

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING ) RESOLUTION NO. 87-702  
PRINCIPLES FOR A LEGISLATIVE )  
PROGRAM FOR THE 1987 LEGISLATIVE ) Introduced by  
SESSION ) Councilor Tanya Collier

WHEREAS, The Metropolitan Service District was created by legislative action and vote of the people within the District boundary for the purpose of addressing specific regional problems and consolidating regional services; and

WHEREAS, The Metropolitan Service District requires additional authority to fulfill its legislative and popular mandates; and

WHEREAS, The residents of the region, in anticipation of the economic benefits to the region and the state, have authorized the Metropolitan Service District to build and operate a regional convention center; and

WHEREAS, A state appropriation is required to complete the funding package envisioned by the CTS Master Plan; and

WHEREAS, Other jurisdictions and individuals have common interests and roles in resolving regional problems and addressing regional governance; and

WHEREAS, The 1987 Oregon Legislature will convene on January 12, 1987; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports legislation which adheres to specific principles in the

following areas which are contain in Attachment A.

ADOPTED by the Council of the Metropolitan Service District  
this 8th day of January, 1987.

  
\_\_\_\_\_  
Presiding Officer

PF/gl  
6562C/485  
01/08/87

ATTACHMENT A

General Government Funding:

Provides a direct source of revenue for Metro's General Government functions from state-shared revenues, (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

Convention Center Funding:

Provides a \$15 million state appropriation.

Transit:

- Re-establishes state funding for transit capital projects.
- Increases state contribution for special needs transit.
- Continues state payments in-lieu-of payroll taxes.

Highway:

- Increases state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopts a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establishes a State-wide Urban Arterials Program.

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6562C/485  
01/08/87

STAFF REPORT

Agenda Item No. 8.2

Meeting Date Jan. 8, 1987

CONSIDERATION OF RESOLUTION NO. 87-702 FOR THE  
PURPOSE OF ADOPTING PRINCIPLES FOR A LEGISLATIVE  
PROGRAM FOR THE 1987 LEGISLATIVE SESSION

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Date: January 8, 1987

Presented by: Phillip Fell

FACTUAL BACKGROUND AND ANALYSIS

The Council Legislative Committee met on January 2, 1987, to finalize Metro's package of proposals to be presented to the 1987 Legislature.

In the course of discussion, it was determined that it would be appropriate to seek the recommendations of the Council Solid Waste Committee prior to formal adoption of any proposed solid waste legislation.

Accordingly, staff returns tonight with a recommended legislative package which does not include solid waste proposals. These proposals will be considered by the Solid Waste Committee on January 13 and forwarded to the Legislative Committee at its January 15 meeting. Proposed solid waste legislation will be presented for adoption at the Council's January 22 meeting.

The items presented for adoption tonight were discussed at the Council meeting on November 20. They include: general government funding; convention center funding; transportation issues, and a proposal to seek consistency between state and federal overtime requirements.

I. GENERAL GOVERNMENT FUNDING:

ISSUE: Under the existing financing system, Metro's general government functions, such as elections, Executive Officer and Council expenses do not have direct revenue source. Therefore, Metro must use a system of interfund transfers to finance these general government costs. This practice has been identified as confusing to the general public by the TSCC and the funding shortage has limited Metro's ability to explore achievement of its primary legislatively-mandated function, i.e., consolidation of regional services.

**PRINCIPLE:**

Provide a direct source of revenue for Metro's General Government functions from state-shared revenues (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

**II. CONVENTION CENTER FUNDING:**

**ISSUE:** Voter approval of the \$65 million bond issue provides the major element in the convention center financing package. Staff is currently working with the City of Portland to implement the \$5 million LID required to complete the local financial arrangements. The remaining element necessary to complete the total funding package is a \$15 million appropriation from the State Legislature.

**PRINCIPLE:**

- Obtain a \$15 million state appropriation. Metro will assume a leadership role.

**III. TRANSPORTATION:**

**ISSUE:** Throughout the legislative interim, finance studies of both transit and highway needs have been conducted by a consortium of state-wide transportation providers. The Oregon Transit Finance Study has been conducted as a cooperative effort of ODOT and representative transit agencies. ODOT and city and county representatives collaborated to produce the Oregon Roads Finance Study. Both studies have been concluded with the adoption of resolutions. Metro staff endorses the recommendations of the two task forces and will support their legislative proposals.

**PRINCIPLES:**

**Transit:**

- Re-establish state funding for transit capital projects.
- Increase state contribution for special needs transit.
- Continue state payments in-lieu-of payroll taxes.

**Highway:**

- Increase state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.

- Adopt a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establish a State-wide Urban Arterials Program.

IV. ADMINISTRATION: (NOT ADOPTED)

ISSUE: State and federal laws regulating payment of overtime wages are inconsistent. Federal law requires Metro to pay overtime wages to employees working in excess of 40 hours per week. State law requires that overtime wages be paid to employees working more than eight hours per day. The requirements of the state law have created difficulties with seasonal employees for the Visitor Services Division at the Zoo. Because Zoo attendance is partially a function of weather, it is difficult for the Division to predict staffing needs. To comply with the eight-hour limitation of state law, the Zoo has reduced shift length and hired more employees to create additional shifts. This has increased personnel processing costs as well as exposure to Workers' Compensation and unemployment claims.

PRINCIPLE:

Support legislation sponsored by the League of Oregon Cities to amend state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

ITEM FOR POSSIBLE ADDITION TO THE LEGISLATIVE PROGRAM:

Both state statute and the Department of Revenue's administrative rules allow jurisdictions to list the purposes for which they will spend revenues in the ballot title and question of a tax base measure. However, both the statute and administrative rule are vague. In the May Primary, Metro's tax base ballot title was successfully challenged with the court ruling that listing the spending purposes was obfuscating. Staff is awaiting a response from the Secretary of State's office before approaching the Council for authorization to seek strengthening of the statute governing wording in the tax base ballot title and question.

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01/08/87

CONSIDERATION OF AMENDING RESOLUTION NO. 87-702  
FOR THE PURPOSE OF ADOPTING PRINCIPLES FOR A  
LEGISLATIVE PROGRAM FOR THE 1987 LEGISLATIVE  
SESSION

Date: February 12, 1987

Presented by: Kim Skerritt Duncan

FACTUAL BACKGROUND AND ANALYSIS

The Council Legislative Committee met on February 6, 1987, to review Metro's package of legislative proposals. The Committee recommended two additional legislative issues be added to the legislative agenda, and that bill language of a third, previously adopted, legislative item be reviewed.

- I. SOLID WASTE BONDS: The recommended statutory changes should minimize potential alternative technology revenue bond issues.

*adopted  
by  
motion  
2/12/87*

ISSUE:

- A. Existing statutory language does not clearly authorize Metro to issue revenue bonds to finance solid waste resource recovery facilities that are to be owned and operated by a private firm. The alternative technology program schedule requires the bonding issue to be resolved.

A 1980 Attorney General's Opinion states that Metro does not have the statutory authority to issue such bonds, despite legislative intent. The existence of that opinion may constrain bond counsel from issuing an unqualified opinion that revenue bonds have been validly issued. Absent an unqualified opinion, such bonds may be declared void. While it is not possible to predict a bond counsel's opinion, Metro's bond counsel, Ed Einoswski, recommends correcting the language in question.

- B. Metro is authorized to pledge all or any part of its unencumbered revenues as security for revenue bonds issued under ORS 268.600. The service fees to be paid by Metro will be the major source of payment for the bonds, hence, the ability to pledge the tipping fees is a key element in structuring a marketable bond issue. Until ORS 268.610 has a mechanism for

"perfecting" the security interest in the revenues created by such a pledge, the pledge is of questionable value. Bond Counsel recommends amending ORS 268.610 to contain perfection language similar to that found in ORS 391.580 (relating to bonding for transportation projects).

C. Other issues identified by bond counsel for possible statutory amendment are technical:

1. Variable Interest Rates/Letter of Credit -- Metro is not expressly authorized to issue variable interest rate bonds, nor is Metro expressly authorized to use a Letter of Credit to increase the bond credit rating and lower total debt service. Such authority may be deemed desirable by certain vendors.
2. Bond Anticipation Notes -- Currently Metro may issue bond anticipation notes for one year. Assuming that construction of alternative technology facilities will take at least two years, it may be prudent to extend maturity beyond one year. Such action would eliminate costs to Metro of refunding or renewing notes on an annual basis.
3. Bond Signatures -- Metro officers are required to sign bonds manually. It may be in the interest of efficiency to allow authenticated facsimile signing.

STATUS:

Approved by the Council Legislative Committee and reviewed by the Council Solid Waste Committee. Awaits Metro Council action.

II. EXPOSITION-RECREATION COMMISSION AUTHORITY

ISSUE:

Metro is absent specific authority to operate regional spectator facilities. The Metro charter authorizes the District to fund and operate specific facilities, only upon a vote. The bond vote for the convention center did not include (by any inference) operating authority for the Coliseum, Stadium, Multnomah County Exposition Center, or the Oregon Convention Center.

The CTS Master Plan, adopted by the Council, creates a new Metro regional commission to operate all four and, possibly, a fifth facility. To execute the Master Plan in an expeditious manner, the provision requiring further

*adopted  
by motion  
2/12/87 →*



votes should be amended. The proposed legislation omits the necessity for further voter action to implement the Master Plan.

STATUS:

Approved by the Council Legislative Committee, the CTS Legislative Technical Committee and has received review by the Council's Convention Center Committee. Awaits Metro Council action.

III. CONVENTION CENTER FUNDING

ISSUE:

It is necessary to achieve state participation of \$15 million to fund the Oregon Convention Center. To satisfy concerns of bond counsel regarding the security of the state share of the Oregon Convention Center funding, bond counsel recommends statutory language to establish a "special fund" for the convention center from lottery proceeds. Amounts of \$7.5 million would be allocated to the fund in the 1987-89 biennium and again in the 1989-91 biennium through a contractual agreement between the fund administrator and Metro.

STATUS:

Language will be introduced as a Trade and Economic Development bill with the concurrence of the co-chairs Senator Joyce Cohen and Representative Wayne Fawbush and at the request of CTS. Metro Council supports state participation of \$15 million for the project.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer has no recommendation on legislative items I and II above. The Executive Officer supports legislative item III.

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## ATTACHMENT A

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### Convention Center Funding:

Provides a \$15 million state appropriation.

### Transit:

- Re-establishes state funding for transit capital projects.
- Increases state contribution for special needs transit.
- Continues state payments in-lieu-of payroll taxes.

### Highway:

- Increases state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopts a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establishes a State-wide Urban Arterials Program.

### Administration:

Amends state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

### Solid Waste:

Authorizes Metro to issue revenue bonds for facilities owned and operated by a private firm, and clarifies other bond-related procedures.

### E-R Commission:

Authorizes Metro to establish a regional commission for the purpose of operating the Oregon Convention Center, Coliseum, Expo Center and Stadium.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING ) RESOLUTION NO. 86-702  
PRINCIPLES FOR A LEGISLATIVE )  
PROGRAM FOR THE 1987 LEGISLATIVE ) Introduced by  
SESSION ) Councilor Tanya Collier and  
 ) Executive Officer Rick Gustafson

WHEREAS, The Metropolitan Service District was created by legislative action and vote of the people within the District boundary for the purpose of addressing specific regional problems and consolidating regional services; and

WHEREAS, The Metropolitan Service District requires additional authority to fulfill its legislative and popular mandates; and

WHEREAS, The residents of the region, in anticipation of the economic benefits to the region and the state, have authorized the Metropolitan Service District to build and operate a regional convention center; and

WHEREAS, A state appropriation is required to complete the funding package envisioned by the CTS Master Plan; and

WHEREAS, Other jurisdictions and individuals have common interests and roles in resolving regional problems and addressing regional governance; and

WHEREAS, The 1987 Oregon Legislature will convene on January 12, 1987; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports legislation which adheres to specific principles in the

following areas which are contain in Attachment A.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

Richard Waker, Presiding Officer

PF/gl  
6562C/485  
11/19/86

## ATTACHMENT A

### General Government Funding:

Provides a direct source of revenue for Metro's General Government functions from state-shared revenues, (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

### Convention Center Funding:

Provides a \$15 million state appropriation.

### Reduce, Reuse, Recycle:

- increases the market for recyclable materials;
- encourages public participation in reduction, reuse and recycling programs; and
- reduces the volume of material being landfilled.

### Alternative Technology Siting:

- combines siting/permitting authority;
- limits time frame for appeals;
- addresses local land use plans; and
- provides local governments with an opportunity to provide sites within a specific time frame.

### Hazardous Waste:

- enhances our ability to keep hazardous materials out of the landfill; and
- encourages the development and use of safe disposal practices for hazardous waste.

### Transit:

- Re-establishes state funding for transit capital projects.
- Increases state contribution for special needs transit.
- Continues state payments in-lieu-of payroll taxes.

### Highway:

- Increases state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopts a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establishes a State-wide Urban Arterials Program.

Administration:

Amends state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

6562C/485  
11/19/86

CONSIDERATION OF RESOLUTION NO. 86-702 FOR THE  
PURPOSE OF ADOPTING PRINCIPLES FOR A LEGISLATIVE  
PROGRAM FOR THE 1987 LEGISLATIVE SESSION

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Date: November 17, 1986

Presented by: Phillip Fell

FACTUAL BACKGROUND AND ANALYSIS

I. CONSOLIDATING REGIONAL FUNCTIONS:

ISSUE: When Metro was created, it was envisioned that it would be the organization which would consolidate what the legislature referred to as a "proliferation of regional services in the metropolitan area." Among the services specifically identified is public transportation. Metro is also given authority to take over the Boundary Commission subject to a vote of the people. These services are likely to become legislative issues for two reasons. Some metropolitan-area legislators are interested in holding a discussion of merging Tri-Met and the Boundary Commission into Metro; the Special Districts Association will probably propose abolition of the Portland-area Boundary Commission. Staff recommends that the Council evaluate these services to determine its own position on the merger issues because the question will likely be raised. Metro will play a major role in any legislative proposal.

PRINCIPLES:

Staff offers no recommendations on principles pending discussion with key actors.

II. GENERAL GOVERNMENT FUNDING:

ISSUE: Under the existing financing system, Metro's general government functions, such as elections, Executive Officer and Council expenses do not have direct revenue source. Therefore, Metro must use a system of interfund transfers to finance these general government costs. This practice has been identified as confusing to the general public by the TSCC and the funding shortage has limited Metro's ability to explore achievement of its primary legislatively-mandated function, i.e., consolidation of regional services.

PRINCIPLE:

Provide a direct source of revenue for Metro's General Government functions from state-shared revenues (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

III. CONVENTION CENTER FUNDING:

ISSUE: Voter approval of the \$65 million bond issue provides the major element in the convention center financing package. Staff is currently working with the City of Portland to implement the \$5 million LID required to complete the local financial arrangements. The remaining element necessary to complete the total funding package is a \$15 million appropriation from the State Legislature.

PRINCIPLE:

- Obtain a \$15 million state appropriation. Metro will assume a leadership role.

IV. SOLID WASTE:

ISSUE: The 1985 Legislature interjected itself into this region's solid waste situation via the passage of SB 622. The Legislature provided the Oregon Department of Environmental Quality with effective siting authority and directed Metro to develop and implement an aggressive waste reduction program.

The approach used in developing the Solid Waste Reduction Program adhere closely to the legislative hierarchy of preferred waste reduction/disposal techniques: reduce, reuse, recycle, recover energy/resources, landfill.

The program was also developed in conformity with this region's existing waste disposal system which is characterized by distinct responsibilities for collection and disposal and unstable markets for recyclable commodities.

A major component of the plan is the construction and operation of alternative technology disposal facilities. A key factor in Metro's ability to construct a facility is our ability to site. Staff is currently evaluating the use of our existing functional planning authority for that purpose. However, Metro's solid waste functional planning authority has never been tested in the courts and the efficacy of this approach is unknown. Although



continued evaluation may suggest that legislative enhancement of our existing functional planning authority is a more desirable option, the Council should consider seeking specific alternative technologies siting authority from the 1987 Legislature. Then, if the Council determines that such a facility is feasible within the context of SB 662 mandates, the ability to implement that decision will be in hand whether obtained through specific siting authority or through enhanced functional planning authority.

Hazardous waste disposal is an area of growing concern which will be addressed during the upcoming legislative session. With the exception of exempt small quantities, Metro is excluded by definition from responsibility for hazardous waste disposal. Nevertheless, preservation of an environmentally secure landfill is obviously of concern to us. Accordingly, the Council should consider adoption of principles which allow Metro to respond positively to any hazardous waste legislation which may be introduced.

Metro's role will vary between leadership and support depending on the individual solid waste issue.

#### PRINCIPLES:

##### Reduce, Reuse, Recycle

Metro will support:

- legislation which increases the market for recyclable materials;
- legislation which encourages public participation in reduction, reuse and recycling programs; and
- legislation which reduces the volume of material being landfilled.

##### Alternative Technologies Siting

Metro will provide leadership for legislation which:

- combines siting/permitting authority;
- limits time frame for appeals;
- addresses local land use plans; and
- provides local governments with an opportunity to provide sites within a specific time frame.

## Hazardous Waste

Metro will support legislation which:

- enhances our ability to keep hazardous materials out of the landfill; and
- encourages the development and use of safe disposal practices for hazardous waste.

## Items for Possible Addition to the Legislative Program

1. **Facilities Financing:** Metro's financial advisors are currently reviewing the recommendation that Metro requires and should seek authority to use Letters of Credit to decrease borrowing costs associated with financing construction of solid waste facilities. At this time, it is unclear that Metro requires legislative action to make use of such a tool or that such action should be a priority. If, upon further review, it becomes clear that we do require legislative action and that acquiring such a tool should be a high priority, staff will approach the Council for authorization to seek the necessary statutory changes.
2. **Plastics:** Materials made of plastic are becoming a proportionately greater segment of the solid waste stream. For the past several months, a DEQ task force has been meeting to develop legislative recommendations to address this problem. To this point, no recommendations have been adopted. When the task force reaches some conclusions, currently scheduled for early December, staff will evaluate those conclusions and possibly approach the Council to amend our legislative program.
3. **Support adding wine cooler containers to the Bottle Bill:** Oregon's Bottle Bill has worked effectively but proposed expansion of existing legislation has generated substantial opposition among affected parties. Grocers suggest that accepting returnable containers has created sanitation and space problems in their stores and that processing costs result in a net financial loss. Wine distributors don't want to pay deposits for containers which they don't distribute. They see the establishment of franchised distribution areas -- which grocers adamantly oppose -- as a prerequisite for adding wine coolers to the Bottle Bill. Two major environmental groups, the Oregon Environmental

Council and the Association of Oregon Recyclers, are still sorting through their priorities and have not yet determined how they will address this issue. Metro is currently conducting a waste composition study; the initial results of that study will be available in mid-December. Staff will review those results and continue discussions with affected parties before approaching Council with a recommended position.

4. The Legislature has given Metro two different directives governing our rate-setting authority. The first, which reflects general policy for all utilities and is specified in ORS ch. 268, limits Metro to establishing rates which recover our cost of service. The second is contained in SB 662 which directs Metro to make use of its rate-setting authority as an incentive for waste reduction. Metro's General Counsel feels that rate incentives must be established within a cost of service framework. DEQ, however, feels that our authority to use rates as an incentive exists without regard to our cost of service. Staff is currently discussing this issue with DEQ and may opt to approach the Council for authorization to seek legislative clarification.

#### V. TRANSPORTATION:

ISSUE: Throughout the legislative interim, finance studies of both transit and highway needs have been conducted by a consortium of state-wide transportation providers. The Oregon Transit Finance Study has been conducted as a cooperative effort of ODOT and representative transit agencies. ODOT and city and county representatives collaborated to produce the Oregon Roads Finance Study. Both studies have been concluded with the adoption of resolutions. Metro staff endorses the recommendations of the two task forces and will support their legislative proposals.

#### PRINCIPLES:

##### Transit:

- Re-establish state funding for transit capital projects.
- Increase state contribution for special needs transit.
- Continue state payments in-lieu-of payroll taxes.

Highway:

- Increase state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopt a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establish a State-wide Urban Arterials Program.

VI. ADMINISTRATION:

ISSUE: State and federal laws regulating payment of overtime wages are inconsistent. Federal law requires Metro to pay overtime wages to employees working in excess of 40 hours per week. State law requires that overtime wages be paid to employees working more than eight hours per day. The requirements of the state law have created difficulties with seasonal employees for the Visitor Services Division at the Zoo. Because Zoo attendance is partially a function of weather, it is difficult for the Division to predict staffing needs. To comply with the eight-hour limitation of state law, the Zoo has reduced shift length and hired more employees to create additional shifts. This has increased personnel processing costs as well as exposure to Workers' Compensation and unemployment claims.

PRINCIPLE:

Support legislation sponsored by the League of Oregon Cities to amend state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

ITEM FOR POSSIBLE ADDITION TO THE LEGISLATIVE PROGRAM:

Both state statute and the Department of Revenue's administrative rules allow jurisdictions to list the purposes for which they will spend revenues in the ballot title and question of a tax base measure. However, both the statute and administrative rule are vague. In the May Primary, Metro's tax base ballot title was successfully challenged with the court ruling that listing the spending purposes was obfuscating. Staff is awaiting a response from the Secretary of State's office before approaching the Council for authorization to seek strengthening of the statute governing wording in the tax base ballot title and question.

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11/19/86

Motion to Continue the Ordinance: Councilor Ragsdale moved, seconded by Councilor DeJardin, to continue the second reading of Ordinance No. 87-215 to the meeting of January 22, 1987.

Vote on Motion to Continue: A vote resulted in all twelve Councilors voting aye.

The motion carried.

Motion to Continue to Resolution: Councilors Kirkpatrick moved, seconded by Councilor DeJardin, to continue consideration of Resolution No. 86-717 to the meeting of January 22, 1987.

Vote on Motion to Continue: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and Ordinance No. 87-215 and Resolution No. 87-717 were continued to the meeting of January 22, 1987.

Presiding Officer Waker called a recess at 8:10 p.m. Deputy Presiding Officer Gardner reconvened the Council at 8:30 p.m. and explained Presiding Officer Waker left the meeting due to illness.

8.2 Consideration of Resolution No. 87-702, for the Purpose of Adopting Principles for a Legislative Program for the 1987 Legislative Session

Mr. Fell reported the Resolution before the Council did not include proposals for solid waste legislation because the Council Legislative Planning Committee determined it would be appropriate to seek the recommendation of the Council Solid Waste Committee prior to formal adoption of any proposed solid waste legislation. He then reviewed the major legislative programs recommended for 1987 including general government funding, Convention Center funding, transportation and administration.

Councilor Van Bergen said he did not support the proposed administration-related legislation concerning the definition of Zoo overtime pay. He thought Metro should be subject to the same tests as any other business.

Councilor Collier, Chair of the Legislative Planning Committee, reported the Committee met informally with Metro area legislators. The Solid Waste Committee would consider a recommendation for solid waste legislation at their meeting of January 13. Regarding Councilor Van Bergen's concerns, she said she also was uncomfortable with the Zoo overtime issue and would bring back more information to the Council on the matter.

Councilor Kirkpatrick asked the Legislative Planning Committee to work with county election officials in order to have a March Zoo levy election conducted in one mode. She said current plans called for Washington and Clackamas Counties conducting the election by mail and Multnomah County by regular ballot. She explained that situation would require two different campaigns.

Councilor Ragsdale said although he would support the transportation legislative package, he was concerned that the Oregon Department of Transportation (ODOT) had consistently underfunded the Metro region.

Motion: Councilor DeJardin moved, seconded by Councilor Hansen, to adopt Resolution No. 87-702 with the exclusion of the legislative program entitled "Administration."

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Presiding Officer Waker was absent.

The motion carried and Resolution No. 87-702 was adopted as amended.

8.3 Consideration of Resolution No. 87-728, for the Purpose of Reappointing Citizen Members to the Solid Waste Rate Review Committee

Ray Barker, Council Assistant, presented staff's report.

Motion: Councilor Kirkpatrick moved to adopt the Resolution and Councilor Van Bergen seconded the motion.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Presiding Officer Waker was absent.

The motion carried and Resolution No. 87-728 was adopted.

8.4 Consideration of Resolution No. 87-729, for the Purpose of Revising the FY 1986-87 Budget and Appropriations, and Authorizing Advance Payments to the Department of Environmental Quality (DEQ) for Landfill Siting (Public Hearing)

Doug Drennen, Solid Waste Engineering and Analysis Manager, introduced Steve Greenwood and Lydia Taylor of the DEQ. Mr. Drennen briefly reviewed staff's report as printed in the agenda materials.

Deputy Presiding Officer Gardner opened the public hearing on the Resolution.

8.1 Consideration of Resolution No. 86-702, for the Purpose of Adopting a Legislature Program for 1987 Legislative Session

Councilor Collier, Chair of the newly appointed Legislative Planning Committee, explained the Resolution was designed to adopt principals on major District issues. The principals were not presented in any order of priority and no legislation had been introduced to date. Staff and the Committee would return to the Council at a later date to seek endorsements on specific legislation, she reported.

Phillip Fell, Government Relations Manager, reviewed major issues and staff's recommendations as reported in the written agenda materials.

Consolidated Regional Functions. Regarding the issue of Tri-Met and the Boundary Commission merging with Metro, staff offered no recommendation on principles pending discussion with key actors. Councilor Collier suggested the Council's principle be to work with other local governments towards consolidation of regional services. She advised no specific agencies be named in the adopted principles. Councilors DeJardin and Kelley added that consolidation should occur according to an orderly process.

Councilor Ragsdale requested staff and the Legislative Planning Committee consult with the Executive Officer-Elect on this matter before the Council adopted a policy on consolidated regional functions.

General Government Funding. The Council agreed with staff's recommended principle.

Convention Center Funding. The Council agreed with staff's recommended principle.

Solid Waste. The Presiding Officer noted that Estle Harlan, representing the Oregon Sanitary Service Institute, had submitted a memorandum expressing the Institute's position regarding the recommended principles: they supported "legislation which encouraged public participation in cost effective reduction, reuse and recycling programs; and legislation which reduced in a cost effective manner the volume of material being landfilled." The Institute also recommended "rate incentives must be established within a cost of service framework, and we strongly disagree with DEQ that your authority to use rates as an incentive exists without regard to your cost of service."

Regarding hazardous waste, Councilor Frewing suggested the principal be amended to read, "encourages the development and use of safe and economic disposal practices for hazardous waste.

A discussion followed concerning Metro's role in hazardous waste disposal. Councilor Frewing acknowledged the lines were not clearly drawn between Metro's and DEQ's authority and thought the legislature could serve to more clearly define policies.

Transportation. The Council agreed with staff's recommended principles.

Administration. The Council agreed with staff's recommended principles.

Councilor Collier and Mr. Fell said they would incorporate the Council's comments into Attachment A and would bring the revised Resolution back to the Council for their consideration on December 18, 1986.

The Presiding Officer again acknowledged receipt of Ms. Harlan's written comments and forwarded her memo of November 20, 1986, to the Legislative Planning Committee for their consideration.

8.3 Consideration of Resolution No. 86-680, for the Purpose of Amending Resolution No. 86-659, Revising Appropriations, Creating a Convention Center Project Capital Fund and Convention Center Project Management Fund, and Authorizing an Interfund Loan

Jennifer Sims, Management Services Director, reported the budget revisions had been reviewed by the Tax Supervising & Conservation Committee (TSCC). The TSCC had recommended changes be made which were outlined in their letter to Metro's Board of Directors (sic) dated November 13, 1986. Donald Carlson's memo to the Council dated November 19 responded to the TSCC letter. Ms. Sims distributed a document entitled "Summary of Changes to Funds per TSCC Recommendations." She explained the changes recommended by the TSCC were of a budget restructure nature rather than policy changes. She recommended adoption of Resolution No. 86-680 but explained the Council could consider the matter on December 11 if more time was needed to review the amendments.

Presiding Officer Waker said he had attended the TSCC hearing and agreed their recommended changes were not substantial. He said the Council could consider the Resolution on December 11 if the Convention Center Committee wanted time to review the amendments.

Councilor Van Bergen referred to a reference in Estle Harlan's memorandum submitted earlier in the meeting opposing the loan of solid waste operating contingency funds to the Convention Center Project. He asked what oversight the Council would have in the



Motion to Continue the Ordinance: Councilor Ragsdale moved, seconded by Councilor DeJardin, to continue the second reading of Ordinance No. 87-215 to the meeting of January 22, 1987.

Vote on Motion to Continue: A vote resulted in all twelve Councilors voting aye.

The motion carried.

Motion to Continue to Resolution: Councilors Kirkpatrick moved, seconded by Councilor DeJardin, to continue consideration of Resolution No. 86-717 to the meeting of January 22, 1987.

Vote on Motion to Continue: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and Ordinance No. 87-215 and Resolution No. 87-717 were continued to the meeting of January 22, 1987.

Presiding Officer Waker called a recess at 8:10 p.m. Deputy Presiding Officer Gardner reconvened the Council at 8:30 p.m. and explained Presiding Officer Waker left the meeting due to illness.

8.2 Consideration of Resolution No. 87-702, for the Purpose of Adopting Principles for a Legislative Program for the 1987 Legislative Session

Mr. Fell reported the Resolution before the Council did not include proposals for solid waste legislation because the Council Legislative Planning Committee determined it would be appropriate to seek the recommendation of the Council Solid Waste Committee prior to formal adoption of any proposed solid waste legislation. He then reviewed the major legislative programs recommended for 1987 including general government funding, Convention Center funding, transportation and administration.

Councilor Van Bergen said he did not support the proposed administration-related legislation concerning the definition of Zoo overtime pay. He thought Metro should be subject to the same tests as any other business.

Councilor Collier, Chair of the Legislative Planning Committee, reported the Committee met informally with Metro area legislators. The Solid Waste Committee would consider a recommendation for solid waste legislation at their meeting of January 13. Regarding Councilor Van Bergen's concerns, she said she also was uncomfortable with the Zoo overtime issue and would bring back more information to the Council on the matter.

Councilor Kirkpatrick asked the Legislative Planning Committee to work with county election officials in order to have a March Zoo levy election conducted in one mode. She said current plans called for Washington and Clackamas Counties conducting the election by mail and Multnomah County by regular ballot. She explained that situation would require two different campaigns.

Councilor Ragsdale said although he would support the transportation legislative package, he was concerned that the Oregon Department of Transportation (ODOT) had consistently underfunded the Metro region.

Motion: Councilor DeJardin moved, seconded by Councilor Hansen, to adopt Resolution No. 87-702 with the exclusion of the legislative program entitled "Administration."

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Presiding Officer Waker was absent.

The motion carried and Resolution No. 87-702 was adopted as amended.

8.3 Consideration of Resolution No. 87-728, for the Purpose of Reappointing Citizen Members to the Solid Waste Rate Review Committee

Ray Barker, Council Assistant, presented staff's report.

Motion: Councilor Kirkpatrick moved to adopt the Resolution and Councilor Van Bergen seconded the motion.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Presiding Officer Waker was absent.

The motion carried and Resolution No. 87-728 was adopted.

8.4 Consideration of Resolution No. 87-729, for the Purpose of Revising the FY 1986-87 Budget and Appropriations, and Authorizing Advance Payments to the Department of Environmental Quality (DEQ) for Landfill Siting (Public Hearing)

Doug Drennen, Solid Waste Engineering and Analysis Manager, introduced Steve Greenwood and Lydia Taylor of the DEQ. Mr. Drennen briefly reviewed staff's report as printed in the agenda materials.

Deputy Presiding Officer Gardner opened the public hearing on the Resolution.