Page 7, first paragraph: The following eight activities [do not] shall be reviewed as part of the Council FY 1989-90 budget process and will be either scheduled for implementation or removed from the Plan [need to be completed at this time, but Metro will reexamine them in the future:]
6. Page 7: Rate Incentives were moved to page 4, item 3, subsection 1.

The Committee voted 5 to 0 to recommend Council adoption of the resolution as amended. Voting aye: Councilors Gardner, Hansen, Kelley, Kirkpatrick and Ragsdale.

GH:RB:pa
RAYB.016



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: November 16, 1988 Agenda Item No. 7.2
TO: Metro Council Meeting Date November 22, 1988
FROM: Councilor Gary Hansen *GH*
Chair Council Solid Waste Committee
RE: SOLID WASTE COMMITTEE REPORT ON NOVEMBER 22, 1988, COUNCIL
AGENDA ITEM

Agenda Item No. 7.2 Consideration of Resolution No. 88-1012, for the Purpose of Prioritizing Those Elements of the Waste Reduction Program Not Yet Complete and Developing an Implementation Schedule

Committee Recommendation

The Solid Waste Committee recommends Council adoption of Resolution No. 88-1012 as amended. This action taken November 15, 1988.

Discussion

The Solid Waste Department staff and DEQ staff have reached agreement on the elements of the Waste Reduction Program Work Plan that have not yet been completed or not yet initiated. These items are found in Section 3 of Attachment A to Resolution No. 88-1012.

Resolution No. 88-1012 seeks Council agreement with the Summary of Progress and the items in Section 3 designated as the highest priority programs. Upon adoption of this resolution, staff would bring a detailed time schedule and work plan for implementation forward to the Council.

After considerable discussion, the Committee made the following amendments to Resolution No. 88-1012:

1. The third Whereas was amended to read: The Department of Environmental Quality evaluation of the report was unfavorable and recommended the Environmental Quality Commission to show cause why Metro should not be ordered to implement the program;
2. The fourth Whereas was amended to read: The Environmental Quality Commission will determine what, if any, action is necessary to cause Metro to implement the Waste Reduction Plan;
3. In the fifth Whereas, the word "may" was changed to "shall."
4. The seventh Whereas was deleted.

WHEREAS, The Waste Reduction Program must be incorporated into the Solid Waste Management Plan to achieve regional consensus and local government action necessary to implement certain elements of the Waste Reduction Program; now, therefore,

BE IT RESOLVED, ~~ACKNOWLEDGE~~

acknowledged
The Council concurs with the Summary of Progress (Attachment A) and the need to accomplish those items in Section 3 expeditiously. The Solid Waste Department staff shall develop a time schedule and work plan and identify resources needed to implement those items for Council concurrence prior to presentation to the EQC.

The Solid Waste Department and the Planning and Development Department shall work to revise the Waste Reduction Program and submit the program to the Council for consideration of incorporating it into the Solid Waste Management Plan.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PRIORITIZING	)	Resolution No. 88-1012
THOSE ELEMENTS OF THE WASTE RE-)	
DUCTION PROGRAM NOT YET COMPLETE	)	Introduced by Rena Cusma,
AND TO DEVELOP AN IMPLEMENTATION	)	Executive Officer
SCHEDULE)	

WHEREAS, Metro is required by ORS 459.345 to submit a progress report on implementation of the 1986 Waste Reduction Program (WRP) to the Environmental Quality Commission (EQC) on July 1, 1988; and

WHEREAS, Said report was delivered to the Department of Environmental Quality (DEQ) on July 1, 1988; and

WHEREAS, The Department of Environmental Quality evaluation of the report was unfavorable and recommended the Environmental Quality Commission to direct Metro to show cause why Metro should not be ordered to implement the program; and

WHEREAS, The Environmental Quality Commission will determine what, if any, action is necessary to cause Metro to implement the Waste Reduction Plan; and

WHEREAS, Metro and DEQ staff have met to identify programs not yet complete and to discuss a strategy Metro shall employ to achieve the objectives of those programs; and

WHEREAS, The priority programs are identified in Attachment A, Section 3; and

SUMMARY OF PROGRESS

Metro Waste Reduction Program Work Plan

1. The activities in this section, included in the 1986 Waste Reduction Program, have been completed or are on schedule:

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Promotion and Education	Market Research	Regular surveys to assess effectiveness of promotion programs.
	Theme and Graphic Look	Ties together all our work plans, i.e., "Save the Earth with a Brown Paper Bag," etc.
	Multi-Year Campaign	Detailed schedule and budget for promotion work.
	Specific Campaigns	Two major radio and/or television promotions per year and eight community projects.
	Recycling Information Center	Main point of public contact for recycling and reduction inquiries.
	Support for Local Jurisdictions	Monthly calendar of events, ready-to-print materials, assist in work with media.
	Public Involvement	Arrange for various public meetings.

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Reduce and Reuse	Plastics Reduction Task Force	Task Force to re-search plastic reduction strategies.
	Packaging Reduction	Promote consumer awareness of packaging issues.
	Recycling Information Center (RIC) Enhancement	Upgrade RIC information services, e.g., computer development, community project involvement.
Recycle 405 Material	Regional Promotion and Education	Provide regional campaigns on curbside recycling.
Yard Debris	Materials Recovery Centers	Provide capacity for yard debris processing at St. Johns.
	Promotion and Education	Promote home composting, source separation and market development.
	Principal Recyclable Analysis	Analysis of yard debris as principal recyclable.
	Technical Assistance	Share information from out-of-region
	Rate Incentives	To encourage source separation, continue
	Materials Markets Assistance	Encourage use of recycled yard debris products.

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Materials Markets Assistance	Annual Market Analysis	Identify market strengths and weaknesses and future growth outlook.
	Consumer Education	Educate re: purchase of products made from recycled material.
	Annual Market Survey	Survey companies that purchase recycled materials.
Rate Incentives	Funding Work Plan Commitments	Modify user fees to fund waste reduction programs.

2. The following five items are being pursued by Metro through the "1% For Recycling" Program or other resources. A primary criterion for disbursing "1% for Recycling" funds is how the project meets the objectives of the 1986 Waste Reduction Program.

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Recycle 405	Source Separation	Distribute home and office containers.
	Grants and Loans	Target businesses, local governments and recyclers who support waste reduction.
Yard Debris	Diversion Credits, Loans and Grants	Use to encourage yard debris processing.
Materials Markets Assistance	Grants and Loans: R & D	Target monies to R & D for new methods of utilizing secondary materials.

PROGRAM NAME

ACTIVITY

SUMMARY

Materials Markets
Assistance
(continued)

Grants and Loans:
User Assistance

Monies for users
of secondary
materials to
encourage expanded
use of materials.

3. The following activities, some which are partially completed and others not yet initiated, shall be completed in full. The objectives for each program will remain unaltered, but substitution in the method for achieving objectives is acceptable if 1) it will be as effective as the original element, and 2) if it is adopted by Metro Council prior to an agreed upon deadline.

- i.) Activities in progress; timeline for completion passed; will reschedule based on resources.

PROGRAM NAME

ACTIVITY

SUMMARY

Reduce and Reuse

Salvageable
Building Materials
and Items

Examine need and
feasibility of
programs to
promote reuse of
building materials
before disposal
and to develop
salvage capability
at disposal
facilities.

Recycle 405

Technical
Assistance

Provide technical
assistance to
local governments
in developing
recycling pro-
grams, related
policies, and
promotion and
education.

Yard Debris

Bans on Disposal

Ban disposal of
source separated
yard debris from
METRO landfills.

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Post Collection Recycling	Materials Recovery Centers	Establish facilities for material recovery from specific waste substreams.
	Use of Transfer Stations	Include salvage programs and post collection separation of recyclables at transfer stations.
Materials Markets Assistance	Institutional Purchasing	Assist and promote development of policies that favor purchase of products made from recycled materials.
Rate Incentives	Incentives for Post Collection	Provide economic incentive for materials recovery processing
System Measurement	Set Waste Reduction Performance Goals	Based on analysis of waste, set goals for recovery; reexamine periodically.

ii.) Activities not yet initiated; timeline for completion passed; will reschedule based on resources.

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Post Collection Recycling	Waste Audit and Consulting	Advise, assist and/or conduct audits; design programs to help generate high grade loads.

PROGRAM NAME

ACTIVITY

SUMMARY

Materials Markets
Assistance

Waste Audit and
Consulting

Advise,
assist, conduct
audits to generate
high grade loads

System Measurement

Establish On-going
Measurement System

Measure:

- success of material recovery
- tons recycled and landfilled
- quantities recycled and participation rates
- effectiveness of achieving goals

iii.) Activities where objective remains intact but method of accomplishment includes collaborative efforts of Metro, local jurisdictions and haulers:

PROGRAM NAME

ACTIVITY

SUMMARY

Recycle 405

Local Collection
Service
Certification

Assure curbside
programs are
optimally
effective.

Yard Debris

Local Collection
Service
Certification

Set standards for
local jurisdiction
yard debris
recycling and
provide rate
incentives.

Certification

Certification,
Local Service

Assure maximum
feasible waste
reduction

Rate Incentives

Rate Incentives to
Ensure Local
Compliance

Examine Rate
structure and
implement modifications to assure
compliance with
performance standards.

4. The following eight activities shall be reviewed as part of Council FY 89-90 budget process and will either be scheduled for implementation or removed from the plan:

<u>PROGRAM NAME</u>	<u>ACTIVITY</u>	<u>SUMMARY</u>
Reduce and Reuse	Waste Exchange	Develop information clearinghouse for industrial and manufacturing waste.
Alternative Technologies	Materials and Energy Recovery	Direct as much as 48 percent of waste to material and/or energy recovery.
Legislative Program	Legislative Program	Develop and pursue legislative action package on waste reduction issues.
Materials Markets Assistance	Annual Supply Profile	Measure potential growth of supply for recyclable material.
	Legislative Action	Support recycling-related legislation.
	Materials Brokerage	Guarantee market price and supply for recycled products.
	Waste Substream Composition Study (geographic portion)	Identify geographic distribution of waste substream generation points.
	Substream Resource Recovery Study (geographic portion)	Identify geographic location of needed facilities.

COMMITTEE REPORT

Agenda Item No. 7.3

Meeting Date November 22, 1988

CONSIDERATION OF RESOLUTION NO. 88-1013 APPOINTING CITIZENS TO
THE METROPOLITAN SERVICE DISTRICT'S FY 1989-90 BUDGET COMMITTEE

Date: November 21, 1988

Presented by: Councilor Tanya Collier
Chair, Finance Committee

COMMITTEE RECOMMENDATION

Committee members present -- Councilors Coleman, DeJardin, Gardner, Van Bergen and myself -- voted unanimously to recommend Council adoption of amended Resolution No. 88-1013, appointing the following citizens to the Metro FY1989-90 Budget Committee: Tom Balmer, Gretchen Buehner, Steven Harloff, Michael Hill, and Patricia Jernberg. Resolution No. 88-1013 was amended to specify that no citizen member shall serve more than 2 consecutive years on the Budget Committee.

COMMITTEE DISCUSSION & ISSUES

The Committee reviewed the citizens' applications and summary memo (attached) and map prepared by staff which highlighted the applicants' geographic distribution. Eleven citizens applied. The Committee agreed not to reappoint applicants who have previously served more than 1 year on the Metro Budget Committee. It was also agreed not to increase the number of citizens beyond 5 members. Once the Council approves the citizen appointments, staff will send letters to applicants who were not selected and prepare certificates of appreciation for citizens who served last year but were not selected this year.

AltS.Mac
11/88

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPOINTING
CITIZENS TO THE METROPOLITAN
SERVICE DISTRICT'S FY1989-90
BUDGET COMMITTEE

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RESOLUTION NO. 88-1013
Introduced by the Finance
Committee

WHEREAS, Citizens of the District have served on the Metropolitan Service District's Budget Committee during the budget review process for each fiscal year since 1983-84, providing a valuable service to help shape budgets and make recommendations to the Metro Council; and

WHEREAS, The fiscal 1988-89 Budget Committee evaluated the budget approval process and developed suggestions for improvement, including the following recommendation:

- Metro should produce quarterly program evaluation reports and include citizen members of the Budget Committee in the quarterly review process, to educate them about the budget before the formal budget approval process begins; and

WHEREAS, The Finance Committee has developed a quarterly program review process to be implemented in late November, including citizen members of the Budget Committee participating in the review worksessions to be conducted by Council standing committees; and

WHEREAS, The Finance Committee has conducted a comprehensive advertising, application and evaluation process to select 5 citizen members for the FY1989-90 Budget Committee, taking into account the need for balanced geographical, professional, and minority representation on the committee; and

WHEREAS, The Finance Committee recommends the appointment of the following 5 citizens to the FY89-90 Budget Committee: Tom Balmer,

Gretchen Buehner, Steven Harloff, Michael Hill, and Patricia Jernberg;
now, therefore,

BE IT RESOLVED,

1) That the Council of the Metropolitan Service District hereby appoints Tom Balmer, Gretchen Buehner, Steven Harloff, Michael Hill, and Patricia Jernberg as members of the fiscal 1989-1990 Budget Committee, with the understanding that these 5 citizen members will also participate in 1 or more of the Council standing committees' quarterly budget and program review worksessions with department staff, commencing with the first quarter review sessions scheduled for late November and early December of 1988; and

2) That each citizen member of the Metro Budget Committee shall not serve more than 2 consecutive years on the Budget Committee.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: November 14, 1988

To: Council Finance Committee

From: Jessica Marlitt ^{gpm}, Council Analyst

Regarding: REVISED SUMMARY OF FY1989-90 BUDGET COMMITTEE CITIZEN APPLICANTS AND A BRIEF EVALUATION FORM

On November 17, the Finance Committee will select 5 citizens for Council approval and appointment to this year's Budget Committee. Eleven citizens have applied for the FY1989-90 Budget Committee; the applicants are summarized below with their geographic representation highlighted on the enclosed map.

<u>Metro</u> <u>District</u>	<u>Name</u>	<u>City/County</u>	<u>Occupation</u>
1	Steven Harloff	Hillsboro/Wash.	High School Teacher
2	Jerry Arnold	Portland/Wash.	PGE Community Rltn's Area Manager
2	Ron Hohnstein	Beaverton/Wash.	Co-owner/Operator Valley Gargage Servc.
3	Gretchen Buehner	Portland/Mult.	Sole proprietor/Attny
3	Noam Stampfer	Portland/Mult.	Asst. Director, OR Div. of State Lands
5	Patricia Jernberg	Oregon City/Clack.	Admin. Asst., OR Fish & Wildlife
5	Thomas Pagh	Gladstone/Clack.	Sr. Photogrammetrist
8	John DiLorenzo, Jr.	Portland/Mult.	Attorney
8	Dapo Sobomehin	Portland/Mult.	Non-profit org. Exec. Director
9	Michael Hill	Portland/Mult.	Asst. Professor, OSU- Extension-Service
11	Tom Balmer	Portland/Mult.	Attorney

To prepare for the November 17 meeting, please review the enclosed applications, bearing in mind the factors of geographic representation, related experience, professional background, and minority representation.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Agenda Item No. 7.3

Date: November 15, 1988

Meeting Date November 22, 1988

To: Metro Councilors

From: Marie Nelson, Clerk of the Council

Regarding: RESOLUTION NO. 88-1013, for the Purpose of Appointing
Citizens to the FY 1989-90 Budget Committee

The above resolution will be considered by the Finance Committee on November 17. The Committee's report and recommendation will be presented at the November 22 Council meeting along with a final version of the resolution naming specific citizens proposed for Budget Committee membership.

Other parties wanting a copy of the final resolution may contact the Council Clerk (Marie Nelson, 221-1646, extension 206).



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: November 10, 1988

To: Council Finance Committee

From: Jessica Marlitt, Council Analyst *JAM*

Regarding: PROCESS FOR EVALUATING AND SELECTING FY1989-90 BUDGET
COMMITTEE CITIZEN MEMBERS

The Metro Council at its October 27 meeting reviewed Resolution No. 88-999 which would allow the Finance Committee to appoint 5 citizens to this year's FY1989-90 Budget Committee. After discussing the resolution, the Council referred the resolution back to the Finance Committee and asked the Committee to:

- recruit citizens for the Budget Committee as quickly as possible; evaluate citizen applications; and prepare a slate of 5 citizens for the Council to approve and appoint, making selections based on a balance of professional, geographical, related experience and minority considerations.

At the Finance Committee's request, staff prepared application forms; distributed a news release recruiting citizens (October 31) with a one week deadline; and sent out letters with applications to past Budget Committee members and names provided by Metro Councilors. Completed applications were due November 8.

Staff received 10 applications which will be distributed to Finance Committee members with a memo summarizing the applicants' geographic representation and professional backgrounds. A map will also be distributed highlighting each applicant's district location. At the November 17 meeting, the Committee will select the 5 citizens to recommend to the Council for appointment on November 22 (the next Council meeting). The draft resolution appointing the citizens to the Budget Committee -- Resolution No. 88-1013 -- is attached.

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DRAFT

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPOINTING
CITIZENS TO THE METROPOLITAN
SERVICE DISTRICT'S FY1989-90
BUDGET COMMITTEE

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RESOLUTION NO. 88-1013

Introduced by the Finance
Committee

WHEREAS, Citizens of the District have served on the Metropolitan Service District's Budget Committee during the budget review process for each fiscal year since 1983-84, providing a valuable service to help shape budgets and make recommendations to the Metro Council; and

WHEREAS, The fiscal 1988-89 Budget Committee evaluated the budget approval process and developed suggestions for improvement, including the following recommendation:

- Metro should produce quarterly program evaluation reports and include citizen members of the Budget Committee in the quarterly review process, to educate them about the budget before the formal budget approval process begins; and

WHEREAS, The Finance Committee has developed a quarterly program review process to be implemented in late November, including citizen members of the Budget Committee participating in the review worksessions to be conducted by Council standing committees; and

WHEREAS, The Finance Committee has conducted a comprehensive advertising, application and evaluation process to select 5 citizen members for the FY1989-90 Budget Committee, taking into account the need for balanced geographical, professional, and minority representation on the committee; and

WHEREAS, The Finance Committee recommends the appointment of the following 5 citizens to the FY89-90 Budget Committee:

now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby appoints _____ as members of the fiscal 1989-90 Budget Committee, with the understanding that these 5 citizen members will also participate in 1 or more of the Council standing committees' quarterly budget and program review worksessions with department staff, commencing with the first quarter review sessions scheduled for late November and early December of 1988.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

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COMMITTEE REPORT

Agenda Item No. 7.4

Meeting Date November 22, 1988

CONSIDERATION OF RESOLUTION NO. 88-1014 AUTHORIZING AN
EXEMPTION TO THE PUBLIC CONTRACTING PROCEDURE, METRO CODE
SECTION 2.04.010 ET. SEQ. FOR THE PURCHASE OF A PRODUCTION
COPIER AND TELEPHONE SWITCH UPGRADE

Date: November 21, 1988 Presented by: Councilor Tanya Collier
Chair, Finance Committee

COMMITTEE RECOMMENDATION

Committee members present -- Councilors Coleman, DeJardin, Gardner, Van Bergen and myself -- voted unanimously to recommend Council adoption of Resolution No. 88-1014.

COMMITTEE DISCUSSION & ISSUES

Metro's Support Services Supervisor, Judy Munro, presented the resolution and staff report, noting that funding for the production copier and telephone switch was budgeted this year under General Fund Management Services leased funds. Lease payments would be made over a five year period. Total 5 year costs are estimated at \$60,000 for the copier and \$20,000 for the telephone switch upgrade.

Responding to Committee questions, Ms. Munro explained an RFP process to purchase this equipment was needed to ensure certain minimum quality standards were met, such as vendor support and maintenance and service options. General Counsel had advised Ms. Munro a bidder pre-qualification process could also be used to achieve similar results as an RFP process.

finrpt2

STAFF REPORT

Agenda Item No. 7.4

Meeting Date November 22, 1988

CONSIDERATION OF RESOLUTION NO. 88-1014 FOR THE
PURPOSE OF AUTHORIZING AN EXEMPTION TO THE PUBLIC
CONTRACTING PROCEDURE SET OUT IN METRO CODE
SECTION 2.04.010 ET SEQ. FOR THE PURCHASE OF
A PRODUCTION COPIER AND TELEPHONE SWITCH UPGRADE

Date: November 15, 1988

Presented by Judy Munro

FACTUAL BACKGROUND AND ANALYSIS

The 1988-89 adopted budget includes the acquisition of a production copier and a telephone switch upgrade. The telephone switch upgrade will increase the capacity of the telephone system at Metro Center. The current system, is at its maximum capacity which means that no additional telephones or trunk lines may be added. The production copier will supplement the 10 year old press that has been handling our daily bulk printing needs. The current equipment is very slow and does not produce a consistent, quality, product.

The current contract rules recognize that the computer hardware selection process needs some flexibility to assure that Metro can properly evaluate the equipment and to optimize the benefit for Metro. This equipment with many technical variables is just as difficult to specify as computer hardware. In both cases, subjective criteria will be applied to the selection. If this equipment is purchased from the lowest bidder, the selection may not take into account maturity of the product and vendor, ease of installation, ongoing support costs and compatibility with agency goals such as encouraging the use of recycled paper.

Our strategic plan for purchasing these pieces of equipment is to identify certain minimum requirements which can be provided by more than one vendor. These minimum requirements include equipment, supplies and maintenance costs. Additionally, we have identified other features and criteria for further evaluation.

Request For Proposals (RFP's) will be sent to all potential vendors. The leading respondents; those meeting minimum standards, would then be rated for certain equipment and vendor performance standard.

This process would yield the most cost effective, value based assessment.

The benefit to Metro is that the value of the new equipment will be based not only on cost and minimum requirements, but also on optional features and performance. The process of acquisition is consistent with other RFP's.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 88-1014.

JM/vll

BEFORE THE
METROPOLITAN SERVICE DISTRICT CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN	)	RESOLUTION NO. 88-1014
EXEMPTION TO THE PUBLIC CONTRACT-)	
IN PROCEDURE SET OUT IN METRO CODE	)	Introduced by the
SECTION 2.04.010 ET SEQ. FOR THE	)	Executive Officer
PURCHASE OF A PRODUCTION COPIER)	
AND TELEPHONE SWITCH UPGRADE)	

WHEREAS, The Metropolitan Service District is in need of purchasing a production copier and telephone switch upgrade to serve Metro's support service needs; and

WHEREAS, There currently exists an exemption (in Metro Code Section 2.04.041(b)(8)) to the competitive bidding process for the acquisition of computer equipment (hardware) but none exists for technical equipment; and

WHEREAS, It would be appropriate, due to the technical nature of the equipment, to allow for an exemption from competitive bidding in this instance for the purchase of a production copier and telephone switch upgrade; and

WHEREAS, Metro Code Section 2.04.041(c) allows an exemption to the competitive bidding process upon findings: 1) that it is unlikely that such exemption will encourage favoritism or substantially diminish competition; and 2) that awarding the contract pursuant to the exemption will result in a substantial cost savings to Metro considering appropriate factors; and

WHEREAS, It is unlikely that an exemption will encourage favoritism or substantially diminish competition because: 1) an RFP process will be utilized for the purchase of this equipment, 2) the invitation to submit proposals will be advertised, 3) RFPs will be sent to all known vendors of the type of equipment needed, and 4) cost will

be a factor in the selection of the equipment; and

WHEREAS, The exemption will result in substantial costs savings to Metro because 1) awarding the contract pursuant to strict competitive bidding could likely result in a greater long-term cost to Metro considering such factors as equipment and vendor reliability, 2) the total cost of hardware, and installation training will be a significant factor in the selection process, and 3) the purchase of this type of technical equipment does not lend itself to the low bid process due to the many unquantifiable factors which must be considered including quality of products which will determine long-term costs to Metro; now, therefore,

BE IT RESOLVED,

That an exemption from the competitive bidding process is hereby granted for the purchase of a production copier and telephone switch upgrade because the Metropolitan Service District Contract Review Board finds that the requirements of Metro Code Section 2.02.041(c) have been met.

ADOPTED by the Metropolitan Service District Contract Review Board this _____ day of _____, 1988.

Mike Ragsdale,
Presiding Officer

JM/vl

COMMITTEE REPORT

Agenda Item No. 7.5

Meeting Date November 22, 1988

CONSIDERATION OF RESOLUTION NO. 88-1015, CONSIDERING REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS ON METRO'S FY 1988 ANNUAL FINANCIAL REPORT AND SCHEDULE OF FEDERAL FINANCIAL ASSISTANCE

Date: November 21, 1988

Presented by: Councilor Tanya Collier
Chair, Finance Committee

COMMITTEE RECOMMENDATION

Committee members present -- Councilors Coleman, DeJardin, Gardner, Van Bergen and myself -- voted unanimously to recommend Council adoption of Resolution No. 88-1015. The Committee also voted in support of 3 other motions recommending Council actions as follows:

- 1) Council direct General Counsel to prepare a report to Council indicating the best level of insurance reserve funds for St. Johns Landfill post closure either under current DEQ rules or DEQ rules after adoption of proposed federal (EPA) rules, and if research and study beyond staff capabilities is required, an RFP be issued and funds appropriated for expert advice.
(Van Bergen; 5-0 vote)
- 2) Council direct Finance & Administration staff to provide a report to Finance Committee explaining each FY1988 budget over-expenditure and steps taken, or that will be taken, to prevent future over-expenditures. (Gardner; 5-0 vote)
- 3) Council direct the draft management letter from the certified public accountants be finalized and submitted to the appropriate parties, and if after Finance Committee review and discussion, amendments are made to the management letter, the amended letter be filed with the appropriate parties.
(DeJardin; 4-1 vote)

COMMITTEE DISCUSSION & ISSUES

Finance & Administration staff Jennifer Sims (Financial Services Manager) and Don Cox (Chief Accountant) presented the 1988 Metro Audit with Kurt Hatch, Audit Manager, and Joe Hoffman, Partner of Peat Marwick Main & Co. The auditors' cover letter to the Annual Financial Report, page 2, included a non-standard comment regarding the St. John's Landfill closure fund. Staff noted Metro's investment banking firm was not troubled by the comment and did not believe it would affect Metro's bond rating. The comment was included because of the uncertainty surrounding the funding level necessary to cover Metro's liability after the closing of the landfill. To avoid this comment in next year's audit, Metro would need to increase the "certainty" behind its funding. To this end, the Committee moved recommendation number 1 above.

The Committee discussed Metro Department over-expenditures identified in the audit and outlined in Council staff's memo (attached) and moved recommendation number 2 above. Staff said the over-expenditures resulted from the finer level of detail used in the FY88-89 appropriations as adopted by the Council.

Finally, the Committee received draft copies of the auditors' "Management Letter" and "Schedule of Federal Financial Assistance". Staff noted these 2 documents must be submitted with the audit to appropriate federal agencies by December 1 and the Oregon Secretary of State's office by December 31. The consequences for not meeting these deadlines are unknown. The Committee noted it would liked to have seen these items before being asked to approve them and said the record should reflect the understanding that next year's financial audit schedule will be formulated so the auditors will meet with the Finance Committee periodically prior to issuing financial statements and the draft management letter. Following discussion, the Committee moved recommendation number 3 above.

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STAFF REPORT

Agenda Item No. 7.5

Meeting Date November 22, 1988

CONSIDERATION OF REPORT OF INDEPENDENT CERTIFIED
PUBLIC ACCOUNTANTS ON METRO'S FY 1988 ANNUAL
FINANCIAL REPORT AND SCHEDULE OF FEDERAL FINANCIAL
ASSISTANCE

Date: November 2, 1988

Presented by Ray Phelps

FACTUAL BACKGROUND AND ANALYSIS

The audit firm of Peat Marwick Main & Co. has completed their examination of the Annual Financial Report prepared by Metro's Accounting staff. Kurt Hatch, Audit Manager, and Joe Hoffman, Partner of Peat Marwick Main & Co., are present to discuss their opinion on Metro's combined financial statements as well as the various other reports required of them by the Single Audit Act of 1984 and state of Oregon.

A copy of Metro's Annual Financial Report and Schedule of Federal Financial Assistance has previously been distributed to the Council and is available upon request to other interested parties. The two primary changes in this year's financial report are the disclosures required under Statement Five of the Governmental Accounting Standards Board, the addition of the Convention Center Debt Service Fund, and the appropriation level reporting at the finer level of detail adapted by Council.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends acceptance of the reports and forwarding of same to the appropriate government agencies.

RP/DRC/sm/v1

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CONSIDERING	)	RESOLUTION NO. 88-1015
REPORT OF INDEPENDENT CERTIFIED)	
PUBLIC ACCOUNTANTS ON METRO'S	)	Introduced by the
FY 1988 ANNUAL FINANCIAL REPORT	)	Finance Committee
AND SCHEDULE OF FEDERAL FINANCIAL)	
ASSISTANCE)	

WHEREAS, the Metropolitan Service District is required to have an annual independent audit of their financial statements and schedule of federal financial assistance; and

WHEREAS, the Metropolitan Service District has prepared the required annual financial statements and schedule of federal financial assistance; and

WHEREAS, Peat Marwick Main & Co., has completed the audits required and prepared a report thereon; and

WHEREAS, the Finance Committee has reviewed and considered the annual financial report, schedule of federal financial assistance and the opinions thereon presented by Peat Marwick Main & Co. dated October 14, 1988; and

WHEREAS, The Finance Committee recommends accepting these reports; now therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby accepts the annual financial report and schedule of federal financial assistance and approves its submittal to the proper agencies.

ADOPTED by the Council of the Metropolitan Service
District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CREATING A TASK	)	RESOLUTION NO. 88-1017
FORCE ON CONSOLIDATION OF CONVENTION,)	
TRADE AND SPECTATOR FACILITIES	)	Introduced by Presiding
	)	Officer Ragsdale and
	)	Councilor Knowles

WHEREAS, The Metro Council has adopted the Convention, Trade and Spectator Facilities Master Plan which declares its intent to establish a regional convention, trade and spectator facilities governance system in part as follows:

"As a matter of regional policy there should be only one operating commission for the regional inventory of major public convention, stadium, arena and related trade facilities. That commission will be responsible for operating these facilities and will be directly accountable to the Council of the Metropolitan Service District."

WHEREAS, The Metro Council created the Metropolitan Exposition-Recreation Commission (Commission) to operate the Oregon Convention Center and gave it an initial charge in part to:

"make recommendations to the Council of appropriate action regarding negotiations with local governments within the district for the transfer of appropriate facilities or operations to the Commission. The negotiations may include but are not limited to the transfer of assets and liabilities and operational responsibilities; transfer of employees; revenue and expenditure requirements; and schedules and charges and methods of determining charges."

WHEREAS, The City of Portland has expressed interest in discussing the consolidation of convention, trade and spectator facilities by preparing draft policies on consolidating the City's Exposition Recreation Commission operations with the Convention Center; and

WHEREAS, The Metro Council supports discussion of consolidation of convention, trade and spectator facilities under the operation of the Metropolitan Exposition-Recreation Commission; now, therefore,

BE IT RESOLVED,

1. That the metro Council creates a task force on consolidation of convention, trade and spectator facilities consisting of Mike Ragsdale (Chairman), Rena Cusma, David Knowles, Ted Runstein and Tom Walsh.

2. That the purpose of the task force is to assist the Metropolitan Exposition-Recreation Commission in the preparation of a consolidation plan and to guide the negotiations with other jurisdictions on consolidation.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1988.

Mike Ragsdale, Presiding Officer