

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

**REGULAR MEETING
APRIL 28, 1983**

Councilors Present: Councilors Banzer, Deines, Etlinger,
Hansen, Kafoury, Kelley, Kirkpatrick,
Van Bergen, and Waker.

Councilors Absent: Councilors Bonner, Oleson, and Williamson.

Staff Present: Donald Carlson, Andrew Jordan, Dan Durig,
Norm Wietting, Tom O'Connor, and Ray Barker.

Testifiers: Ralph Wooten, PASSO.
Joe Cancilla, PASSO.
Gaylen Kiltow, PASSO.

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 Deines requested that agenda item 8.1, the flow control ordinance, be considered after the Consent Agenda.

3. Executive Officer Communications.

There were no Executive Officer communications.

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

Presiding Officer Banzer stated that the Council members should have received a copy of a letter from Rep. Glenn Otto and that it would be discussed at the Council Informal on May 5, 1983.

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

Mr. Ralph Wooten, member of Portland Association of Sanitary Service Operators (PASSO), submitted and read a letter regarding quorums required for Council committees (a copy of the

letter is attached to the agenda of the meeting). Presiding Officer Banzer explained that Mr. Wooten was referring to the Council Committee Assignment sheet which indicated that it took three members to constitute a quorum. She explained that the three member rule applied to the three major standing committees and not to the Contract Review Committee which only required a majority or two members. Mr. Joe Cancilla, President of PASSO requested a corrected copy of the Committee Assignment sheet.

Mr. Gaylen Kiltow, member of the Portland Association of Sanitary Service Operators, submitted and read a letter regarding the Clackamas Transfer and Recycling Center Wash Rack Survey (a copy of the letter is attached to the agenda of the meeting). He said he objected to the financing options outlined in the survey for the wash rack. Mr. Norm Wietting, Solid Waste Department, stated that the per ton cost estimates were based on actual operating costs at St. Johns and that the cost to the haulers would be reduced once the capital costs of constructing the facility were paid.

6. Consent Agenda.

The Consent Agenda consisted of the following:

6.1 Minutes of the meeting of February 24, 1983.

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

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Bonner, Oleson, and Williamson.

Motion carried, Consent Agenda adopted.

8.1 Consideration of Ordinance No. 83-152, for the purpose of implementing control of the flow of solid waste in Clackamas County. (First Reading)

Councilor Hansen stated that the purpose of the flow control measure was to guarantee an adequate flow of waste to the CTCRC

facility. He said it was hoped that the Council would not have to implement flow control and that the agreement concerning the flow of solid waste to the facility would be honored by all of the parties involved. However, he said, if the agreement would break down and flow control was needed, the purpose of bringing the ordinance before the Council was to provide the latitude to respond quickly in the event that flow control was needed.

Mr. Norm Wietting and Dan Durig, Solid Waste Department, briefly presented the staff report, as contained in the agenda of the meeting.

Motion: Councilor Hansen moved adoption of Ordinance No. 83-152. Councilor Kelley seconded the motion.

Councilor Hansen asked if the ordinance was tabled, would it required two subsequent meetings to take it off the table and have the second reading. Mr. Jordan, General Counsel, responded that the ordinance could be taken from the table and adopted at the same meeting.

Motion: Councilor Deines moved that the ordinance be tabled. Councilor Hansen seconded the motion.

Vote: The vote on the motion to table Ordinance No. 82-153 resulted in:

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

Nays: None.

Absent: Councilors Bonner, Oleson, and Williamson.

Motion carried to table Ordinance No. 83-152.

7.1 Consideration of Resolution No. 83-401, for the purpose of authorizing the rollback of interstate transfer funds to June 1980 levels and allocating initial funding authorizations for implementation in the third quarter of FY 1983.

Andy Cotugno, Transportation Department, presented the staff report, as contained in the agenda of the meeting. He noted that Attachment "C" to the Resolution, which was a list of projects anticipated for funding during the current fiscal year, should be amended to delete the construction funds for the 217/Sunset interchange project at the request of Washington County.

Motion: Councilor Etlinger moved adoption of Resolution No. 83-401, with the amendment to delete the 217/Sunset construction funding allocation. Councilor Kafoury seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Bonner, Oleson, and Williamson.

Motion carried, Resolution adopted.

7.2 Consideration of Resolution No. 83-402, for the purpose of amending the Transportation Improvement Program (TIP) to incorporate a series of projects to mitigate traffic impacts of the Banfield Construction Program.

Councilor Etlinger briefly outlined the purpose of the resolution.

Motion: Councilor Etlinger moved adoption of Resolution No. 83-402. Councilor Waker seconded the motion.

Councilor Kafoury stated that she was not impressed with the solution offered by Tri-Met and Councilor Etlinger commented that the problems should have been anticipated and resolved sooner. Presiding Officer Banzer stated that the lack of signage and inability to get on the Banfield westbound was posing a great many problems.

Vote: The vote on the motion resulted in:

Ayes: Councilors Etlinger, Kelley, Kirkpatrick, Van Bergen and Waker.

Nays: Councilors Deines, Kafoury, and Banzer.

Abstention: Councilor Hansen

Absent: Councilors Bonner, Oleson, and Williamson.

Motion carried, Resolution adopted.

8.1 Ordinance No. 83-152, for the purpose of implementing control the flow of solid waste in Clackamas County.

See after 6.1 for disposition.

9. Legislative Report.

Mr. Ray Barker, Council Assistant, reported that H.B. 2228 (Tri-Met Bill) had been passed by the House on April 25th by a vote of 46-9. He said it would now go to the Senate.

Mr. Tom O'Connor, Legislative Liaison, presented a memo regarding major legislation affecting Metro (a copy is attached to the agenda of the meeting) and also presented a memorandum regarding Expenditure Limitation Legislation (HJR-29). He said it was too early yet to make any recommendation to the Council on the expenditure limitation bill. There was then general Council discussion of the limitation bill.

10. Committee Reports.

Councilor Hansen reported on the Special Services meeting held prior to the Council meeting regarding Systems Planning.

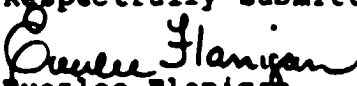
Councilor Kafoury said there would be a Development Committee meeting on May 9th.

Councilor Kirkpatrick said that the Coordinating Committee would be reviewing Council Procedures at their next meeting and requested input from all members of the Council.

Presiding Officer Banzer reminded Council of the informal meeting to be held on May 5th to discuss the Tri-Met/Metro relationship.

There being no further business, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,


Everlee Flanigan
Council Clerk