

**MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

**REGULAR MEETING  
APRIL 7, 1983**

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

**Councilors Absent:** Councilors Deines and Kafoury.

**Staff Present:** Donald Carlson, Jennifer Sims, and Andrew Jordan.

A regular meeting of the Council of the Metropolitan Service District was called to order at 7:35 p.m. by Presiding Officer Banzer.

**1. Introductions.**

There were no introductions.

**2. Councilor Communications.**

Councilor Kelley announced that the Regional Services Committee meeting scheduled for April 11, 1983 was cancelled because of a schedule conflict with the opening of the Clackamas Transfer and Recycling Center.

**3. Executive Officer Communications.**

Jennifer Sims, Budget and Administrative Services Manager, presented a memorandum regarding a waiver of Personnel Rules (memorandum attached to the agenda of the meeting). She explained that Council ratification of the waiver was required to allow the acceleration of the recruitment process for the Engineer III position in the Solid Waste Department.

**Motion:** Councilor Waker moved ratification of the waiver of the Personnel Rules. Councilor Kirkpatrick seconded the motion.

**Vote:** A voice vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Deines, Etlinger, and Kafoury.

Motion carried unanimously.

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.

There were no citizen communications to Council on non-agenda items.

6.1 Ordinance No. 83-151, amending the Metro Urban Growth Boundary in Multnomah County for Contested Case No. 82-2. (Hayden Island. (Second Reading)

Andrew Jordan, General Counsel, presented a brief report on the ordinance.

There was no Council discussion or public testimony.

Vote: The vote on the motion of March 25, 1983 by Councilors Waker and Williamson to adopt the ordinance resulted in:

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

Nays: None.

Absent: Councilors Deines, Etlinger, and Kafoury.

Motion carried, Ordinance adopted.

7.1 Resolution No. 83-396, for the purpose of amending the Federal Aid Urban (FAU) Boundary to incorporate the addition of Western Hayden Island to the Urban Growth Boundary (UGB).

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

There was no Council discussion or public testimony.

Motion: Councilor Kelley moved adoption of Resolution No. 83-396. Councilor Hansen seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Deines, Etlinger, and Kafoury.

Motion carried, Resolution adopted.

7.2 Resolution No. 83-397, for the purpose of creating a Minority Business Enterprise Policy Review Committee and confirming appointments thereto.

Mr. Ray Barker, Council Assistant, distributed a substitute resolution which reflected a change in one of the names of the members of the committee (copy of the substitute resolution is attached to the agenda of the meeting).

Motion: Councilor Oleson moved adoption of substitute Resolution No. 83-397. Councilor Kelley seconded the motion.

Councilor Williamson requested that the Council be kept informed of any contracts which might be held up because of the MBE Policy Review process.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Deines, Etlinger, and Kafoury.

Motion carried, Resolution adopted.

7.3 Resolution No. 83-400, for the purpose of supporting sponsorship of the Columbia Willamette Futures Forum Conference, June 4, 1983.

Presiding Officer Banzer stated that the resolution was not on the printed agenda but she had been requested to bring it up.

Councilor Kirkpatrick stated that although the resolution was introduced by Councilor Kafoury, she was unable to attend the meeting. She briefly outlined the Forum Conference agenda.

Motion: Councilor Kirkpatrick moved adoption of Resolution No. 83-400. Councilor Kelley seconded the motion.

Councilor Williamson inquired if there would be any cost to Metro to support the Conference. Councilor Kirkpatrick responded that there would be none. Councilor Van Bergen asked why the Resolution was not being processed under the standard procedure. Councilor Kirkpatrick responded that the announcement of the Conference was being printed and if Metro was going to be included as a sponsor, they needed to adopt the resolution.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Deines, Etlinger, and Kafoury.

Motion carried, Resolution adopted.

8. Legislative Report.

Presiding Officer Banzer reported on the Tri-Met legislation (H.B. 2228). She said she had met with members of the House Intergovernmental Committee and had come away with the impression that Section 3 of the bill which would require legislative approval of the merger, would be deleted and a substitute amendment would be offered which would essentially say that Metro would have to submit a financial plan to three bodies: the State Treasurer, or his/her designee; the Chairman of the Oregon Investment Council, or his/her designee; and the Oregon Transportation Commission Chairman, or his/her designee, and

those three would decide, based only financial criteria, whether or not Metro's financing plan was viable. She said that Chairman Otto indicated that he would be sending a letter to Metro and to the Tri-Met Board urging that the two bodies get together and address the issue of the uncertainty in the relationship between them before the 1985 legislative session.

(At this time, Councilor Etlinger joined the meeting.)

Councilor Waker stated that it seemed to him the issue of whether or not Metro would take over Tri-Met needed to be resolved, and perhaps the Council should entice the legislature to direct Metro to prepare a financial plan to determine whether or not it would be feasible before the 1985 legislative session.

Councilor Williamson stated there were some advantages to Metro to keep the relationship with Tri-Met the way it was because as long as the Council generally agreed with what Tri-Met was doing, there was no need to take them over and they had some leverage over them. He said once they actually act and take them over, they would lose that advantage. However, he indicated he was not opposed to studying the issue.

Councilor Etlinger stated he would like to see the legislature set a date for the merger and the questions to be answered would be: if they're going to merge, when will it occur, and how it will occur. He said the question of "if" had already been decided eight years ago.

Presiding Officer Banzer stated she felt the Council needed to discuss the issue in more detail and asked Mr. Barker to schedule time for Council discussion.

Councilor Van Bergen stated that until the Council had an opportunity to discuss the issue in detail that there be a moratorium on sending letters to the legislature such as the one sent on March 30th by the Presiding Officer. He said the letter implied that the Council had reached a consensus on the issue and he did not have that impression.

Presiding Officer Banzer stated her reading of previous Council discussion was that they supported the status quo and that the Fred Hansen amendment could be supported with a sunset provision. She said the Presiding Officer should be given some latitude in dealing with legislature.

Councilor Van Bergen clarified that he had no trouble with a Councilor or the Executive Officer speaking to legislation but only as an individual elected official, not on behalf of the Metro Council, until a position of the Council had been agreed upon.

Motion: Councilor Williamson moved that the Council agree and support Representative Glenn Otto's compromise language, that the Council take no further action with the legislature outside of that specific compromise amendment pending further Council discussion of the issue, and that the Council ratify the letter the Presiding Officer sent on March 30, 1983. Councilor Oleson seconded the motion.

At this time, the Council recessed for five minutes to allow time to distribute and review the letter of March 30th (a copy of the letter is attached to the agenda of the meeting).

Councilor Van Bergen stated he would support the motion because the letter had already been sent and because the Council should be able to have a meeting by the time the amendment was in written form.

Vote: The vote on the motion resulted in:

**Ayes:** Councilors Banzer, Bonner, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

**Nays:** Councilors Etlinger and Hansen.

**Absent:** Councilors Deines and Kafoury.

Motion carried.

## 9. Committee Reports.

Councilor Kirkpatrick reported on the Council Coordinating Committee meetings on the budget. She said they had not yet addressed COLA or merit.

Donald Carlson, Deputy Executive Officer, stated that a 4% merit pot had been included in each department's budget to maintain the merit plan. He said they had held discussions with the Employees Association regarding a cost of living increase, and that the Executive Officer was recommending a 1%

COLA plus continuation of the three personal holidays for FY 83-84. In addition, he said, there was proposed in the FY 83-84 budget an update of the pay and classification plan which the Executive Officer would commit to be guided by in terms of future wage agreements and funding availability. He said he would like to hear comments from the Council regarding the issue.

Councilor Bonner stated that because of the current economic realities and the uncertainty of future resources for the organization, he was opposed to the increase and said they should hold the line for one more year.

Councilor Kelley asked where the 1% would come from. Mr. Carlson said several options were being looked at and would be discussed.

Councilor Kirkpatrick stated that Metro's real image in the community depended on the ability of their technical staff and they needed to do as much for them as they can.

Councilor Etlinger suggested that as part of the professional upgrading of the staff, they should be putting more back into the tuition budget.

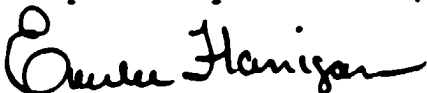
Councilor Hansen said he would accept the Executive Officer's proposal if the staff agreed, but was concerned about the continued disparity between the Zoo and non-Zoo employees.

Councilor Bonner requested a copy of the analysis of how the merit increases were disbursed.

Mr. Carlson then distributed to the Council members materials for the Council/Executive Officer Workshop to be held on April 14th. Councilor Williamson requested that a list be prepared of the major financial constraints facing the Council.

There being no further business, the meeting adjourned at 9:13 p.m.

Respectfully submitted,



Everlee Flanigan  
Clerk of the Council