

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

REGULAR MEETING
MARCH 24, 1983

Councilors Present: Councilors Banzer, Bonner, Deines,
Etlinger, Hansen, Kelley, Kirkpatrick,
Oleson, Van Bergen, Waker, and Williamson.

Councilors Absent: Councilor Kafoury (excused).

Also Present: Rick Gustafson, Executive Officer.

Staff: Donald Carlson, Ray Barker, Andy Jordan,
Andy Cotugno, Steven Siegel, Norm Wietting,
Dennis Mulvihill, and Kay Rich.

Testifiers: Robert Breihof, PRROS.
Ralph Wooten, PASSO.
Paul Bay, Tri-Met.

A regular meeting of the Council of the Metropolitan Service District was called to order at 7:40 p.m. by Presiding Officer Banzer.

1. Introductions.

There were no introductions.

2. Councilor Communications.

Councilor Etlinger encouraged members of the Council to join the Friends of Multnomah County Library.

3. Executive Officer Communications.

Executive Officer Rick Gustafson stated that he had forwarded the Executive Officer's recommended budget for FY 83-84 to the Council Coordinating Committee on March 16, 1983. Mr. Gustafson then highlighted major elements and program priorities of the proposed budget.

Presiding Officer Banzer commented that the presentation of the budget to the Budget Committee was one of the finest presentations she had seen since she had been on the Council.

4. Written Communications to Council on Non-Agenda Items.

There were no written communications to Council on Non-Agenda Items.

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

Mr. Robert Breihof, 1246 S.E. 49th Avenue, Portland, Oregon, 97215, President of PRROS, submitted a letter and made comments regarding the Portland Recycling Refuse Operators' request for Metro to print coloring books for use in PRROS's school education program. He also requested that Metro reduce the user fees paid by PRROS members in recognition of the recycling service offered (a copy of the letter is attached to the agenda of the meeting).

Presiding Officer Banzer referred Mr. Breihof's request to the Council Coordinating Committee on the Budget and to the Regional Services Committee for consideration and recommendation to the Council.

Mr. Ralph Wooten, 7880 S.E. Pine Street, Portland, representing PASSO, submitted and read a letter regarding installation of a wash rack at the Clackamas Transfer and Recycling Center (a copy of the letter is attached to the agenda of the meeting).

Presiding Officer Banzer referred the issue of the wash rack to the Regional Services Committee for resolution and a recommendation to the Council as soon as possible. Councilor Hansen requested staff to present recommendations for a solution at the April 12th Services Committee meeting.

6. Consent Agenda.

The Consent Agenda consisted of the following:

6.1 Minutes of the meetings of January 12, 18, 24, 27 and February 3, 1983.

6.2 A-95 Review

6.3 Resolution No. 83-391, for the purpose of adopting policies for the investing of Metro's excess cash balances.

Motion: Councilor Kirkpatrick moved adoption of the Consent Agenda. Councilor Waker seconded the motion.

Vote: The vote on the motion to adopt the Consent Agenda resulted in:

Ayes: Councilors Banzer, Bonner, Deines, Etlinger, Hansen, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Kafoury.

Motion carried unanimously.

7.1 Consideration of Ordinance No. 83-151, amending the Metro Urban Growth Boundary in Multnomah County for Contested Case No. 82-2 (First Reading).

Motion: Councilor Waker moved adoption of Ordinance No. 83-151. Councilor Williamson seconded the motion.

Andrew Jordan, General Counsel, presented the staff report, as contained in the agenda of the meeting.

There was no public testimony on the ordinance.

The ordinance was passed to second reading on April 6, 1983.

8.1 Consideration of Resolution No. 83-394, for the purpose of supporting the East Multnomah County Sewer Consortium 205(j) Grant Application.

Motion: Councilor Kelley moved adoption of Resolution No. 83-384. Councilor Kirkpatrick seconded the motion.

Councilor Kelley reported that the Regional Development Committee recommended approval of the resolution.

Steven Siegel, Development Services Director, presented the staff report, as contained in the agenda of the meeting.

Councilor Kelley noted that while she and Councilor Etlinger had expressed concerns when the matter was initially discussed at the Development Committee meeting, she felt those concerns had now been resolved. There was then considerable discussion

of the ramifications of the ground water and sewer problems in East Multnomah County and the concern that Portland and Gresham might attempt to resolve those problems through their annexation policies.

There was no public testimony on this item.

Vote: The vote on the motion to adopt the Resolution resulted in:

Ayes: Councilors Banzer, Bonner, Deines, Etlinger, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilors Kafoury and Oleson.

Motion carried unanimously, Resolution adopted.

8.2 Consideration of Resolution No. 83-392, for the purpose of aligning the Federal Aid Urban Boundary with the 1980 Census Boundary and Urban Growth Boundary.

Motion: Councilor Williamson moved adoption of Resolution No. 83-392. Councilor Kirkpatrick seconded the motion.

Andy Cotugno, Transportation Director, presented the staff report, as contained in the agenda of the meeting.

Councilor Williamson reported that TPAC and JPACT had recommended approval of the resolution.

There was no public testimony.

Vote: The vote on the motion to adopt Resolution No. 83-392 resulted in:

Ayes: Councilors Banzer, Bonner, Deines, Etlinger, Hansen, Kelley, Kirkpatrick, Van Bergen, and Williamson.

Nays: None.

Absent: Councilors Kafoury and Oleson.

Motion carried unanimously, Resolution adopted.

Consideration of Resolution No. 83-395, for the purpose of amending the Transportation Improvement Program (TIP) to incorporate a downtown Portland Improvements Project and the Vintage Trolley Project into the scope of the Banfield LRT Project.

Presiding Officer Banzer noted that this item was not listed in the agenda of the meeting.

Mr. Cotugno presented the staff report (a copy of the staff report and resolution are attached to the agenda of the meeting). He said the resolution was being introduced as an exception to the normal process because work on integrating the downtown and trolley elements into the LRT project needed to occur by April 1, 1983 when grant award was expected. He said TPAC and JPACT members had been polled by telephone and had recommended approval of the resolution.

Motion: Councilor Williamson moved approval of Resolution No. 83-395. Councilor Etlinger seconded the motion.

Councilor Deines commented he thought the project was a waste of the taxpayers' money and would vote against the resolution.

Mr. Paul Bay, Director of Planning and Development for Tri-Met, explained that the local match money for the project was being put together by the business community through an LID process.

There was no public testimony.

Vote: The vote on the motion to adopt Resolution No. 83-395 resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: Councilor Deines.

Absent: Councilor Kafoury.

Abstention: Councilor Kelley.

Motion carried, Resolution adopted.

At this time the Council recessed for ten minutes.

8.3 Consideration of Resolution No. 83-393, for the purpose of authorizing the Residential Recycling Program.

Councilor Hansen reported that the Regional Services Committee recommended approval of the resolution.

Dennis Mulvihill, Waste Reduction Manager, presented the staff report, as contained in the agenda of the meeting.

Councilor Etlinger stated he was concerned that the project represented a major investment by Metro and a majority of the region was not involved.

Councilor Waker asked what the financial commitment was to the cities involved and what affect it would have on the budget. Mr. Mulvihill responded that both the FY 82-83 and FY 83-84 budgets would be affected. He then ran through the amended budget with the Council (a copy of the amended budget is attached to the agenda of the meeting). He explained that appropriation for the project had been made during the FY 82-83 budget process and that some of those funds would be carried over into FY 83-84.

Motion: Councilor Hansen moved adoption of Resolution No. 83-393. Councilor Oleson seconded the motion.

Councilor Kirkpatrick stated that she felt the budget process for FY 83-84 was being preempted by taking action on the resolution at the present time. Councilor Deines stated that \$78,000 had already been approved for the program during the 82-83 budget process and unspent funds were merely being carried over to 83-84. He said any commitment beyond \$78,000 would need to be decided on by the current budget process.

Presiding Officer Banzer stated that written communications had been received from the Cities of Milwaukie and Beaverton (copies of the letters are attached to the agenda of the meeting) and a phone call from Margaret Weil of Gresham, supporting the program.

Mr. Rod Cancilla, Chairman of the City of Milwaukie's Solid Waste Task Force, testified in support of the program.

Vote: The vote on the motion to adopt Resolution No. 83-393 resulted in:

Ayes: Banzer, Bonner, Deines, Etlinger, Hansen, Kelley, Kirkpatrick, Oleson, Waker, and Williamson.

Nays: None.

Absent: Councilors Kafoury and Van Bergen.

Motion carried unanimously, Resolution adopted.

9. Consideration of adjustment to Construction Contracts/MBE Policy

Councilor Kirkpatrick reported on the Council Coordinating Committee action. She said the issue had been brought to the Committee because there were a number of previously planned projects at the zoo scheduled for construction during the summer of 1983 and the Council's motion of February 3rd prohibited new contracts. She said the Coordinating Committee had previously clarified the Council's motion to indicate that the motion applied only to construction contracts. Councilor Kirkpatrick said the Coordinating Committee was now forwarding a recommendation to the Council to rescind the initial February 3rd motion. She said the Committee had requested the staff to present a plan to address the MBE Policy review and alternative recommendations for resolving the zoo's dilemma.

Don Carlson, Deputy Executive Officer, submitted two memos for Council consideration (copies are attached to the agenda of the meeting). He reviewed the first memo which set forth three options regarding revision of the February 3rd prohibition on new construction contracts. He then reviewed a second memo suggesting a process and timeline for reviewing the MBE Policy.

Motion: Councilor Kirkpatrick moved that a review panel and process be established for the MBE review as suggested in Mr. Carlson's memo of March 24, 1983; that the review of the MBE Policy occur and be completed prior to the award of any new construction contract over \$50,000; and that this motion rescind and be a substitute for the motion adopted by the Council on February 3, 1983 on the same subject. Councilor Williamson seconded the motion.

Councilor Hansen asked if the National Business League or any other interested groups had been contacted regarding the revision to the February 3rd motion. Mr. Carlson responded that no contact had been made.

Councilor Deines commented that he would vote against the motion because he felt the Council should stand by their motion of February 3rd in order to expedite the process of reviewing the Policy.

There was no public testimony.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Kirkpatrick,
Oleson, Waker, and Williamson.

Nays: Councilors Deines, Hansen, and Kelley.

Absent: Councilors Bonner, Kafoury, and Van
Bergen.

Abstention: Councilor Etlinger.

Motion carried.

10. Legislative Report.

There was no legislative report.

11. Committee Reports.

There were no Committee Reports.

There being no further business, the meeting adjourned at 9:25 p.m.

Respectfully submitted,


Everlee Flanigan
Council Clerk