



Agenda

COUNCIL MEETING

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: October 11, 1984

Day: Thursday

Time: 5:30 p.m.

Place: COUNCIL CHAMBER

Approx.
Time

Presented By

5:30 CALL TO ORDER
ROLL CALL

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

6:30 6. APPROVAL OF MINUTES
6.1 Minutes of the meeting of September 13, 1984

6:35 7. RESOLUTION
7.1 Consideration of a Resolution in opposition of Ballot Measure No. 2 Kirkpatrick

6:45 8. OTHER BUSINESS
8.1 Report on Solid Waste disposal rates, revenues and expenditures, and projections for 1985 Durig

7:00 8.2 Consideration of waiver of Personnel Rules Sims

7:15 9. COMMITTEE REPORTS

7:20 EXECUTIVE SESSION Carlson
(Held under the authority of ORS 192.660(2))

7:40 ADJOURN

Revised 10/4/84



Executive Officer Report

RICK GUSTAFSON, Executive Officer
METROPOLITAN SERVICE DISTRICT 527 SW Hall St., Portland, OR 97201-5287 503 221-1646

Date: October 11, 1984

Zoo Director

At the October 11 Council meeting, I will present a report on the status of the recruitment, the selection process and the Selection Committee.

Washington Transfer &
Recycling Center (WTRC)

The Advisory Group has completed the review and approval of the siting criteria. Letters of solicitation for sites were mailed to major commercial real estate brokers, Chambers of Commerce and other interested persons. Advertisements were placed in The Oregonian and Valley Times in early September. Staff has completed the inventory of available industrial sites and will present them to the Advisory Group on October 10. The Group will begin to review the evaluation of the sites using the Stage I criteria which includes:

- Distance from the center of waste
- Land use and zoning
- Transportation access

Happy Valley

Metro, at the request of DLCD, and the city of Happy Valley, served as a lead mediator role in addressing the City's housing density issue. The exercise was successful in gaining staff-level agreement on what will be done to produce an acknowledgeable plan.

Multnomah County
Landfill Criteria

The Multnomah County Commission will meet again on October 16 to outline a schedule for consideration of the changes in the landfill criteria in the County's zoning ordinance. The Planning Commission has been requested to review the staff amendments. When this has been done, the Commission will again consider the matter.

Gas Tax

Progress has been made in addressing the need for additional state gas tax revenue for regional transportation needs. The League of Cities Legislative Tax Force supported the JPACT proposal.

Public Facility Plan

Metro's Urban Services Forum, consisting of service planners and providers from around the region, successfully prepared and gained DLCD agreement on a new state rule implementing the statutory requirement for Public Facility Plans. The initial draft rule, prepared by DLCD, caused statewide concern that the actual provision of services would be hampered by the state's rule. The Metro draft solved these problems and, thereby, received widespread support.

Legislative Financial
Proposals

We are reaching agreement with ORCA to request funding from state-shared revenues, specifically the cigarette tax, for local governments including Metro and the regional councils. We are also meeting with the League of Oregon Cities and the Association of Oregon Counties to explore a consortium approach to obtaining this funding at the Legislature.

The final meeting of the House Task Force on Regional Government has been rescheduled to Friday, November 16, at 9:00 a.m., in Hearing Room "E" of the State Capitol. The committee will decide at this meeting what recommendations, if any, will be made to the Legislature.

NARC Meetings, San Antonio

Don Carlson and I attended a computer management workshop prior to the Executive Directors' Conference last month in San Antonio. The workshop was sponsored by IBM and stressed the importance of management involvement in the planning and implementation of a computer system. Based upon this experience, Metro's computer needs will be the subject of future budget discussions.

NARC Meetings (continued)

The Executive Directors' Conference also focused on management issues and the importance of strengthening state associations and their relationship with state governments. This certainly ties in with the work we have been doing with ORCA.

The larger NARC councils of government have formed a caucus which will meet on common issues and problems. The first official meeting will be held in February at the annual Federal Briefing.

New Employees

During the past three months the following positions have been filled:

July 1984

Visitor Services Worker 3
David Sivils (in-house)
Administrative Assistant--Solid Waste
Mary Jane Aman

August 1984

Clerk of the Council
A. Marie Nelson (in-house)

Secretary (Zoo Admin./Kay Rich)
Carol Nelson (in-house)

Grants/Contracts Specialist
Herman Brame

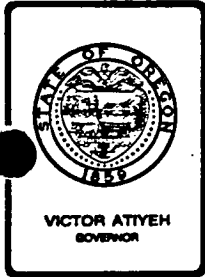
Maintenance Worker 1 (B&G)
Richard Wood (in-house)
Sarah Mathis (reinstatement
from layoff)

September 1984

Analyst 1 (Public Affairs)
Leigh Zimmerman (in-house)

Gatehouse Attendants
Ann Leers and William Hartel

SEP 18 1984



Department of Land Conservation and Development

1175 COURT STREET N.E.; SALEM, OREGON 97310 PHONE (503) 378-4926

September 17, 1984

The Honorable Corky Kirkpatrick,
Presiding Officer of the Council
Mr. Rick Gustafson,
Executive Officer
Metropolitan Service District
521 S.W. Hall
Portland, OR 97201

Dear Mrs. Kirkpatrick and Mr. Gustafson:

I am pleased with the sincere efforts by all concerned to achieve agreement on the housing density issues in the Happy Valley comprehensive plan. Within the legal limits which govern this state agency, I want to communicate the Department's support for the concepts outlined in the attached statement.

We believe these concepts represent a valid approach toward compliance with the density requirements of the Metropolitan Housing Rule (OAR 660.07.000--040). Assuming that the City of Happy Valley adopts plan policies and implementing codes adequate to enact these concepts, and barring irrefutable challenge raised during public review, the Department will recommend these plan provisions for acknowledgment.

It is our understanding that Goal 10 issues not covered by the attached statement, as well as other Goal matters, will be covered by Department review in the next few weeks. I am hopeful that these items can be handled successfully and expeditiously.

Sincerely,



James F. Ross, Director

JFR:JS:LS

cc: James Carskadon

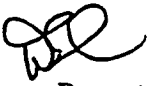


Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201-5287 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: October 11, 1984

To: Metro Council

From:  Donald E. Carlson, Deputy Executive Officer

Regarding: APPROVAL OF ZOO SERIAL LEVY AND BALLOT MEASURE 2

The Zoo serial levy passed in May, 1984, by the following margin:

| <u>Yes</u> | <u>No</u> | <u>Total</u> |
|---------------|--------------|----------------|
| 171,369 (65%) | 93,517 (35%) | 264,886 (100%) |

If Ballot Measure 2 were in effect at that time, it appears the levy measure would have failed because it would not have met the double majority requirements of Measure 2. Measure 2 includes the following language:

Article XI, Section 11.A(6)(a): Notwithstanding subsection (1), from and after the effective date of this amendment, the State, each city, county, special district, school district, or other taxing unit of or within the state may increase a tax rate or special assessment or may levy a new tax or special assessment, if such action would cause an increase in governmental revenues, only by a majority vote of the legal voters of the taxing unit voting on the question, provided that at least fifty percent (50%) of the legal voters of the taxing unit vote on the question. (emphasis ours)

Data from the three county election departments shows that only 48.0% of the District voters voted on the question even though 50.8% of the District voters showed up at the ballot box. Almost 3% of the voters receiving ballots did not cast a vote on the Zoo levy measure. The undervote was sufficient to cause the levy measure to fail, according to the voting provisions of Ballot Measure 2. The data on the May, 1984, Zoo serial levy election is as follows:

| | | |
|-------------------------------------|---------|-------|
| Total Registered Voters in District | 551,449 | |
| Total Voters Receiving Ballots | 280,398 | 50.8% |
| Total Voting on Zoo Levy Measure | 264,886 | 48.0% |
| Total Undervote | 15,512 | 2.8% |

DEC:amn



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: October 11, 1984
To: Donald E. Carlson, Deputy Executive Officer
From: Eleanore S. Baxendale, General Counsel

Regarding: LABOR NEGOTIATIONS PROCESS

If the Union and Metro are unable to come to an agreement on wages, the Union or Metro may notify the Employment Relations Board. The notice describes the issues on which the Union and Metro have failed to reach agreement.

The Board appoints a mediator. The mediator meets separately with each party and continues the negotiations. If there is no agreement after 15 days, the parties, individually or jointly, may request factfinding. Whatever compromises were proposed at mediation are not adopted as the parties official positions for factfinding; the parties return to their original positions.

At factfinding, a factfinder or a panel conducts contested case style hearings. Within 30 days after the hearing the factfinder issues a report separately to the parties. If the parties do not accept the findings within 5 days, the findings are published. The parties share the cost of factfinding equally.

There is no binding arbitration after factfinding, although at any time prior to the publishing of the findings the parties may voluntarily agree to binding arbitration. The employees may strike thirty days after the factfinding is made public. Injunction may be available if there is a clear and present danger or threat to the health, safety or welfare of the public.

ESB:amm

COMPARISON OF \$/HOUR INCREASES

| | | |
|----------------------|--------------|-----------------|
| Average Union Wage | \$ 9.46/Hour | (49 Employees) |
| Median and Mode Wage | \$10.19/Hour | (Animal Keeper) |

| | <u>\$.35/Hour</u> | <u>\$.30/Hour</u> | <u>Difference</u> |
|---|-------------------|-------------------|-------------------|
| Highest % Increase (Typist/Receptionist) | 6.0 | 5.1 | .9 |
| Lowest % Increase (Maintenance Mechanic) | 3.2 | 2.7 | .5 |
| Average % Increase (\$9.46/Hour) | 3.7 | 3.2 | .5 |
| Median and Mode % Increase (\$10.19/Hour) | 3.56 | 3.05 | .51 |
| Total Increase in Wages and Fringe | \$46,374 | \$39,235 | \$7,139 |

COMPARISON OF TOTAL ANNUAL COSTS TO METRO
OF VARIOUS PROPOSALS

Total Wage and Fringe Costs at:

| | |
|---------------------|----------|
| 2% Increase | \$25,078 |
| 3% Increase | 37,618 |
| \$.30/Hour Increase | 39,235 |
| \$.35/Hour Increase | 46,374 |
| 4.8% Increase | 59,623 |

DEC:amn
10/11/84

10/03/84

WAGE NEGOTIATIONS - METROPOLITAN AREA

| <u>Jurisdiction</u> | <u>Union</u> | <u>Agreement FY 1984 - 85</u> |
|-------------------------------|--|--|
| City of Portland (Melinda) | Police | Refused 4%, into arbitration |
| | Fire | Refused 4%, into fact finding |
| Port of Portland (Pam) | Dist. Council of Trade Unions (9) | 40 cents across the board |
| | COPEA (Engineers) | not settled |
| | (non-represented employees | .40cents across the board belc 4% beyond, a selected salary level) |
| | Police | 6% 1984, one new personal holiday, cost containment on medical plan, 3% 1985, 5% 1986 |
| Beaverton (Gay) | Fire | 6% 1984, Freeze 1985 |
| | Landscapers (483) | Still on "hold" since 1983 |
| | Airport general Maint., Gardeners, Bldg Maint. | Continuing the 83-86 contract of COLA at one cent for every .4 CPI increase, deleted 50 cent/hour across th board traditionally included in previous contracts. |
| | Police | Into fact finding |
| Lake Oswego (Bob) | Police | 4% |
| | OPEU (Gen Emp.) (Mgmt personnel | 4% 4%) |
| Tigard (Jerry) | Fire, Police & gen. employees | Salaries frozen previously 7% across the board '84-'85 |
| | Police | 3% COLA, retained Blue Cross plan 4 |
| Hillsboro (Tim) | Fire | 3% COLA, reduced to Blue Cross plan 2 |
| | OPEU | Wage reopener not yet started |
| | Police | Previously lower than region, 1.5% july/1.5% Jan./1.5 April and increased fringe costs covered |

| <u>Jurisdiction</u> | <u>Union</u> | <u>Agreement FY 1984 - 85</u> |
|------------------------|-------------------------------------|---|
| Hillsboro (Con't.) | Fire | 1%, \$5.00/Shift/Employee for meals, and increased fringe costs |
| | (Non-organized employees | 2.5%) |
| Oregon City (Vivian) | Fire | 4.6% |
| | AFSCME | 5.5% |
| | Police (Management | Currently in Mediation 4.6%) |
| Multnomah Co. (Sue) | Correction officers | no agreement since 1982; have now been decertified |
| | Gen. Employees (AFSCME), Deputies, | |
| | Nurses | 4% |
| | (Non-represented mngmnt | 4%) |
| Washington Co. (Sandy) | Public Works | 3.5% |
| | Nurses | 3% |
| | Public Safety and dispatchers | 3%-5% currently under consideration by the board of County Commissioners |
| Clackamas Co. (John) | 2 AFSCME Units Co. Employees Assoc. | 3% 7/1/84, 3% 1/1/85 |
| | Peace officers and Prob/Parole | 3% 7/1/84, 3% 1/1/85 & \$10.00/mo longevity pay increase |
| | (Management | 3% 7/1/84, 3% 1/1/85) |
| Gresham (Bill) | Police | Currently on 2nd year of 3 year contract - received 4% on wage reopener. |
| | Gen. Employees (Teamsters) | 4% |
| | Fire | Finished fact finding (3% offered by city favored) Fire now requesting arbitration. |
| | (Non-represented | 4%) |

| <u>Jurisdiction</u> | <u>Union</u> | <u>Agreement FY 1984-85</u> |
|---------------------|----------------------|---|
| Milwaukie (Jo) | Police | On second year of 2 year contract, freeze last year; Received 4% on a CPI-based formula |
| | Fire | On second year of 2 year contract, freeze last year; went to arbitration and received 4% 7/1/84, 2% 1/1/85 2% 3/1/85 (Actual cost to city 5.7% - package "sold" as 8% cumulative) |
| | Gen. Employee Assoc. | Freeze last year; first year of 2 year contract receiving 4%; second year is CPI-based formula less any cost increases for medical benefits. 4% for most - others individually adjusted.) |
| | (Management | |

NOTE: State Conciliator (John Vale) has remarked that increases in Metropolitan area have been 4 to 5 percent on average, higher than other areas of the state.

Jean Orcutt, 12831 S.E. Morrison, Portland, testified she interpreted the proposed contribution to the CWFF as buying influence for Metro. She also said she resented the waste of spending \$17,000 to secure a Zoo Director and the passage of Ballot Measure No. 2 would stop such government waste.

There being no further comment, Presiding Officer Kirkpatrick said a public hearing and a vote on whether to adopt Ordinance No. 84-179 would be held at the next Council meeting.

8.1 Consideration of Resolution No. 84-496, for the purpose of supporting the Columbia-Willamette Futures Forum Critical Choices 1984 Conference

Ray Barker explained the Resolution before the Council would establish Metro as an organizational affiliate of the CWFF conference and as such, Metro would provide public support by encouraging conference participation by providing information about the conference through the Metro mailing list and/or newsletter. Mr. Barker said this support could be provided at little or no additional cost to Metro if conference information were provided in connection with another mailing.

Councilor Van Bergen asked if Counsel had reviewed the Resolution for possible conflict of interest. Ms. Baxendale said she had not. Councilor Ban Bergen then said he was concerned about supporting an effort that could turn out to be a political endeavor. He suggested Metro continue to be a "supporter" and not become an "organizational affiliate".

Councilor Hansen spoke in support of the Resolution saying CWFF had been producing valuable work on topics that were very important to Metro.

Motion: Councilor Kafoury moved for adoption of Resolution No. 84-496. Councilor Cooper seconded the motion.

Councilor Waker was concerned about the term "organizational affiliate" and said he would not vote to support an ill-defined effort.

Councilor Kelley said she was also concerned about the wording of the Resolution because if Metro's role were perceived to be self-serving, the results would be a failure for everyone. She said she would prefer that CWFF had a broader based, regional support.

Motion: Councilor Williamson moved to amend the proposed Resolution as follows: 1) delete the third paragraph ("Whereas, the CWFF has requested that Metro become an "organizational affiliate" in order to strengthen the broad-based coalition of organizations and governments in the region"); 2) delete the first paragraph after "Be it resolved" ("That Metro become an organizational affiliate to the Critical Choices 1984 Conference"); and 3) from the second paragraph, delete the number "2" and the phrase "as an organizational affiliate". Councilor Waker seconded the motion.

Vote: The vote on the motion to amend the Resolution resulted in:

Ayes: Councilors Banzer, Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Van Bergen, Waker, Williamson and Kirkpatrick

Absent: Councilor Oleson

The motion carried and Resolution No. 84-496 was amended.

Vote: The vote on the main motion, as amended, resulted in:

Ayes: Councilors Banzer, Bonner, Cooper, Hansen, Kafoury, Kelley,
Van Bergen, Waker, Williamson and Kirkpatrick

Abstain: Councilor Deines

Absent: Councilor Oleson

The motion carried and Resolution No. 84-496 was adopted as amended.

8.2 Consideration of Resolution No. 84-491, for the purpose of establishing
an interim management strategy for the St. Johns Landfill, the region's
only general purpose sanitary landfill

Dan Durig explained the Resolution had been introduced to Council at the meeting of August 23, 1984. At that meeting, Council had moved to amend the Resolution and those changes had been incorporated into the document now before the Council for adoption. Mr. Durig said the changes in item 4 would put Metro on record as urging Senate Bill 405 to go into effect as quickly as possible. Mr. Durig also said he thought the variety of comments received at the last Council meeting had served to strengthen the Resolution and thus provide Metro with a clear policy direction for continuing to institute an interim landfill management strategy.

In addressing item 4 of the revised Resolution, Councilor Waker said he had received Dennis Mulvihill's memo dated September 7, 1984, which referred to two lists of recyclable materials. He said he would not support item 4 because, without seeing DEQ's lists of what would be considered recyclable materials, he could not endorse DEQ's recycling program.

Councilors Bonner and Deines both agreed that item 4 of the Resolution should be amended. Councilor Bonner said he wanted section 4 to address specific Metro recycling programs.

Motion: Councilor Deines moved to adopt the Resolution and to amend it by deleting item 4. Councilor Waker seconded the motion.

Presiding Officer Kirkpatrick said she recalled the Council had instructed staff to revise the Resolution to include language about recycling, recognizing that waste reduction would be a significant part of the interim management strategy. However, she said when more is known about the outcome of Senate Bill 405, Metro can develop a specific recycling policy as it relates to this issue.

Councilor Cooper said he thought efforts should be made to involve Clark County in the interim strategy since their landfill will also be closing in four years. Mr. Durig responded that staff had good communication with

Clark County via the Bi-State Policy Advisory Committee. He also said the Interstate Commerce Clause posed special problems in handling solid waste across state boundaries but both parties were continuing to work for solutions.

Vote: The vote on the motion to adopt Resolution No. 84-491, as amended, resulted in:

Ayes: Councilors Banzer, Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Van Bergen, Waker, Williamson and Kirkpatrick

Absent: Councilor Oleson

The motion carried and Resolution No. 84-491 was adopted as amended.

9. COMMITTEE REPORTS

Councilor Bonner reported the Management Committee approved the contract to assist with the recruitment and selection of a Zoo Director. The Committee had also approved a contract with the firm of Barney & Associates to establish a regional criminal justice program. He reported the matter of establishing a task force to assist and direct the consultant would be brought before the Council at a later date.

The Presiding Officer said she attended a recent Friends of the Zoo meeting as an alternate for Councilor Kafoury. The Friends are involved in two major fund raising events: The Penguin Ball and This Bud's for the Zoo. She urged Councilors to participate in both events.

10. OTHER BUSINESS

10.1 Criteria for Selecting Hearings Officers

In response to a previous request of the Council to explain the process for selecting hearings officers, Ms. Baxendale reported hearings officers are designated by ordinance to hear contested cases involving land use, personnel and permit issues. She also explained the ordinance provides for the Council to establish a list from which the Executive Officer will choose a hearings officer for each case. The Executive Officer currently chooses officers who are experienced in hearing specific types of cases, she said. Also, the current Personnel Rules allow an employee to choose one officer from a list of at least three to hear grievances. These current policies explain why the list system exists, she said.

Ms. Baxendale further explained Metro was responsible for designating an officer for each case who would take a neutral position and would listen to the facts as presented. For example, she said, Metro does not advocate particular position in land use cases. Rather, Metro represents the public interest by upholding its land use ordinances and policies.

In summary, Ms. Baxendale reported a change in current policy of selecting hearings officers would require a change in Metro's Ordinance.

Councilor Van Bergen said he was not discontent with the current policy but would prefer a system where hearings officers were chosen from a list on a rotating basis in order to avoid any potential for bias. He said the current practice of choosing an officer because he/she knows more about

land use cases could be construed as bias. An officer could, by nature of not being an expert in land use matters, provide an unbiased perspective, he said.

Councilor Waker said he was satisfied with the current process. Councilor Williamson said he was also satisfied and would consider changing the policy only if Metro received specific complaints about the current policy.

With no further dissent, the Presiding Officer said the current practice of selecting hearings officers would continue.

10.2 Senate Bill 405 Update

Dennis Mulvihill presented an overview of the history of SB 405. Of concern to Metro, he said, would be the manner in which recycling opportunities would be offered, specifically curbside collection. Mr. Mulvihill said he had served on a task force along with other representatives from local jurisdictions, the hauling industry, end markets, brokers and other government agencies, to assist the State Department of Environmental Quality (DEQ) in writing guidelines and rules to accomplish the priorities set out in SB 405.

Mr. Mulvihill said the task force had completed a draft set of rules which he distributed to Councilors. He explained these rules have not yet been accepted by all of the task force members but he said all the members were committed to increasing recycling efforts and he was confident a set of rules would soon be produced that would be satisfactory to all.

Mr. Mulvihill then introduced Bill Bree, Waste Reduction Program Coordinator for the DEQ, who addressed the Council regarding the status of the rules adoption process and implementation of the rules. Mr. Bree explained the draft rules would be presented to the Environmental Quality Commission (EQC) at a hearing in Portland on October 1, 1984. He then reviewed the major elements of the proposed rules. One major provision of the rules was that cities of a population of 4,000 or more would receive curbside recycling services. Because Metro is within one urban growth boundary, he said the entire District would receive curbside services, even small cities of less than 4,000 in population. Mr. Bree also reported the task force was proposing four waste sheds for the Metro area: one for each of the three counties, excluding the Portland city limits, and one for the City of Portland. Under the proposed rules, Metro would be excluded from becoming involved in collection services, he said.

Presiding Officer Kirkpatrick asked for three volunteers from the Council to work with Mr. Mulvihill to review the "Proposed Rules for the Implementation of the Recycling Opportunity Act", as circulated by Mr. Bree, and report back to the Council on September 25, 1984, on what Metro's testimony should be before the EQC on October 1, 1984. Councilors Waker and Hansen volunteered. There being no third volunteer, the Presiding Officer said she would also serve if she determined Councilors absent at this meeting were not available to serve.

Councilor Waker asked Mr. Mulvihill if the materials listed in the third paragraph of his memorandum dated September 7, 1984, represented an accurate list of materials proposed to be handled by recycling wastesheds. Mr. Mulvihill responded that although every landfill or city may not be required to recycle all the materials listed, the opportunity must be presented at one place in each waste shed to recycle all the materials.

Mr. Milvihill added that the list of recyclable materials was based on a number of factors including the availability of markets for the materials. He said SB 405 contained specific language regarding these factors.

In answer to Councilors' questions, Mr. Mulvihill explained that local jurisdictions would need to decide how to govern the collection of recyclables and how best to design their education and promotion programs. These efforts would take place on both regional and local levels, he said, and Metro would take an active role in the regional promotion and education and in coordinating the efforts of the local jurisdictions. However, Mr. Mulvihill said Metro staff would not volunteer to explain new legislation to the public until the specific rules were established and Metro was asked to provide such services.

Presiding Officer Kirkpatrick pointed out that if Metro wanted to change the proposed rules to allow the District to be one waste shed, staff and the Council would have to take an immediate, active role to bring about these changes by November 1, 1984. Mr. Mulvihill replied the current waste shed designations, as discussed in the DEQ report, had been assigned for reporting purposes only and this would not preclude Metro from establishing a single waste shed for the District.

The Presiding Officer invited Councilors to ask questions of Mr. Mulvihill and to submit comments to him or herself before the November 1 hearing date.

EXECUTIVE SESSION

Presiding Officer Kirkpatrick called the Council into Executive Session at 7:50 p.m. under the authority of ORS 192.660(1)(h). Present were Councilors Bonner, Cooper, Deines, Hansen, Kelley, Van Bergen, Waker, Williamson and Kirkpatrick.

ALASKA TUNDRA LITIGATION

In the Presiding Officer's absence, Vice-Presiding Officer Bonner reconvened the regular session of the Council at 8:25 p.m.

Motion: Councilor Williamson moved to authorize Legal Counsel to file suit against the surety company at such time deemed most suitable by Counsel. Councilor Hansen seconded the motion.

Vote: The vote on the motion resulted in:

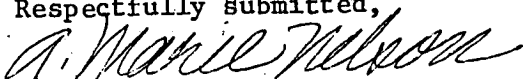
Ayes: Councilors Bonner, Cooper, Deines, Hansen, Kelley, Van Bergen, Waker and Williamson

Absent: Councilors Banzer, Kafoury, Oleson and Kirkpatrick

The motion carried.

There being no further business, the Vice-Presiding Officer adjourned the meeting at 8:30 p.m.

Respectfully submitted,



A. Marie Nelson, Clerk of the Council



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: October 4, 1984

To: Metro Councilors
Executive Officer
Interested Staff

From: Marie Nelson, Clerk of the Council

Regarding: EXECUTIVE SESSION OF THE COUNCIL
MEETING OF OCTOBER 11, 1984

Please be advised there will be an Executive Session, held under the authority of ORS 192.660(2), on October 11, 1984. The session will be at the end of the regular Council meeting. Staff will report on the current status of labor negotiations. A revised agenda is attached.

Public notice of the Executive Session will be provided via publication of meeting notices in local newspapers.



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: October 11, 1984
To: Metro Council
From: Rick Gustafson, Executive Officer
Regarding: STATUS REPORT ON ZOO DIRECTOR SELECTION

The recruitment of a new Zoo director is well underway and I want to provide you with a status report and information on the final selection process. Our current timetable is as follows:

| | |
|----------|--|
| October | Recruitment of potential candidates. Screening of applications. Narrowing of applicants to 30-40 candidates. Interviews of the 30-40 candidates by Roger Pringle of The Pringle Company. |
| November | Review of candidates interviewed and rated by Mr. Pringle. Narrow candidates to 3-5 finalists. Finalists and spouses brought to Portland for a two-day visit to meet with Selection Committee, Council, Friends of the Zoo Board and other Zoo supporters. |
| December | Final selection. |

This timetable will, of course, depend on when interviews can be scheduled and whether or not the Selection Committee is satisfied that the finalists meet our selection criteria. We will delay our invitation to finalists until after the November 6 election. The passage of Ballot Measure 2 would have a serious impact on the Zoo and could also impact our ability to hire a director who meets our criteria. A potential director needs to be aware of the future financial situation and decide whether or not that is something he or she can manage.

Status of Recruitment

Currently, there are approximately 75 applicants for this position. They are a result of published announcements in the AAZPA newsletter, ads in newspapers and affirmative action publications, contacts made at the AAZPA convention and the

Memorandum
October 11, 1984
Page 2

efforts of Roger Pringle of The Pringle Company. Mr. Pringle has been contacting zoo directors and others in the field to locate potential candidates. He anticipates a final candidate list of 75 to 100. The position will remain open until we are satisfied we have candidates who meet our criteria.

Roger Pringle will screen all the applications and select the top 30-40 candidates who should be interviewed. In evaluating candidates, Mr. Pringle intends to work with members of the Zoo community. He will then travel throughout the country to interview those candidates and check their references. Upon his return the Selection Committee will meet to review the results and determine the finalists who will be brought to Portland for interviews.

Selection Criteria

Attached is a list of the criteria which will be used in selecting a director and which has been included in the required qualifications of the position description which is also attached. This criteria has been developed as a result of meetings with Zoo staff, Zoo supporters, Councilor Marge Kafoury, the Selection Committee and our consultant. In all of the discussions, there were several points that were considered important in establishing the criteria -- the director should continue the external role that Warren Iliff has played with emphasis on fund-raising and public relations; direct Zoo experience is not required but desirable; an understanding of the resources needed to implement programs and projects is needed, and the goals and philosophy of the Zoo should be continued.

Selection Committee

I have established a Selection Committee to assist me in the interviews and evaluation of the finalists. The Committee consists of Councilor Kafoury; Grant Stebner, President of the Friends of the Zoo Board; Bob Scanlon, member of the Cascades Committee; and Delores Winningstad, member of the Friends of the Zoo and supporter of such events as the Jane Goodall visits. I felt it was important to include people who are familiar with our Zoo and the Portland community on the Selection Committee.

This committee will be responsible primarily for providing me advice following interviews and meetings with the finalists.

Two-Day Visit with Final Candidates and Their Spouse

In order to meet personally with the finalists and allow them to become familiar with Metro, the Zoo and our community, we plan to bring the finalists and spouses to Portland for a two-day visit. A proposed schedule is attached.

Memorandum
October 11, 1984
Page 3

It is designed so that the Selection Committee, Council, Friends of the Zoo, staff and Zoo supporters can spend some time with the candidates and allow me and other members of the Selection Committee to view the candidates in different situations.

I intend to report to you regularly on the status of the Zoo director selection. Please do not hesitate to contact me if you have suggestions as to the process or names of potential candidates. You will be given the opportunity to meet with the finalists when they are in Portland.

SR/gl
2081C/D2-3

PROPOSED TWO-DAY SCHEDULE
FOR
ZOO DIRECTOR CANDIDATES

FIRST DAY:

| | |
|-------------|---|
| Morning | Briefing on Metro, Zoo and Portland community with Rick Gustafson. |
| Noon | Informal lunch with Executive Officer, Presiding Officer. |
| Afternoon | Tour of Zoo facility with staff; briefing on Zoo's budget, capital program, etc. |
| (FREE TIME) | |
| Evening | Reception with about 50-60 Zoo supporters including Council members and Friends of the Zoo Board. |

SECOND DAY

| | |
|----------------|--|
| Morning | Interview with Selection Committee. |
| Noon | Informal lunch meeting; attendance to be determined. |
| Afternoon | FREE TIME |
| Late Afternoon | Wrap-up session with Executive Officer. |

2081C/D2

SELECTION CRITERIA
WASHINGTON PARK ZOO
DIRECTOR SEARCH

1. Management/Leadership Qualifications

- inspirational leadership skills
- participative management approach
- team building know-how

2. Knowledge Requirements

- familiarity with zoo operations and construction requirements
- knowledge of zoo and animal management terminology
- thorough understanding of management principles and methods (e.g., planning, budgeting, goal setting, personnel management, etc.)
- knowledge of fund-raising techniques, approaches, etc.
- college level education in management and/or a pertinent science discipline is preferred

3. Prior Experience

- zoo management experience (or closely related experience) is highly desirable
- successful management experience at a senior level in a large organization is mandatory
- public administration experience is desirable, although quality private sector management experience may be substituted

4. Philosophical Views

- candidates must share the Washington Park Zoo philosophy of animal management (i.e., animals are used for educational and, to some extent, research purposes, not simply for public entertainment; zoo animals are to be respected and appreciated).

5. Personal Skills and Characteristics

- high level public relations skills including personal presentability and enthusiasm for public contact
- excellent communications capabilities, including written, oral and listening skills
- a sense of public service and commitment
- a sense of humor

METROPOLITAN SERVICE DISTRICT (METRO)
EXECUTIVE POSITION DESCRIPTION

| | |
|-----------------------------|--|
| POSTION TITLE | Zoo Director |
| REPORTS TO | Executive Officer, METRO |
| SUPERVISES | All Zoo Division Heads (Animal Management, Education Services, Visitor Services, Public Relations, and Buildings and Grounds). Also accountable indirectly for all Zoo employees (80 full-time during the off-season and approximately 120 FTE during the busy season). |
| DEPARTMENT BUDGET | 1984 budget totals \$7,000,000, consisting of \$5,000,000 tax revenues, and approximately \$2,000,000 in operating revenues (admissions, food service, gift shop, etc.) |
| SUMMARY OF RESPONSIBILITIES | The Zoo Director is responsible for overall management of the Washington Park Zoo. Areas of management accountability include animal management and research, education, buildings and grounds, visitor services, public relations, financial affairs and personnel services. A major component of the position encompasses long range planning and fund raising to support capital projects and operations. |

RESPONSIBILITIES

1. Implement policy adopted by the Metro Council and serve as the primary contact between the Council and the Zoo.
2. Develop program needs and goals; direct program implementation; identify program problems, seek resolution of problems; and recommend adoption of policies to carry out and support programs.
3. Plan and direct activities in development of facilities or exhibits.
4. Carry out extensive fund-raising and community support activities, including numerous appearances and membership on civic committees.
5. Review preparation of the annual budget to ensure consistency with program goals; present budget to the Executive Officer and Council; review Zoo expenditures periodically to ensure adherence to budgeted programs.

6. Develop and maintain liaison with local and government officials, representatives of agencies, private businesses and community organizations and the general public to obtain their financial, policy or program support for the Zoo or to resolve problems or complaints.
7. Serve as the principal representative of the Zoo at meetings with the Executive Officer and Council, at fund-raising and other public relations activities and in all contacts associated with overall Zoo planning and development.
8. Authorize the appointment and dismissal of all Zoo employees.
9. Supervise and assign responsibilities to the Assistant Director including preparation and administration of Zoo budget; administration of the personnel system; labor, construction and general services contract administration; general day-to-day operational matters, etc; meet regularly with the Assistant Director and Zoo staff to review programs and activities.

QUALIFICATIONS

Candidates must be proven professional managers capable of working effectively in a team management environment. Management ability must include normal direction, control, etc., and visionary qualities required in a changing public service environment.

Specific required qualifications include the following:

Management/Leadership

- inspirational leadership skills
- participative management approach
- team building know-how

Knowledge

- familiarity with Zoo operations and construction requirements
- knowledge of zoo and animal management terminology
- thorough understanding of management principles and methods (e.g., planning, budgeting, goal setting, personnel management, etc.)
- knowledge of fund raising techniques, approaches, etc.
- college level education in management and/or a pertinent science discipline is preferred

Prior Experience

- Zoo management experience (or closely related experience) is highly desirable
- successful management experience at a senior level in a large organization is mandatory
- public administration experience is desirable, although quality private sector management experience may be substituted
- experience working with or as a part of support organizations is desirable

Philosophical Views

- candidates must share the Washington Park Zoo philosophy of animal management (i.e., animals are used for educational and, to some extent, research purposes, not simply for public entertainment. Zoo animals are to be respected and appreciated.)

Personal Skills and Characteristics

- high level public relations skills including personal presentability and enthusiasm for public contact
- excellent communications capabilities, including written, oral and listening skills
- a sense of public service and commitment
- a sense of humor

COMPENSATION

Annual salary in a range of \$42,500 to \$56,000, plus fringe benefits (details available).

ORGANIZATION BACKGROUND

Metro is the nation's first and only directly elected regional government. Metro is governed by 13 elected officials including an Executive Officer elected region-wide and 12 Councilors elected from subdistricts. Metro's boundaries encompass the urbanized area surrounding Portland, Oregon and include a population of nearly one million, 24 cities and parts of three counties.

Metro is accountable for the Zoo, the region's solid waste disposal system, transportation planning, and coordination with local governments on various planning and development matters.

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF THE ORDINANCE ESTABLISHING THE
LOCAL OFFICIALS ADVISORY COMMITTEE FOR THE
INTERGOVERNMENTAL RESOURCE CENTER

Date: October 10, 1984

Presented by: S. Siegel

FACTUAL BACKGROUND AND ANALYSIS

On September 25, 1984, the Council approved a legislative package for submission to Representative Otto's Regional Government Task Force. Included in the package was proposed language for amending ORS 268.513 Service Charge for Planning Functions of District. This amendment requires the Metro Council to "consult with the local government officials advisory committee appointed under ORS 268.170 in determining whether it is necessary to charge cities and counties...for services...." This ordinance establishes an advisory committee to comply with this requirement.

The proposed committee structure was prepared in consultation with key staff from most of the major governmental entities in the District. This proposal was first described to the Council in June 1984. The attached ordinance is virtually identical to the initial proposal. An outline of the ordinance has been recently mailed to the chief officers of all affected policy boards in the District.

To meet the dues notification date requirement, the advisory committee must make its dues recommendation to the Metro Council by mid-February. To meet this deadline, the process of gaining committee appointments must begin in December. Therefore, Council establishment of the committee is needed in November.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of the Ordinance.

SS/gl
2157C/392-2
10/11/84

DRAFT

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

| | | |
|-----------------------------------|---|---------------|
| AN ORDINANCE FOR THE PURPOSE OF |) | ORDINANCE NO. |
| ESTABLISHING A LOCAL OFFICIALS |) | |
| ADVISORY COMMITTEE FOR THE INTER- |) | |
| GOVERNMENTAL RESOURCE CENTER |) | |

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Establishment of Intergovernmental Coordination
Committee and Overall Mission

The Council of the Metropolitan Service District hereby establishes the Intergovernmental Coordination Committee (ICC) as the local officials advisory committee for the Intergovernmental Resource Center (IRC) under the provisions of ORS 268.170. The mission of the ICC is to promote intergovernmental cooperation and coordination as a means for resolving issues of mutual concern.

Section 2. Specific Charge for the Intergovernmental
Coordination Committee

(a) Recommend the annual work program and budget for the IRC to the Council of the Metropolitan Service District.

(b) Recommend the annual intergovernmental consensus building program to the Council of the Metropolitan Service District including: (1) the priority issues meriting intergovernmental attention, (2) the general composition of associated task forces/committees, and (3) the specific charges to the associated task forces/committees.

(c) Recommend amendments, when required, to the work program or regional consensus building program to the Council of the Metropolitan Service District.

Section 3. Membership of the Intergovernmental Coordination
Committee

(a) The ICC is composed of the following membership:

| <u>Representative(s)</u> | <u>Jurisdiction</u> |
|--------------------------|--|
| 1 | Clackamas County |
| 1 | Multnomah County |
| 1 | Washington County |
| 1 | Cities of Clackamas County |
| 1 | Cities of Multnomah County |
| 1 | Cities of Washington County |
| 1 | City of Portland |
| 1 | Port of Portland |
| 1 | Tri-County Metropolitan Transportation District |
| 1 | State of Oregon |
| 3 | Metropolitan Service District |

(b) The specific appointment of a representative is to be made by the governmental entity(ies) served by that representative.

(c) ICC membership is limited to members of policy bodies or chief executive officers from the above-mentioned governmental entities.

(d) The chairperson of the ICC will be appointed by the Council of the Metropolitan Service District.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1984.

Presiding Officer

Attest:

Clerk of the Council

SS/gl
2157C/392-2
10/11/84

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Agenda Item No. 6.1

Meeting Date Oct. 11, 1984

September 13, 1984

Councilors Present: Councilors Banzer, Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Oleson, Van Bergen, Waker, Williamson and Kirkpatrick

Staff Present: Eleanore Baxendale, Jennifer Sims, Dan Durig, Dan LaGrande, Ray Barker, Norm Weitting, Doug Drennen, Leigh Zimmerman, Sonnie Russill, Mel Huie, Ed Stuhr, Mary Jane Aman, Dennis Mulvihill and Buff Winn

A regular meeting of the Council was called to order by Presiding Officer Kirkpatrick at 5:35 p.m.

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

2.1 Legislative Program Report

Presiding Officer Kirkpatrick referred Council to the report included in the agenda materials regarding Metro's proposal for financial stability. She said she would be presenting this proposal to the House Interim Committee the following day. Resolution No. 84-500, included in the report, would be considered for adoption on September 25, 1984, she said. In answer to Councilor Kelley's question, the Presiding Officer said Councilors would have an opportunity to add to the proposed program at a later date.

2.2 Lobbyist Contract Approval (Resolution No. 84-501)

Dan LaGrande explained the process for soliciting proposals and selecting a proposed contractor to serve as Metro's governmental relations representative for the 1985 legislative session. He said the selection committee recommended the firm of Martin & Associates based on Roger Martin's demonstrated knowledge and experience in working with the legislative and executive branches of state government. Mr. LaGrande said the fees quoted by the four firms submitting proposals were virtually identical.

Mr. LaGrande pointed out Resolution No. 84-501 had been revised to provide for review of the contract's work scope by the Management Committee on September 20, 1984, should the Council adopt the resolution at this meeting. Presiding Officer Kirkpatrick explained this provision had been added because some Councilors wanted more assurance about the contract work program. The Presiding Officer then introduced Roger Martin to the Council.

Councilor Deines thought it premature to discuss funding a contract when a specific legislative program had not yet been developed. The Presiding Officer said one of Mr. Martin's first responsibilities as contractor would be to develop such a program with assistance from the Council and staff.

Motion: Councilor Van Bergen moved for adoption of Resolution No. 84-501 which approved Contract No. 84-9-708. Councilor Williamson seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Oleson, Van Bergen, Waker, Williamson and Kirkpatrick

Absent: Councilor Banzer

Resolution No. 84-501 was adopted and Contract No. 84-9-708 was approved.

Other communications from Councilors included a report from Councilors Kelley and Oleson and Ray Barker regarding their recent visit to Victoria, B.C. to tour the Capital Regional District Park system. Councilor Kelley distributed a written summary to Councilors regarding the visit. She said she would be working with John Sewell and the Victoria regional park system to establish a sister park in the Metro area.

Councilor Deines reported he had attended the Government Refuse Collection and Disposal Association (GRCD) conference in Orlando in August. Of special interest to the Councilor were seminars regarding methane gas collection. He said he would prepare a written summary of the conference for later distribution to the Council.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Jean Orcutt, 12831 S.E. Morrison, Portland, expressed dissatisfaction that agenda materials relating to some items being considered by the Council had not been made available to the public.

6. CONSENT AGENDA

Motion: Councilor Kafoury moved approval of the consent agenda. Councilor Bonner seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Oleson, Van Bergen, Waker, Williamson and Kirkpatrick

Absent: Councilor Banzer

The motion carried and the consent agenda was approved.

7.1 Consideration of Ordinance No. 84-179, for the purpose of amending the Public Contract Procedures for emergency contracts, Code Sections 2.04.011 and 2.04.030 (First Reading)

Motion: Councilor Kafoury moved for adoption of the Ordinance and Councilor Bonner seconded the motion.

Eleanore Baxendale explained Metro's original contract procedures had included provisions for timely approval of emergency type contracts. The recently amended procedures, however, require Council approval of such contracts which could cause up to three week delays in getting emergency contracts approved. For example, Ms. Baxendale said a three week delay in executing the recent Zoo train emergency repair contract would have resulted in the loss of much revenue. She explained the Ordinance before the Council would not require a change in Metro's internal policies and would not be a breach of state contracting law.

Councilor Deines pointed out that under the former Council structure, the Council met often enough to approve contracts as need for approval arose. Because there are fewer meetings under the reorganized structure, staff must learn to plan ahead for contract approvals. Otherwise, more contracts will be considered to be emergency type contracts and they will be approved without public comment, he said. Councilor Deines added the Council would be abdicating its responsibility if Ordinance No. 84-179 were adopted.

Councilor Oleson asked if emergency type contracts could be approved via telephone conference calls. Ms. Baxendale responded that contracts between \$2,500 and \$50,000 could be approved by the Management Committee via such calls if staff could arrange to get a quorum of busy Councilors together. However, in the event of a true emergency, an effective emergency procedure would be the most desirable solution, such as the emergency procedures that were in effect six weeks ago, she said.

Councilor Waker said the types of contracts that would be covered under the proposed Ordinance would not be contracts effecting Metro policy. Rather, they would be similar to the contract for repairing the Zoo train engine where the decision was simply whether to make the repairs.

There being no further discussion, the Presiding Officer said a public hearing and a vote on whether to adopt the Ordinance would occur on September 25, 1984.

7.2 Consideration of Ordinance No. 84-178, for the purpose of amending Ordinance No. 84-172 and transferring appropriations (First Reading)

Jennifer Sims explained the Ordinance before the Council contained provisions to transfer funds from contingency for three purposes: 1) \$5,000 to provide funding assistance for the Columbia-Willamette Futures Forum (CWFF); 2) \$19,170 to provide funds for computer equipment; and 3) \$17,000 to fund the contract previously approved by the Management Committee for a consultant to assist with the recruitment and selection of a new Zoo Director.

Councilor Waker asked if other agencies were contributing to the CWFF. Ms. Sims said Tri-Met was also providing financial assistance.

Councilors Deines and Cooper were concerned that other government agencies were not helping to fund CWFF. Councilor Kafoury responded that the Council had directed CWFF to seek another funding source and then Metro would match those funds. She said they had succeeded in finding another source and now Metro should make good on its commitment.

Keith Lawton then explained staff's proposed plan for purchasing data processing equipment. Staff recommended purchasing Macintosh computers because they were versatile, economical and easy for non-computer people to use. He also explained staff had been invited to submit proposals on proposed equipment uses. Based on responses received, he had recommended the first two work stations be located in the Public Affairs and Solid Waste offices. Other work stations would be added if staff's conclusions about the appropriateness of the Macintosh computers proved to be correct, he said.

Councilor Kafoury questioned why staff had demonstrated a need for different types of computer equipment during the budget approval process. Mr. Lawton explained that special auxiliary equipment purchased with the Macintosh's would allow them to satisfactorily replace some of the equipment requested earlier, thus reducing overall costs.

Councilor Waker said he found staff's proposal unacceptable because he was not convinced staff had used the correct method to determine the type of equipment to purchase. He did not think an Apple Macintosh would be an appropriate purchase for the Public Affairs Department because the word processing function of the computer would not be the best replacement for another typewriter, as previously budgeted. He thought something in the nature of a Xerox memory typewriter would be a better solution. Mr. Lawton pointed out that Public Affairs would be using the computer for other functions in addition to word processing.

Councilor Kelley asked why the three proposed budget transfers had been included in one ordinance. Ms. Sims explained that staff had traditionally combined several transfer requests under one ordinance to streamline the approval process. She said Council had the option of amending any budget ordinance to delete or change any item.

Councilor Van Bergen said he would not vote to adopt the proposed Ordinance because he did not think the matters before the Council were of a contingency nature.

Regarding the proposed transfer to fund the contract for assisting in recruiting and selecting a new Zoo Director, Councilor Banzer asked if the contract had been awarded to the lowest bidder. Ms. Sims said only materials and services contracts were awarded to the lowest, qualified bidder. Because this was a personal services contract, the contractor's quoted fee was one of several factors that had been objectively rated. Sonnie Russill said the contractor's fee was about mid-range of all the proposals submitted for that project. Councilor Banzer said she thought \$17,000 was too much to pay for consultant fees, especially since the job was a highly desirable one and many people would apply for the position.

Councilor Waker asked if a work program had been established for the consultant. Ms. Russill said a program had been established with Council assistance and staff would be meeting with the consultant weekly to monitor progress.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Meeting Date Oct. 11, 1984

FOR THE PURPOSE OF ESTABLISHING)
OPPOSITION TO BALLOT MEASURE TWO)
)
)

RESOLUTION NO. 84-504
Introduced by
Presiding Officer Kirkpatrick
Deputy Presiding Officer Bonner

WHEREAS, A property tax limitation measure has been placed on the
November 1984 ballot as Measure Two: Constitutional Real Property Tax Limit; and

WHEREAS, said measure calls for a reduction in property taxes to \$15 per
\$1000 of assessed value on any piece of real property; and

WHEREAS, the Multnomah County Tax Supervising & Conservation Commission
estimates a 40% loss of approved property tax revenue for the Washington Park
Zoo for the first year if Ballot Measure Two passes; and

WHEREAS, Legislative Revenue estimates do not include service districts
in the statewide formula so approval of Ballot Measure Two could cause a loss
of \$5 million of approved property tax revenue to the Washington Park Zoo in
FY 1986-87; and

WHEREAS, the loss of property tax revenue will severely restrict planned
capital projects at the Washington Park Zoo and could lead to severe operating
reductions; and

WHEREAS, Ballot Measure Two places unreasonable restrictions of voter
approval of future tax measures; and

WHEREAS, Ballot Measure Two passage would make it difficult for local
governments to support the regional cooperative transportation planning program
and data services program through the payment of local dues because of the
severe losses of local revenue; now, therefore,

BE IT RESOLVED,

1. That the Metropolitan Service District Council finds that Ballot
Measure Two will be harmful to the orderly and effective provision of local
and regional services.

2. That the Metropolitan Service District Council opposes passage of
Ballot Measure Two.

3. That the Metropolitan Service District Councilors shall assist the
Oregon Committee in informing Oregon taxpayers of the numerous and actual
impacts this measure will have on regional services.

4. However, the Metroplitan Service District Council recognizes a need
for property tax reform and encourages further efforts to spread the tax burden
equitably.

ADOPTED by the Council of the Metropolitan Service District this
_____ day of _____. 1984.

Presiding Officer

Meeting Date October 11, 1984

CONSIDERATION OF SOLID WASTE DISPOSAL RATES,
REVENUES AND EXPENDITURES, AND PROJECTIONS FOR
1985

Date: September 25, 1984

Presented by: Dan Durig

FACTUAL BACKGROUND AND ANALYSIS

The purpose of this report is to establish a basis for any disposal rate changes in 1985 under existing rate policies (Resolution No. 84-483).

Metro's solid waste disposal rates were last adjusted in January of 1984. The changes which were made at that time were done primarily to effect corrections among rate elements to better balance costs against services provided.

CTRC was found to be contributing a larger share to total costs than had been planned: the transfer station was more popular than expected. To compensate for this, the commercial regional transfer charge was increased to make up the revenue shortfall thus created, and the convenience charge was raised to encourage more haulers to go directly to St. Johns Landfill.

Public rates were adjusted to reflect a trend toward higher weights per trip than was true in the previous year. That relationship continued during the fiscal year just completed.

Economies of scale resulting from growing volumes in the Metro system and low inflation combined to allow a reduction in the base commercial disposal rate. The net effect of the various rate adjustments was a planned revenue increase over 1983 of less than 2 percent.

Waste flow has continued as anticipated since the last rate study, and inflation has been more moderate than expected. Figure 1 shows the trends in disposal volumes at Metro facilities. Linear regression analysis points to a continuation of the trend into the near future. The remainder of this analysis will determine (1) whether 1985 revenues should be adequate to meet requirements, (2) whether rate changes might be necessary to improve the balance among the rate elements, and (3) what factors cannot yet be calculated and what effect capital expansion plans will have on future rates.

1. Revenue vs. Requirements

Throughout FY 1983-84, cumulative revenues slightly exceeded budget, and cumulative expenditures were less than budget. This resulted in an increased Operating Fund balance carried forward.

Figure 2 presents an 18-month period using current budget and projects department revenue from July 1984 to December 1985, using current rates. Figure 3 projects requirements for the same period and Figure 4 compares the two projections. These projections are based on a set of assumptions and conditions which are judged by staff to be conservative.

Revenues:

- Projections assume no volume growth in the region or at Metro facilities.
- Commercial volume is projected from the most recent six months' actuals. Public trips are from FY 1983-84 actuals.
- Regional transfer charge and user fee projections are from FY 1983-84 User Fee reports.

Requirements:

- It is assumed that all contingency funds are expended during the period covered.
- Expenses are assumed to experience inflation of 5.5 percent per year generally, with the General Fund transfer inflating at 10 percent.
- Two alternatives are depicted, one showing the initial WTRC development and debt service (prior to start-up) being paid by user fees, one by the regional transfer charge. There are not enough user fee revenues under the first scenario to quite cover the debt service requirement from July to December 1985.

It can be concluded from the information presented that overall revenues should be adequate, barring extraordinary decreases in volume or increases in cost. It is also evident that disposal and transfer system revenues are better able to meet requirements than are user fee revenues.

2. Balance Among Rate Elements

One of the major goals of last year's rate setting process was to assign costs as fairly as possible based on the volumes disposed by each customer group. Figure 5 compares the first six months of 1984 actual volumes with the projection that was expressed in the rate study. Based on

this chart, it appears that the commercial/public balance is correct, and the St. Johns direct haul volume is close to that projected.

The volume at CTRC is still higher than projected, but there is not enough data to require rate adjustments to compensate.

There is evidence that the commercial convenience charge at CTRC has been successful as a flow control device. The convenience charge was raised from \$1.49 per ton to \$2.25 per ton in January 1984. This made CTRC relatively more expensive than St. Johns.

The amount of Metro system waste that was directly hauled to St. Johns increased slightly during January-March 1984, from about 59 percent to about 62 percent. Accounting records indicate that several haulers moved to St. Johns (and none moved from St. Johns to CTRC).

3. Unknowns and Capital Expansion Effects

There are several factors which could deplete any remaining fund balance:

- Closure/post-closure expenditure levels and the size of the associated sinking fund will probably be affected by rulings pending from the DEQ. Any substantial increase in DEQ requirements would put upward pressure on rates.
- The St. Johns lease payment to the City of Portland is in the process of being renegotiated. When the contract is finally settled, any increase will be retroactive to June 1, 1983.
- There is a good chance that Metro will be investing in a transfer station in Washington County in 1985, and there is a possibility that there will be some capital expenditure on Wildwood during that year. Some revenue from operations may be used to avoid new debt if interest rates make that a fiscally prudent decision.
- When WTRC is brought on line in 1986 an adjustment to the regional transfer charge will be needed to pay for operation of the new station.

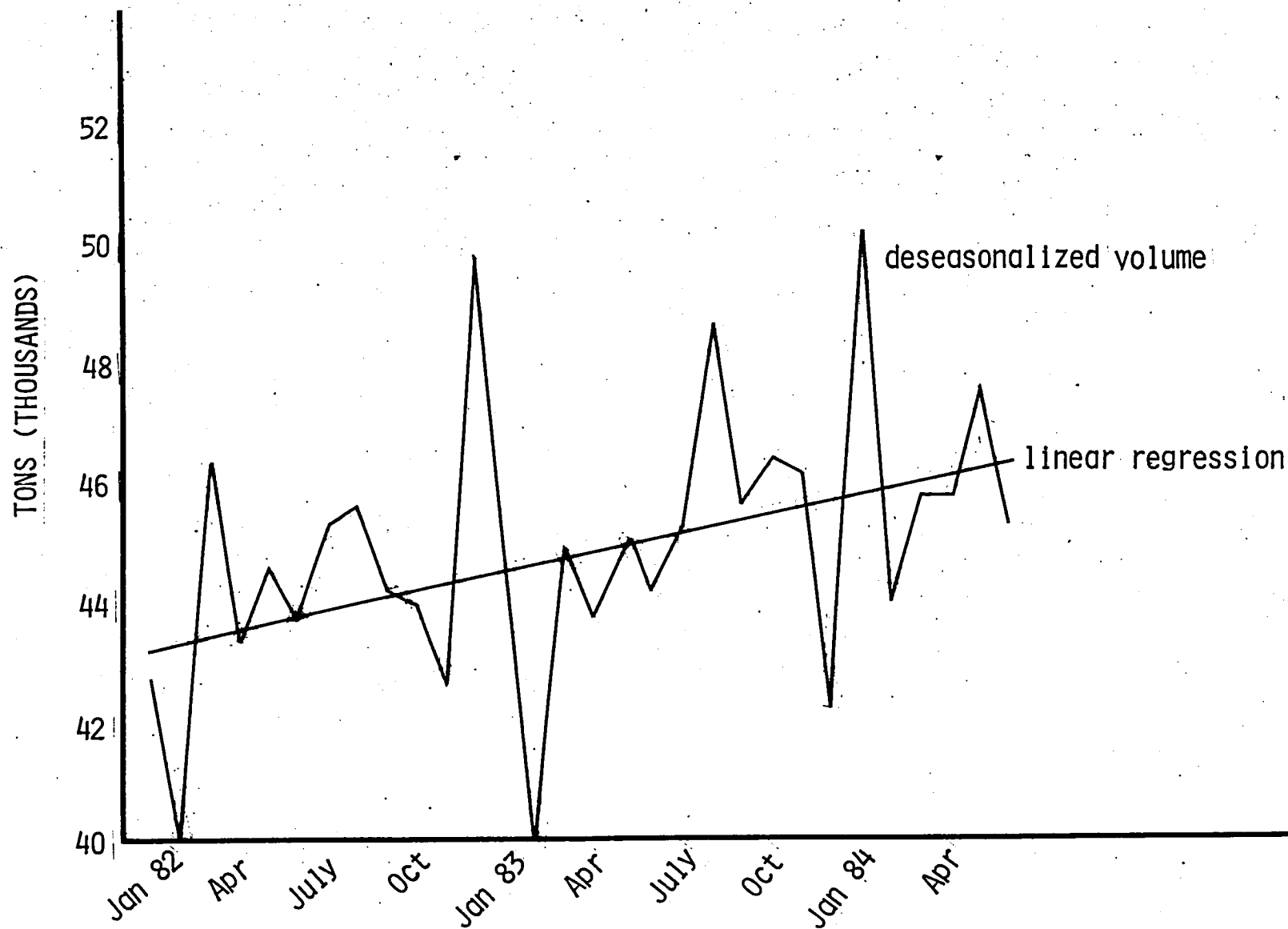
4. Conclusions and Recommendations

There are three alternative approaches to the situation based on the information presented above:

- a. Leave the disposal rates unchanged
 - b. Increase user fees
 - c. Increase user fees and lower the regional transfer charge equally.
- A. If no rate changes are made, there would be adequate overall revenues to meet requirements over the next 18 months. User fees would be inadequate to meet WTRC debt service, however. A decision to fund some or all of WTRC's development and debt service from regional transfer charges would correct the user fee inadequacy. While that decision could be made without changing the rate policies adopted recently by the Council, it would be a departure from the past practice of paying development costs from user fees.
- B. An increase in user fees to \$2 per ton would correct the projected revenue shortfall and would compensate for inflation in user fee programs. The current budget would be adequately covered by the current fee. The Council may wish to cover WTRC costs or expand user fee programs.
- C. Since overall projected revenues are adequate, a user fee increase could be offset by an equal decrease in the regional transfer charge. This change would provide adequate funding for user fee programs without increasing rates to any customers, and would continue adequate funding of the transfer system. Non-Metro landfills would also see no change in the Metro charges they must collect. Since no extra revenue would be developed, there would be no lessening of the rate impact when WTRC starts operating.

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09/28/84

FIGURE 1



ACTUAL TOTAL VOLUME St.Johns - CTRC - Rossman's

FIGURE 2

REVENUE PROJECTION

July 1984 to December 1985

| | 1984 Rates | FY 84-85 Volume Projection | FY 84-85 Revenue Projection | July-Dec. 1985 Revenue Projection (51%) | 18-Month Total Revenue | 07/01/84 Fund Balance (unaudited) | 18-Month Total Resources |
|------------------|---------------|----------------------------------|-----------------------------------|---|------------------------------|--|--------------------------------|
| <u>St. Johns</u> | | | | | | | |
| Comm. Disp. | \$9.80/ton | 304,580 | \$2,984,884 | \$1,522,291 | \$4,507,175 | | |
| Public Disp. | 5.30/trip | 53,351 | 282,760 | 144,208 | 318,269 | | |
| | | | | | | 720,510 | \$8,885,788 |
| <u>CTRC</u> | | | | | | | |
| Comm. Disp. | 9.80 | 192,070 | 1,882,286 | 959,966 | 2,842,252 | | |
| Public Disp. | 5.30 | 83,409 | 442,068 | 225,455 | 497,582 | | |
| Comm. Conven. | 2.25 | 192,070 | 432,158 | 220,401 | 652,559 | | |
| Public Conven. | 0.75 | 83,409 | 62,557 | 31,904 | 94,461 | | |
| | | | | | | 636,680 | 4,449,402 |
| Comm. RTC | 2.00 | - | 1,438,109 | 733,436 | 2,171,545 | | |
| Public RTC | 1.34 | - | 407,627 | 207,890 | 615,517 | | |
| CTRC Public | | | | | | | |
| Debt Service | | | | | 278,640 | | |
| <u>User Fees</u> | | | | | | | |
| Comm. UF | 1.68 | - | 1,181,786 | 602,711 | 1,784,497 | | |
| Public UF | 0.54 | - | 164,705 | 84,000 | 248,705 | 313,680 | 2,346,882 |
| Other Revenue | | | 90,700 | 46,258 | 136,958 | - | 136,958 |
| Total | | | | | \$14,148,159 | \$1,670,870 | \$15,819,030 |

FIGURE 3
REQUIREMENTS

| | FY 84-85 Budget | Adjustments | July-Dec. 85 (51% of Adjusted Budget) | Inflation Effects | 18-Month Total Requirements |
|-------------------------------------|--------------------|---------------------|--|----------------------|-----------------------------------|
| St. Johns | \$5,641,420 | | \$2,877,124 | \$161,842 | \$8,680,386 |
| CTRC | 2,667,350 | 50,000 ² | 1,463,485 | 83,380 | 4,264,215 |
| User Fees | | | | | |
| M&A | 907,152 | | 462,648 | 34,251 | 1,404,050 |
| WR | 257,818 | | 146,487 ¹ | 8,055 | 412,360 |
| Systems Plan | 100,325 | | 51,166 | 2,814 | 154,305 |
| Wildwood | 117,870 | | 60,114 | 2,745 | 150,529 |
| WTRC | 153,745 | (50,000) | 0 | 0 | 103,745 |
| User Fee Program Total ³ | | | | | <u>\$2,224,989</u> |
| Total Requirements | | | | | \$15,169,590 |

¹Includes addition of one person in Waste Reduction Program - Summer 1985.

²FY 1986 WTRC development paid by Regional Transfer Charge, also debt service of \$50,000 in FY 1984-85, \$55,000 during Fall 1985.

³Includes no new user fee programs.

1794C/364
09/28/84

FIGURE 4

REVENUE vs. REQUIREMENTS PROJECTION

| | 18-Month Resources | 18-Month Requirements | Remaining Fund Balance | Percent Remaining |
|----------------|-----------------------|--------------------------|------------------------------|----------------------|
| St. Johns | \$ 8,885,788 | \$ 8,680,386 | \$205,402 | 2.4% |
| CTRC | 4,449,402 | 4,264,215 | 185,187 | 4.3% |
| | | 4,108,670 ¹ | 340,732 | 8.3% |
| User Fee Proj. | 2,346,882 | 2,224,989 | 121,893 | 5.5% |
| | | 2,380,534 ¹ | (33,652) | (1.4%) |
| Other | <u>136,958</u> | <u>-</u> | <u>136,958</u> | <u>-</u> |
| Totals | \$15,819,030 | \$15,169,590 | \$649,440 | 4.3% |

¹Alternative which shows effect of paying WTRC debt service and FY 1986 development expenses from user fees.

1794C/364
09/21/84

FIGURE 5

VOLUME ANALYSIS

January through June 1984 Volumes
(cumulative)

| | <u>Planned Volume</u> | <u>% of Total</u> | <u>Actual Volume</u> | <u>% of Total</u> | <u>Actual as % of Plan</u> |
|------------------|---------------------------|---------------------------|--------------------------|---------------------------|------------------------------------|
| <u>St. Johns</u> | | | | | |
| Commercial | 151,260 | 56 | 150,980 | 55 | 99.8 |
| Transfer | 107,340 | 40 | 115,070 | 41 | 107.2 |
| Public | 9,650 | 4 | 11,260 | 4 | 116.7 |
| Total | 268,250 | 100 | 277,310 | 100 | 103.4 |
| <u>CTRC</u> | | | | | |
| Commercial | 90,390 | 84 | 95,150 | 83 | 105.3 |
| Public | 16,950 | 16 | 19,920 | 17 | 117.5 |
| Total | 107,340 | 100 | 115,070 | 100 | 107.2 |

1794C/364
09/21/84

CONSIDERATION OF THE WAIVER OF THE PERSONNEL RULES, SECTION 8(f) OF THE PERSONNEL RULES GOVERNING APPOINTMENTS: "'PROVISIONAL APPOINTMENT' MEANS AN APPOINTMENT, PURSUANT TO THIS CHAPTER, TO A POSITION IN THE ABSENCE OF A LIST OF ELIGIBLES. PROVISIONAL APPOINTMENTS CANNOT EXCEED NINETY (90) DAYS."

Date: September 12, 1984

Presented by: Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

The Intergovernmental Resource Center (IRC) Administrator position was authorized for one year by Council Resolution No. 84-471. The Executive Officer outlined the status of the position and the intended procedure for filling it in his memo to the Council Coordinating Committee dated June 8, 1984. Subsequent to reviewing that information the Council approved the position as part of the Metro Pay and Classification Plans.

Steve Siegel was appointed as IRC Administrator effective July 1, 1984, as referenced in the memo. In order to retain him as the incumbent the Executive Officer has waived the 90-day requirement provided for in Section 5 of the Personnel Rules. Section 5 also requires that such a variance be ratified by the Council.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends ratification of this variance.

RG/gl
2013C/392-2
09/18/84



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

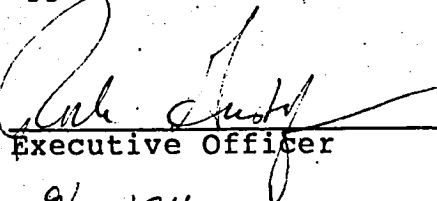
Date: September 18, 1984
To: Rick Gustafson, Executive Officer
From: Dick Karnuth, Personnel Analyst
Regarding: Waiver of the Personnel Rules

This is a follow-up procedure necessary in the adoption and implementation of the Metro Pay and Classification Plans.

By memo from the Executive Officer dated June 8, 1984, to the Council Coordinating Committee and forwarded to the Council, the procedure for appointment to the IRC Administrator position was outlined. The steps include 1) a variance to the Personnel Rules as provided for in Section 5 regarding the extension of a provisional appointment (Section 8(f)) to one year, and 2) Council ratification of that waiver.

The Provisional appointment of Steve Siegel as IRC Administrator was effective July 1, 1984. The 90-day limitation stipulated in Section 8(f) will expire October 1, 1984. In order to extend for one year the appointment to this position authorized by Council, please indicate your approval of this waiver by your signature below.

Approved:


Executive Officer

9/20/84
Date

DK/gl
2014C/D3-2

cc: Mike Ogan



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: June 8, 1984
To: Council Coordinating Committee
From: Rick Gustafson, Executive Officer
Regarding: Response to Councilor Kafoury on Pay and Classification Plans

Councilor Kafoury has identified some good points regarding the Pay and Classification Plans. I appreciate her time and interest in reviewing the proposed changes. I am prepared to respond as requested on her seven areas of concern.

1. Management Series - Revision of the Personnel Rules is a higher priority and will occupy Personnel staff for a good share of next fiscal year. I recommend that such a study be initiated after the Personnel Rules project is completed.
2. Exempt/Non-Exempt Designations - A revised Pay Plan, including these designations by the Executive Officer has been prepared. In the past, exempt and non-exempt designations were based on the position's pay level. Proposed designations are based on a new system which more closely complies with the law. Under this system duties and assignments are considered in addition to pay level.

Three classifications are proposed to be exempt which were previously eligible for overtime. Managers are responsible for authorizing and managing overtime worked. It is anticipated that the budgeted amounts for overtime will be adequate for next fiscal year.
3. Zoo/Non-Zoo Pay Differential - I understand the need for a three-year implementation plan. Such a strategy does provide flexibility for our funding situation and does comply with the law. However, I maintain my support for the two-year catch-up.
4. Classification Specifications - A list of specifications to be revised is attached.

5. IRC Administrator/Criminal Justice Director - I agree that the Criminal Justice Director classification should be re-evaluated when the program is more established.

I have proposed the new IRC Administrator classification for two reasons. First, this is one avenue for the Council to approve the duties of this lead position. Second, while the IRC is in a developmental stage, the Administrator position is essential. I recommend the following approach to appointing an IRC Administrator:

- a. Establish the IRC Administrator Classification for One Year

Providing the classification allows for the necessary duties regarding the formation of the IRC to be carried out. Any position needed for an entire year should be properly classified. Due to Council concerns regarding the permanance connoted by a new classification, I recommend that the classification be authorized for one year only, to July 1, 1985.

- b. Waive the Personnel Rules for "Provisional Appointment"

As you know, it is my intent to appoint Steve Siegel to the new classification. I propose to waive the Personnel Rules to extend the "provisional appointment" period for ninety (90) days to one year. The Council ratifies waivers of the Rules.

- c. Conduct a Management Classification Study for the IRC

I propose to conduct a classification study for IRC at the management level in coordination with the FY 1985-86 budget process.

Council support of these actions is needed to make an appointment for heading the IRC.

6. Pay Ranges - Revision of the Personnel Rules is a higher priority at this time. I recommend that a study of the pay ranges be conducted after the Rules revision is completed. If the Council deems this a higher priority, the Rules effort would be delayed.

Memorandum
June 7, 1984
Page 3

7. Zoo Development Officer/Analyst - My recommendation retains both the Officer and Analyst classifications in the Pay Plan at pay ranges 10.5 and 8.5, respectively. Currently, the position is filled at the Analyst level by two half-time temporaries. Their six-month appointment expires November 1, 1984. An extension of their employment as temporaries requires administrative approval.

The request for an explanation of the Zoo's development and fund-raising activities is appropriate. The Zoo Director will respond to the Council on this matter.

RG/JS/gl
1347C/D1

Attachment