

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT
DECEMBER 22, 1981

Councilors in Attendance

Presiding Officer Jack Deines
Vice Presiding Officer Betty Schedeen
Coun. Cindy Banzer
Coun. Ernie Bonner
Coun. Mike Burton
Coun. Bruce Etlinger
Coun. Marge Kafoury
Coun. Corky Kirkpatrick
Coun. Bob Oleson
Coun. Jane Rhodes
Coun. Charles Williamson

Staff in Attendance

Teri Anderson
Don Carlson
Diane Dimon
Doug Drennen
Richard Hertzberg
Jill Hinckley
Mike Holstun
Mel Huie
Merle Irvine
Norm Wietting
Sue Woodford

Visitors in Attendance

Mark Peterman, Portland Recycling

There were no introductions, written or citizen communications to the Council.

4. Consent Agenda.

The consent agenda consisted of the following:

- 4.1 A-95 Review.
- 4.2 Minutes of the November 24 and December 3, 1981, Meetings.
- 4.3 Resolution No. 81-291, For the Purpose of Establishing the Solid Waste Rate Review Committee Bylaws.
- 4.4 Confirmation of Solid Waste Rate Review Committee Member Appointment.
- 4.5 Resolution No. 81-290, For the Purpose of Adopting a Pay Plan and Classifications for Zoo Seasonal Visitor Services Workers.
- 4.6 Resolution No. 81-292, A Resolution Relating to Retirement and Adopting a Defined Contribution Plan.

Coun. Oleson asked, regarding #4.5, why the Zoo Visitor Services employees decertified from the union.

Sue Woodford stated that the employees decided they could represent themselves better and for less money than the dues they were paying.

Mike Holstun stated, regarding #4.6, the Plan Description required amendment. In the second paragraph, Eligibility, the word "full-time" should be omitted.

Motion that the consent agenda be approved, with the exception of Item #4.6; carried unanimously. (Kafoury/Rhodes)

Motion to adopt Resolution No. 81-292 and in the Plan Description section of the resolution, delete "full-time" under Eligibility; carried unanimously. (Kafoury/Rhodes)

Coun. Williamson stated that it should be made clear in the Plan that employees who work more than 20 hours per week will be covered.

Coun. Burton concurred that the schedule should spell out who is and is not covered.

Coun. Williamson stated if the Plan Description is more liberal than our actual plan, we might get into some legal difficulty.

5.1 Public Hearing on Ordinance No. 81-123, An Ordinance Relating to Personnel and Establishing Personnel Rules Relating to Zoo Visitor Services Employees and Outside Work.

Motion that the ordinance be adopted. (Kafoury/Schedeen)

Coun. Burton stated that the ordinance covers two specific areas of concern dealing with part-time employees at the Zoo who decertified from the union and also referring to employees' outside work. The language that appears on the pink sheet was agreed on by the Coordinating Committee. The language as it appears in the ordinance was what the Employees' Association agreed to.

Motion to adopt the amendment. (Schedeen/Kafoury)

Coun. Williamson stated that the ordinance should include language that the employee is responsible for notifying his supervisor if outside work is obtained.

Coun. Deines stated that the language in the ordinance leaves the responsibility nowhere and there is no obligation on the part of the employee to say anything.

Sue Woodford stated that the meetings between the Employees' Association and management determined that the working relationship that exists in each department will determine how each supervisor may handle the outside work issue.

Coun. Burton stated that the language did not include any requirement for reporting and the Coordinating Committee agreed that this should be made clear.

Deputy Executive Officer Carlson stated that the language appearing under "B" makes it clear that the department head has the responsibility of initially determining that there is no conflicting outside work and that the department head does have the right to ask his employees if they are employed outside of Metro.

Presiding Officer Deines opened the public hearing.

Jill Hinckley, representing the Employees' Association, stated that the Association's position is that those employees having outside work that has no conflict with Metro should not be questioned or required to report.

General discussion.

Presiding Officer Deines stated he would refer the item back to the Coordinating Committee since there seemed to be no agreement on a policy.

Coun. Rhodes stated that the amendment, as written, could require the department head to be reprimanded if one of his employees is engaged in outside work since the suggested wording makes the department head responsible.

General discussion. It was the consensus of the Council that the ordinance would be placed on its second reading at the next regular meeting and that the outside work policy (Section 3) would be eliminated at that time and referred back to the Coordinating Committee.

5.2 Public Hearing on Ordinance No. 81-124, An Ordinance Relating to Rulemaking and Declaratory Rulings; Amending Ordinance No. 81-105; and Repealing Metro Code Chapters 5.01 and 5.03.

Motion to adopt Ordinance No. 81-124. (Schedeen/Burton)

Coun. Burton stated that this and the following ordinance were housekeeping ordinances that came about after the last state legislative session.

There was no one present who wished to speak during the public hearing.

5.3 Public Hearing on Ordinance No. 81-125, An Ordinance Relating to Public Contract Review; and Repealing Metro Code Chapters 5.05 and 5.06; and Amending Metro Code Chapter 2.04.

Motion that Ordinance No. 81-125 be adopted. (Williamson/Etlinger)

There was no one present who wished to speak during the public hearing.

5.4 Ordinance No. 81-122, For the Purpose of Establishing a New Rate for St. John's Landfill and Amending Code Section 4.06.010 and Ordinance No. 81-106.

Merle Irvine stated that the ordinance dealt with adjusting the operating costs with the Genstar contract and the rate adjustment amounted to approximately seven percent (7%) increase.

General discussion of future anticipated rate increases.

A vote on the previous motion (Rhodes/Williamson) indicated that the adoption of the ordinance carried unanimously. (Coun. Kafoury was absent for the vote on this ordinance.)

6.1 Confirmation of Recycling Support Fund Recommendations.

Motion to adopt the recommendations as outlined; carried. (Banzer/Rhodes, Deines voting "no")

Prior to voting on the motion, the following discussion took place.

Coun. Banzer stated she had received a letter from Mayor Nelson of Beaverton expressing his support of the program.

Coun. Rhodes stated that the staff had done as well as possible in analyzing the proposals submitted since the Council did not set specific guidelines.

Coun. Burton concurred, but suggested that in the future, such funds be restricted to non-profit organizations. He presented a motion in the form of a memo suggesting that the Chairman appoint two members of the Services Committee to oversee the contracts.

Coun. Bonner stated he believed the recycling efforts of Metro should grow in the future.

Coun. Etlinger spoke briefly about the conflict explained at the previous meeting.

Coun. Deines stated his opposition to the entire program.

General discussion.

Motion that the Chairman appoint two members of the Services Committee to oversee the contracts for the Recycling Support Fund (Burton/Kirkpatrick): failed to pass by the following vote:

YEAS: Schedeen, Burton, Kirkpatrick and Oleson.

NAYS: Williamson, Bonner, Banzer, Kafoury, Deines, Rhodes, Etlinger
ABSENT: Berkman

Motion to amend Coun. Burton's motion to change the reporting period from each month to quarterly (Kafoury/Bonner); failed to pass by the following vote:

YEAS: Kafoury, Bonner
NAYS: Williamson, Rhodes, Etlinger, Schedeen, Burton, Kirkpatrick, Deines
and Oleson
ABSENT: Berkman

6.2 Approval of Metro Operations Contract with Portland Recycling Team.

Motion to approve the partial contract in the amount of \$24,225; carried unanimously. (Banzer/Kafoury)

Prior to the vote on the motion, the following discussion took place.

Coun. Banzer stated approval of this contract would buy the Council time to think about involvement in the recycling effort in the future.

Mark Peterman gave a brief report on where expenses have increased and stated that the market for recycled materials is very bad at this time.

General discussion.

Motion to amend the previous motion approving only \$13,515 to pay for continuing 4 drop-off centers and part of the warehouse rent (Rhodes/Burton); failed to pass, with only Couns. Rhodes and Burton voting "yes".

Coun. Kafoury asked what effect the amended amount would have on the operation.

Mark Peterman stated they could cut expenses if it were possible to get out of the lease for the warehouse and shutting down some of the centers.

General discussion of the costs proposed; it was determined that the \$13,515 figure came from the present contract (based on last year's costs) and that the \$24,225 was as close to actual costs now as PRT is able to predict,

6.3 Approval of Two (2) Sole Source Contracts for Resource Recovery.

This item was deleted from the agenda since the contracts had not been completed.

7.1 Executive Officer's Report.

Don Carlson distributed the air quality summary application for the Energy Recovery Facility and reported that a new accounting manager had been hired-- Leon "Chum" Chitty.

7.2 Committee Reports.

Coun. Bonner reported a good meeting with Washington County.

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Coun. Kirkpatrick stated that the Electric Energy Subcommittee would submit a report on their activities at the next regular Development Committee meeting.

ADJOURNMENT

The meeting adjourned at 9:35 PM.

Respectfully submitted,



Sue Haynes
Clerk of the Council