

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

JANUARY 28, 1982

Councilors present: Couns. Banzer, Berkman, Bonner, Burton, Deines, Etlinger, Kafoury, Oleson, Rhodes, Schedeen and Williamson.

Councilors absent: Coun. Kirkpatrick.

Also present: Executive Officer Rick Gustafson.

Staff present: Don Carlson, Andy Cotugno, Diane Dimon, Mel Huie, Andy Jordan, Dan LaGrande, John LaRiviere, Keith Lawton, Tom O'Connor, Kay Rich, Sonnie Russill, Jennifer Sims, and Caryl Waters.

Visitors present: Chris Raber, Rt. 5, Box 812, Portland;  
Jim Johnson, Oregon City Commissioner;  
Bob Ainger, 1327 SW Gayle, Portland;  
Don McIntyre, 929 SE Phoebe Ct., Gresham;  
Marvin J. Walsh, 1815 SW Sunset Bl., Portland;  
Gene Manning, Box 471, Gresham;  
Stanley Hartman, 2875 SW Champagne, Portland;  
Bob Weil, Metropolitan Citizens' League

1. Introductions

Coun. Berkman introduced Bob Ainger, a constituent from his district.

2. Written Communications to Council.

There were none.

3. Citizen Communications to Council on Non-Agenda Items.

Chris Raber asked the Council how stories could be published saying that the Energy Recovery Facility would not cost the taxpayers anything, but the project will cost \$289 million.

Coun. Berkman stated that the taxpayers of this region will not pay for the facility unless they choose to buy revenue bonds, that they will pay for the collection of solid waste as they do now, and the solid waste will produce energy which will be sold.

Jim Johnson presented some letters in testimony of the fact that due consideration was not given to emissions from the Energy Recovery Facility and it would be prudent to ask the DEQ to form a panel to review potential health problems.

Bob Ainger stated his objections to Metro's activities as reported in the recent Oregonian articles.

Don McIntyre expressed his unfavorable opinion about the reported budget problems of Metro.

Coun. Williamson stated that the Council is taking steps to be sure that the situation is corrected immediately and not allowed to happen again.

Marvin Walsh asked why the problem took so long to come to a head and why didn't Metro have the County or the State perform their audit for nothing.

Coun. Banzer stated that state law requires an outside auditing firm to annually audit municipal corporations and that competitive bids were received for the audit.

Coun. Berkman stated that the basis for the time delay was because the chart of accounts was not in the order it should have been. The facts are now coming out and the Executive Officer and Council are taking decisive action.

Gene Manning asked for a list of the staff who attended the Solid Waste Retreat that was reported in the Oregonian.

Coun. Burton stated he would like the Council to take the following actions:

1. Appoint a committee of Councilors to act in liaison with the auditors.
2. Appoint a Fiscal Advisory Task Force of volunteer individuals to assist with fiscal and budget control.
3. Ask the Coordinating Committee to consider review of the bidding process procedures, with special emphasis on review of the present sole source provisions.
4. Refer the 1979 resolution regarding the dollar-amount of contracts that require Council approval.

General discussion of Coun. Burton's suggestions.

Motion to direct the Presiding Officer to appoint Couns. Berkman, Williamson and Banzer to act as an Audit Committee for the remainder of the fiscal year and meet with the auditor on management matters; carried. (Burton/Bonner, Rhodes voting "no")

Motion that the Presiding Officer appoint a Fiscal Review Committee as laid out in her memo, expenses for which shall not exceed \$1,000; carried unanimously. (Bonner/Schedeen)

It was the consensus of the Council after discussion to refer the matters of the bidding process to the Coordinating Committee for their next regular meeting.

The meeting was adjourned at 8:30 for a brief recess and reconvened at 8:50 PM.

#### 4. Consent Agenda

The consent agenda consisted of the minutes of 12/22/81 and 1/7/82 and the A-95 Review.

Motion that the consent agenda be approved; carried unanimously. (Deines/Rhodes)

5.1 Recommendation on Proposal for Citizens' Advisory Committee on the Budget for FY '82-'83.

It was the consensus of the Council that this matter be referred back to the Coordinating Committee indefinitely.

6.1 Resolution No. 82-295, Supporting the Eligibility of Investor-Owned Utilities for Participation in Bonneville Power Administration Conservation Programs Initiated under the Northwest Power Act.

Coun. Bonner explained that recently adopted BPA policies have effectively cut out local governments' funding for energy conservation and the resolution states an objection to those policies.

John LaRiviere stated that the policies have put local governments in a difficult position between BPA and the power companies.

General discussion.

Motion that Resolution No. 82-295 be adopted; carried unanimously. (Bonner/Kafoury)

6.2 Electric Energy Conservation Subcommittee Recommendations for Continuing Energy Program.

General discussion of the program. It was the consensus of the Council that the funding for continuing the program would be considered during the budget meetings.

Coun. Bonner commended Coun. Kirkpatrick's activities in relation to the Subcommittee and the program.

6.3 Resolution No. 82-296, For the Purpose of Authorizing Adjustments in the Transportation Improvement Program to the Interstate Transfer Program and Project Authorizations.

Motion that the Resolution be adopted; carried unanimously. (Williamson/Rhodes)

6.4 Resolution No. 82-299, For the Purpose of Amending the Transportation Improvement Program to Include a Section 3 Capital Grant for the Pioneer Square Customer Assistance Office.

Motion that the Resolution be adopted; carried unanimously. (Williamson/Kafoury)

6.5 Resolution No. 82-298, Amending the Transportation Improvement Program to Include a Project for the Region's Non-Urbanized Area Public Transportation Program.

Motion that the Resolution be adopted; carried unanimously. (Williamson/Deines)

6.6 Resolution No. 82-297, Amending the Functional Classification System and the Federal Aid Urban System.

Motion that the Resolution be adopted; carried unanimously. (Williamson/Bonner)

7.1 Executive Officer's Report.

Executive Officer stated that he had no report other than the update on the Energy Recovery Facility which he would report on at the conclusion of the regular Council business.

7.2 Committee Reports.

Coun. Burton stated the Bi-State Policy Advisory Committee will hold their next meeting on February 10 at 11:45 AM in the Regional Planning Council Chamber in Vancouver. He stated that the Committee has been working on coordination of air quality plans.

Coun. Bonner stated that other than the regular Development Committee meeting on February 8, there would also be a meeting on Feb. 9 at 7:00 PM, to discuss the Regional Transportation Plan.

Coun. Deines reported that the Coordinating Committee will have a special meeting on Monday, Feb. 1, at 5:00 PM to discuss the proposed changes to the FY '82 budget; the regular meeting will be held on Tuesday, 2/16, since Monday is a holiday.

Coun. Williamson stated the JPACT will meet on 2/11.

ENERGY RECOVERY FACILITY UPDATE

Executive Officer reported that the House and Senate passed HB3295 which raises the limit for electric turbine generating facilities to 50 MW, so our facility does not have to apply for permit from the Energy Facility Siting Council.

Coun. Williamson commended the Executive Officer and Isaac Regenstreif, Metro's lobbyist, for an excellent job.

Executive Officer stated that the Council will be receiving a letter from the Senate Committee because of concerns raised with economic review of the project. The letter will urge the Council to have public hearing on the economic viability of the project.

Exec. Officer reported that the air quality presentation estimated that emissions were below the standards described in the Clean Air Act and DEQ standards. The requirement for this type of facility is that Metro ask for and locate offsets for that particular type of pollution. It is estimated that there are approximately 84 tons of emissions that we have to find offsets for. There are ozone offsets available from the closure of Rossman's landfill, approx. 11.7 to 26.5 tons. Jack Parker owns those offsets and we would have to make some deal with him. DEQ suggests the remainder of offsets be obtained by Metro's conducting a yard debris program twice a year, at a cost of approximately \$63,000 - \$79,000, depending on the offsets received from Parker.

Motion that the staff be given the flexibility to pursue the offset program and that they seek to reach an accommodation with the owner of Rossman's Landfill and other eligible parties to meet the air quality requirements for this project; (Berkman/Schedeen) carried by the following vote:

YEAS: Berkman, Bonner, Rhodes, Schedeen, and Williamson.

NAYS: Banzer, Burton and Deines.

ABSENT: Etlinger, Kafoury, Kirkpatrick, and Oleson.

Considerable discussion took place prior to passage of the motion regarding possible commitment to a yard debris program, accepting the responsibility for the offsets, the particulate problem, etc.

Exec. Officer stated that his intent is to find out if the Council is willing to accept the requirements for full offsetting; but the motion does not commit to funds, only to allowing the staff to proceed with the permits.

The meeting adjourned at 10:15 PM.

Respectfully submitted,

  
Sue Haynes, Clerk of the Council