

MSD METROPOLITAN SERVICE DISTRICT

1220 S.W. MORRISON, ROOM 300, PORTLAND, OREGON 97205 222-3671

MSD BOARD OF DIRECTORS

MINUTES OF AUGUST 13, 1976 MEETING

BOARD MEMBERS IN ATTENDANCE

Miller Duris, Vice Chairman
Charles Becker
Mel Gordon
James Robnett

BOARD MEMBERS NOT IN ATTENDANCE

Connie McCreedy
Robert Schumacher
Ray Miller, Chairman

ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Bob Brown, DEQ

GUESTS IN ATTENDANCE

List attached.

STAFF IN ATTENDANCE

Charles Kemper
Merle Irvine
Warren Iliff
Jean Woodman

METROPOLITAN SERVICE DISTRICT BOARD APPROVAL

NO. 76-642 DATE 8-27-76

	YES	NO	ABST.
BECKER			
DURIS	/		
GORDON	/		
McCREADY	/		
ROBNETT			
SCHUMACHER			
MILLER, CHAIRMAN	/		

Jean Woodman
Clerk of the Board

There being a quorum present, the Board considered the following items of business:

76-629 MINUTES

Commissioner Gordon moved to approve the minutes of July 23, 1976. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

76-630 PUBLIC COMMUNICATIONS

Mayor Duris asked if there was anyone in the audience that wished to address the Board on matters not listed on the meeting agenda and there was no response.

76-631 CASH DISBURSEMENTS

Mr. Kemper reviewed the new staff procedure for requesting approval of payment of cash disbursements outlining the checks written as emergencies between Board meetings. There was a consensus that emergency disbursements should be approved by the Board Chairman, and some discussion as to whether the disbursement system should be done by computer rather than manually.

Councilman Becker moved to approve Checks No. 1247 through 1411 for payment in the total amount of \$92,510.31. Commissioner Gordon seconded the motion. The motion carried unanimously.

76-632 BUDGET TRANSFER - SUPPLEMENTAL BUDGET

Mr. Irvine presented a supplemental budget and budget transfer required to fund the MSD Administrative Division, explaining that transferring funds from the Zoo Fund into the General Fund required the supplemental budget process.

Commissioner Gordon moved to approve the supplemental budget in the amount of \$54,381 and transmittal to the Tax Supervision and Conservation Commission. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

76-633 CONTRACT 76-020 - ZOOPLAN ASSOCIATES - Operational Study Proposal

Mr. Iliff addressed the Board requesting approval of the Zooplan Associates contract which he felt would aid the staff in developing an operation and budget plan for the next five years and would provide the first step in development of a zoo master plan. Commissioner Gordon questioned staff's consideration of other consultants and Mr. Iliff stated that this was the only recognized firm available with expertise in the planning policy area. There was some discussion as to the staff members of

Zooplan Associates that would be doing the physical development of the report, and Mr. Iliff indicated that Dr. Charles Schroeder would be soliciting information and opinions on how the Zoo should be developed, and that Mr. Jones and Mr. Calvin would be involved. Commissioner Gordon was concerned that Zooplan consultants would be doing repetitious report work and Mr. Iliff assured him very little in this field has been done and the work to be performed by Zooplan would be new and of importance to the Zoo.

Mr. Kemper stated that suggestions for tightening the work scope were being discussed by staff and that a 10% retainer by MSD in fees would be included in the contract. Mr. Iliff had no problem with this.

Mayor Robnett proposed setting up a technical advisory committee for review of architectural and construction plans, and there was a consensus in agreement.

Commissioner Gordon moved to approve contract 76-020 and authorization for the Chairman's signature after legal counsel review; and approval of an expenditure of \$17,850 from funds allotted for capital improvements as payment for the consulting services of Zooplan Associates. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

76-634 CONTRACT 76-021 - TED HALLOCK - Public Relations

Mr. Iliff reviewed the proposed personal services contract for public relations work by Ted Hallock, stating that he had worked with Mr. Hallock since November and felt this was a good firm. He also stated that the contract was agreeable with both MSD and Hallock with the exception of the hold MSD harmless section protecting MSD from sub-contracting accidents; however, he felt the differences could be worked out. In discussion of the annual expenditure of \$6,000 in payment of Mr. Hallock's contract, Commissioner Gordon stated that any additional costs incurred must be brought before the Board for consideration. There was a consensus on this. Mr. Iliff also indicated that the Zoo had not received other proposals for public relations work and requested approval.

Councilman Becker moved to approve contract 76-021 and authorize the Chairman's signature after legal counsel review; and approve an expenditure of \$6,000 for payment of these consulting fees. Commissioner Gordon seconded the motion. The motion carried unanimously by roll call vote.

76-635 EXECUTIVE SESSION - UNION NEGOTIATIONS

The Board retired to Executive Session at 3:30 P.M. cited ORS 192.660 (3), union negotiations, as authority.

The Board reconvened in public meeting at 3:50 P.M., with no decision being made.

76-636 COR-MET NEGOTIATIONS

The Board considered the accounts payable item of \$84,000 owing to COR-MET for work performed on the Solid Waste Program. Mr. Kemper introduced a chronological exchange of letters between COR-MET and MSD in an attempt to settle on the fees owing to the consultant. Mr. Gisvold stated he had prepared an evaluation of the COR-MET work in an attempt to put a dollar amount on wasted work, developing a figure of \$95,000. He felt there was \$84,000 due and owing and that the interest and overrun amounts indicated by COR-MET were not within their letter of August 18. Mr. Gisvold stated that he proposed settlement to COR-MET of \$84,000 in return for releases against all claims, and Mr. Wierson responded with a counter proposal of \$130,000 settlement.

Mr. Gisvold recommended rejection of the COR-MET counter proposal and an offer from MSD to pay \$84,000 for release of all claims and settlement.

The Board felt that COR-MET was not acting in good faith and in consideration of damages incurred by MSD, were not prepared to negotiate further. There was also some discussion of preparing a press release for disclosure in Oregon and Boston indicating MSD's intent to sue for work inadequately performed.

Commissioner Gordon moved to authorize counsel to reject COR-MET's counter offer of settlement and stand on MSD's proposal to remit \$84,000 in settlement in return for releases against all claims by COR-MET. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

OTHER BUSINESS

Mr. Kemper requested consideration by the Board of travel clarification; Health and Welfare benefits; Timothy Hay bid contract; and two travel authorizations.

Commissioner Gordon moved for unanimous consent to consider the other business items presented by staff. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

The following other business items were considered prior to the Board Executive Session.

76-637 Travel Approval Clarification

Commissioner Gordon moved to require pre-approval by the Board of all travel expenses exceeding \$100. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

76-638 Health and Welfare Benefit Coverage

Mr. Kemper reviewed the health and welfare policy for new employees and the six month waiting period required before benefits are available. Staff was requesting that health and welfare payments commence upon employment of full time employees thereby causing only a 60 day delay.

The Board directed staff to develop the fiscal impact for increasing the health and welfare benefit and include this item on the next Board agenda.

76-639 Timothy Hay Bid Contract

Mr. Irvine reviewed the staff report analyzing the two bids received in MSD's request for bids for 120 tons of Timothy Hay, stating staff recommendation to award the contract to Anderson Hay and Grain Co., Inc., as the only responsible bid received. Mr. Irvine stated that the other bidder, Interstate Feed Company did not give a firm quote in entering his bid at 3% over wholesale, and phone contact with him did not result in firming the bid figure. Mr. Iliff stated that Interstate Feed Company had been supplying the Zoo with hay in the past, and disagreed with staff recommendation. He felt that the contract bidding process notwithstanding, the contract should be awarded to Interstate Feed with an up to figure of

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\$110 per ton. Mr. Irvine responded in stating that staff had complied with the Contract Review Board law and if the specifications were changed at this time both bids would have to be declared non-responsive and the bidding process begun again.

Commissioner Gordon moved to approve staff recommendation to award the contract for purchase of Timothy Hay to Anderson Hay & Grain Co., Inc. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

76-640 Zoo Travel Authorization

Mr. Iliff requested authorization to send six Zoo keepers to the American Association of Zoo Conference in San Diego, commencing August 23, 1976. He stated that Hanna Industries had volunteered to fly the keepers to San Diego, saving MSD this expense, with motel expenses approximately \$260 to be paid by MSD. Mr. Iliff further stated that the keepers would be bringing back some antelopes by truck providing transportation back for the Zoo keepers, and the total cost of the trip would be \$827.

Commissioner Gordon moved to approve sending six Zoo keepers to San Diego for the American Association of Zoo Conference at a cost of up to \$827. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

76-641 Solid Waste Program Travel Authorization

Mr. Kemper requested approval for Cordell Ketterling to attend the Governmental Refuse Collection and Disposal Association meeting in Seattle on September 2nd and 3rd, 1976.

Mayor Robnett moved to approve travel authorization for Cordell Ketterling to attend the GRCDA conference in Seattle, September 2 and 3, 1976, at a cost of up to \$185. Councilman Becker 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 4:10 P.M.