

MSD BOARD OF DIRECTORS
 MINUTES OF APRIL 22, 1977 MEETING

BOARD MEMBERS IN ATTENDANCE

Ray Miller, Chairman
 Sidney Bartels
 James Robnett
 Robert Schumacher

BOARD MEMBERS NOT IN ATTENDANCE

Connie McCready
 Mel Gordon
 Lyle Salquist

ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
 Bob Brown, DEQ

GUESTS IN ATTENDANCE

List attached

STAFF IN ATTENDANCE

Charles Kemper
 Merle Irvine
 Cordell Ketterling
 Warren Iliff
 Don Flatley
 Jean Woodman

METROPOLITAN SERVICE DISTRICT
 BOARD ACTION
 NO. 77-807 DATE 5-13-77

	YES	NO	ABST.
BARTELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GORDON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCCREADY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBNETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALQUIST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHUMACHER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILLER, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Ray Miller
 Clerk of the Board

The clerk called the roll, and there being a quorum present, the Board considered the following items of business:

77-796 MINUTES

Councilman Bartels moved to approve the minutes of April 8, 1977, as submitted. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

77-797 PUBLIC COMMUNICATIONS

Commissioner Miller asked if there was anyone in the audience that wished to address the Board on matters not listed on the meeting agenda. There was no response.

77-798 CASH DISBURSEMENTS

Councilman Bartels moved to approve payment of checks No. 3047 through 3147 in the total amount of \$64,784.15. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

77-799 FY 77-78 BUDGET PRESENTATION

This agenda item is a continuation of the April 8, 1977, discussion and public hearing on the MSD FY 77-78 Budget document. Mr. Irvine reviewed Attachments 1, 2, 3 and 4 as presented in the staff report, outlining proposed amendments and the Zoo Division reorganization. Mr. Irvine stated that no comments had been received from the public on the document.

Motion 77-799.A:

Mayor Robnett moved to approve the proposed budget with the amendments contained in Attachment 1 and the reorganization of the Zoo Fund as outlined in Attachment 2. Councilman Bartels seconded the motion. The motion carried unanimously by roll call vote.

Motion 77-799.B:

Commissioner Schumacher moved to authorize submittal of the FY 77-78 MSD Budget document to the Tax Supervision and Conservation Commission for public hearing. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

77-800 ORDINANCE NO. 46 - PUBLIC HEARING

Commissioner Miller opened the public hearing to give consideration to Emergency Ordinance No. 46, an ordinance amending the effective date of Ordinance No. 32, solid waste management and operation ordinance, and 33, schedule of user fee ordinance, as amended by Ordinance No. 36, and declaring an emergency.

Commissioner Miller asked if there was anyone in the audience that wished a copy of the ordinance and did not have one. There was no response.

Motion 77-800.A: Commissioner Schumacher moved to read Ordinance No. 46 by title only. Councilman Bartels seconded the motion. The motion carried unanimously by roll call vote.

The clerk read the ordinance title.

Mr. Irvine reviewed the ordinance which would delay the effective date for implementation of the Solid Waste Program landfill user fee until June 1, 1977. Approval of the State of Oregon Grant/loan Offer and Acceptance document provides immediate implementation of Ordinances 32 and 33, and staff felt that a delay in implementation of these ordinances was necessary to provide the maximum amount of time for industry to prepare for imposition of the user fee. Letters have been sent to all collectors notifying them of MSD's intent to implement a waste user fee at the landfills. Staff will also be approaching the local jurisdictions during their council and commission session to provide information on the fee pass through to the customer.

Mr. Kemper stated that staff had been approached by a member of the collection industry requesting MSD's support in his application for an increased fee in addition to the MSD user fee due to what he felt would be his increased costs in accommodating the user fee records. Staff had refused this request, and asked for Board direction. There was a concensus by the Board that all such request would be refused as approved HB 2683 eliminated all areas of collection from the District's authority.

Commissioner Miller requested public testimony. There was no response.

There was some discussion on the use of a pamphlet for informing the public of the rate increase and the purpose of the increase. Staff is drafting the pamphlet at this time, however, a decision on costs and distribution has not been made. Councilman Bartels felt that the cost should be MSD's and the pamphlet produced in the least expensive manner. There was a concensus in agreement.

Motion 77-800.B: Councilman Bartels moved to adopt Emergency Ordinance No. 46. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

Motion 77-800.C: Mayor Robnett moved to direct staff to develop a one-page informational pamphlet outlining the MSD Solid Waste Program and the increase in collection rates for use in distribution to the public, with the cost of production to be kept to a reasonable minimum. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

77-801 CONTRACT 77-061 - SERVICE EMPLOYEES UNION LOCAL 49

(This agenda item was considered at the end of the meeting and will appear there on the filed tapes.)

Motion 77-801.A: Commissioner Schumacher moved to adjourn to Executive Session for discussion of the Service Employees Union Local 49 contract. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

Commissioner Miller cited ORS 192.660(2)(a) as authority for conducting the Executive Session stating that the press might remain, however, all material discussed must remain undisclosed. The Board adjourned to Executive Session at 3:30 P.M.

The Board reconvened in public session at 3:45 P.M.

77-801.B: Commissioner Schumacher moved to approve staff recommendation approving amendments to Contract 77-061 with Service Employees Union Local 49 as discussed and with limitations discussed in Executive Session and authorize the Chairman to sign the appropriate documents. Councilman Bartels seconded the motion. The motion carried unanimously by roll call vote.

77-802 CONTRACT 77-067 - COOPERS & LYBRAND CONCESSION AUDIT

Mr. Kemper reviewed the proposed contract with Coopers & Lybrand for auditing of the Zoo concession service in an effort to determine if the Zoo staff is operating the concessions effectively and whether additional controls need to be implemented. Councilman Bartels questioned whether monthly profit and loss statements done on an internal accounting system wouldn't provide the same information, and Mr. Iliff stated that staff would be developing an inventory system that would allow for this type of accounting to be made monthly.

Councilman Bartels moved to approve Contract 77-067 with Coopers & Lybrand in an amount not to exceed \$1,800 plus \$100 out-of-pocket expenses, and subject to legal counsel review. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

77-803 CONCESSIONS CAPITAL IMPROVEMENT PLAN

Mr. Iliff provided a presentation on his concessions capital improvement plan for the Zoo beginning with a picture display of alternative uniform designs. In supplement to the staff report, Mr. Iliff submitted a preliminary study of the food service facilities prepared by Gene Buday, of Factory Agents, Inc., discussing the floor plan and equipment needed for improvement of the services. Mr. Buday estimated a capital cost of equipment at between \$35,000 and \$40,000 FOB the plant. Mr. Iliff requested approval of \$58,500 expenditure for capital improvements which includes purchase of equipment, freight and installation. He felt this would be a maximum figure.

Commissioner Schumacher questioned Mr. Iliff's figure of \$500 for obtaining local engineering designs and what the cost would be if a local firm was not available. Mr. Iliff stated that the cost figure going outside the area for designs would be approximately \$1,800. Commissioner Schumacher suggested that his budget figures be amended to reflect this possibility.

Mr. Hankee, of Commissioner Gordon's staff, stated that it was his understanding that the \$35,000 to \$40,000 for equipment was provided by Mr. Buday and based upon Mr. Buday's ability to purchase direct from the factory. Mr. Hankee felt that if the equipment could not be purchased direct from the factory, the costs would rise dramatically. Mr. Iliff stated that he was not sure, but that this would seem to be the implication. He also stated that it was the assumption in the bidding process that MSD would be dealing with bidders that would have factory purchase access.

Mr. Kemper was concerned that the Zoo staff abide by the Public Bidding Law and whether specifications for purchase of the equipment were being developed. Mr. Iliff indicated that this came under the \$500 engineering figure questioned earlier by Commissioner Schumacher and requested that the \$500 figure be increased by \$1,300. Commissioner Schumacher requested clarification on the Zoo staff's total figure of \$40,000 as being a maximum figure on equipment and Mr. Iliff assured him that it was.

Councilman Bartels moved to approve the overall Visitor Services Improvement Plan as presented in the staff report with item No. 5, engineering, increased to \$1,800, and a total expenditure of \$59,800; and direct staff to develop a contract numbered 77-072 for engineering specifications on purchase of the equipment. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

There was some discussion raised by Councilman Bartels on supplying uniforms to employees at MSD's cost and how the uniforms would be retrieved upon an employee's termination. He felt this might have to be included in union negotiations. Mr. Iliff stated that it had not been definitely decided that MSD would supply the uniforms. He also stated that cleaning of the uniforms presented another problem.

OTHER BUSINESS

Councilman Bartels moved to consider Contract 77-068, State of Oregon Grant/Loan Offer and Acceptance, and the Zoo musk ox project over-expenditure under Other Business. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

77-804 State of Oregon Grant/Loan Offer and Acceptance Agreement - MSD Contract 77-068

Mr. Ketterling reviewed the staff report requesting approval of Contract 77-068 with the State of Oregon and an initial loan request payment of \$2,150,000. The DEQ Grant/Loan Offer and Acceptance required that approval be made by the MSD Board through a formal resolution which had been prepared and presented by staff.

Councilman Bartels moved to approve Contract 77-068 with the State of Oregon for a Grant/Loan Offer and Acceptance through MSD Resolution No. 27. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

77-805 Musk Ox Project Over-expenditure

Mr. Iliff requested approval of an over-expenditure of \$491.42 resulting from unanticipated expenses in shipping of the oxen. He stated that he did not expect costs in addition to this over-expenditure.

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Councilman Bartels moved to authorize additional expenditures on Action Item 77-765 for the musk ox project not to exceed \$500. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

There being no further business to come before the Board, the meeting adjourned at 3:45 P.M.