

MINUTES OF THE METRO COUNCIL MEETING

Thursday, August 5, 2010
Metro Council Chamber

Councilors Present: Council President David Bragdon, Kathryn Harrington, Robert Liberty, Rex Burkholder, Carl Hosticka, Rod Park, Carlotta Collette

Councilors Absent:

Council President David Bragdon convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

President Bragdon welcomed students from a Portland Community College (PCC) Political Science class.

2. CITIZEN COMMUNICATIONS

Darla Sturdy, Gresham; provided testimony on her son's death at a MAX line crosswalk. She provided testimony for the record (see attachments). She discussed safety standards and her experience lobbying elected officials. Councilor Collette asked about safety task forces.

John Charles, Portland, President and CEO of the Cascade Policy Institute; provided testimony on the financial condition of TriMet. He provided testimony for the record (see attachments). Councilor Collette asked about employee classifications. Councilor Liberty asked about payroll taxes.

3. CONSENT AGENDA

3.1 Consideration of minutes for the July 22, 2010 Regular Council Meeting.

Motion:

Councilor Collette moved to adopt the meeting minutes of the July 22, 2010 Regular Metro Council meeting.

Vote:

Council President Bragdon and Councilors Liberty, Harrington, Hosticka, Park, Collette and Burkholder voted in support of the motion. The vote was 7 aye, the motion passed.
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4. ORDINANCES - FIRST READING

4.1 **Ordinance No. 10-1245**, Amending the FY 2010-11 Budget and Appropriations Schedule to Add 1.0 FTE for a Records and Information Analyst to Support the Oregon Zoo's Veterinary Division and Satisfy the AZA Accreditation Requirements, and Declaring an Emergency

Council President Bragdon assigned Ordinance No. 10-1245 to the August 12, 2010 regular Council meeting agenda for second reading and a vote.

5. RESOLUTIONS

- 5.1 **Resolution No. 10-4173**, Authorizing the Chief Operating Officer to Purchase a Quitclaim and Release of Certain Real Property Interests, Partly In Exchange For Real Property Owned By Metro, in the Springwater Corridor Target Area

Motion:	Councilor Liberty moved to adopt Resolution No. 10-4173.
Seconded:	Councilor Collette seconded the motion

Councilor Liberty introduced the resolution and described history of trail segments and development. He discussed geographic location and property acquisition specifics. He said a complete trail was the ultimate vision. President Bragdon thanked staff for their work in a difficult transaction. Councilor Burkholder noted that Council had previously discussed this acquisition.

Vote:

Council President Bragdon and Councilors Burkholder, Harrington, Hosticka, Park, Collette and Liberty voted in support of the motion. The vote was 7 aye, the motion passed.
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6. CONTRACT REVIEW BOARD

- 6.1 Deliberation on Appeal by Hattenhauer Energy Co., LLC of Chief Operating Officer's Rejection of Initial Appeal Regarding Award of Contract for the Provision of Diesel Fuel for Solid Waste Transport Operations under Metro RFB No. 10-1564.

Hattenhauer Energy Co. LLC provided testimony regarding Metro bidding processes. Mr. Hattenhauer provided materials for the record (see attachments). He described his appeal and complaints regarding Metro's bidding processes.

Darin Matthews, Metro Procurement Officer, and Paul Ehinger, Senior Metro Planning Manager, provided a rebuttal to Hattenhauer Energy's appeal. He described the process and reasoning for Metro's current processes. He discussed contract specifics and current review actions.

Mr. Hattenhauer presented his argument regarding current bidding actions. He discussed audits and questioned the lack thereof.

Councilor Liberty asked how conditions worked. Marvin Fjordbeck, Metro Senior Attorney, described obligations and processes. Councilor Hosticka asked about contract specifics and performance measures. Councilor Liberty asked about Mr. Hattenhauer's concerns with Metro's current contractor. Councilor Park asked about substantially complying with bidding requirements.

- Councilor Harrington motioned to deny Mr. Hattenhauer's appeal.
- Councilor Park seconded the motion.

Councilor Collette described her reasoning for supporting Councilor Harrington's motion to deny the appeal. President Bragdon said the Council would appreciate audit issues and

compliance issues resolved and reported back on in the near future. Councilor Harrington closed discussion on the motion.

The motion to deny the appeal passed 6-1 (Councilor Burkholder opposed).

7. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, updated Councilors on agency events and issues.

8. COUNCILOR COMMUNICATION

Councilors discussed events and meetings they had attended and future regional events.

9. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:50 p.m.

Prepared by

A handwritten signature in black ink, appearing to read 'Tony Andersen', written in a cursive style.

Tony Andersen
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
August 5, 2010**

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Handout	8/5/10	Darla Sturdy: It's time to educate, Aaronsbridgetosafety.com	080510c-1
2.0	Testimony	8/5/10	Testimony of John A. Charles, Jr., President and CEO of Cascade Policy Institute: Before the Metro Council Regarding the Financial Condition of TriMet; August 5, 2010	080510c-2
6.1	Packet	8/5/10	Deliberation on Appeal by Hattenhauer Energy Co., LLC of Chief Operating Officer's Rejection of Initial Appeal Regarding Award of Contract for the Provision of Diesel Fuel for Solid Waste Transport Operations under Metro RFB No. 10-1564.	080510c-3
6.1	Packet	8/5/10	Packet distributed by Hattenhaur Energy Co., LLC to the Metro Council, August 5, 2010	080510c-4
6.1	Visual	8/5/10	Visual sketch of Lloyd District Park, distributed by Councilor Park, August 5, 2010	080510c-5