

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

INFORMAL MEETING  
MAY 5, 1983

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

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Donald Carlson, Andrew Jordan, and Ray  
Barker.

An informal meeting of the Council of the Metropolitan Service District was called to order at 5:15 p.m. by Presiding Officer Banzer for the purpose of discussing the relationship between Metro and Tri-Met.

Presiding Officer Banzer said she would like to see resolution to two issues: 1) How to respond to the letter from Rep. Glenn Otto, and 2) What should the legislative strategy be for dealing with H.B. 2228. She cited as a basis for discussion the materials which had been distributed to the Council: 1) a memo from Ray Barker regarding Possible Approaches to the Metro/Tri-Met Relationship; 2) a memo from Executive Officer Gustafson regarding the Tri-Met/Metro Relationship; 3) a draft letter to Rep. Otto; 4) a memo from Donald Carlson entitled General Thoughts on a Regional Government Reorganization Study; 5) a copy of the letter from Rep. Otto regarding H.B. 2228; and 6) a copy of H.B. 2228. She said Council Etlinger had also distributed a memo regarding Resolution of Tri-Met/Metro Relationship (copies of the material are attached to the agenda of the meeting).

Andrew Jordan, Legal Counsel, briefly reviewed the legal statutes related to Metro and Tri-Met.

Ray Barker, Council Assistant, presented his memo regarding possible approaches to the Metro/Tri-Met Relationship. He said there were three general alternatives: 1) Do nothing regarding the relationship; 2) "take-over" Tri-Met as allowed under existing statute; and 3) study the relationship to determine whether or not a merger should take place and if so, under what circumstances.

Mr. Gustafson then presented his memo which proposed an independent review of the Metro/Tri-Met relationship and policies for Council consideration, as follows:

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1. Public transportation is a regional service;
2. Accountability through direct election of policy officials is a desirable goal;
3. Efficient transit service is a priority;
4. Proliferation of single purpose regional governments should be discouraged.

He said that before any study was conducted, policies should be established which would serve as a basis for an independent review of Metro/Tri-Met relationship.

Councilor Bonner then presented a resolution for Council consideration (a copy of the resolution is attached to the agenda of the meeting). He said the difference between the Executive Officer's proposal and his resolution was that the decision to merge was made in his resolution, rather than to conduct a study in which the question of whether a merger should occur is asked.

Councilor Etlinger presented his memorandum which proposed amending Metro's enabling legislation to require a mandatory evaluation of Metro's structure, functions, funding and relationship to other regional agencies every four years by an outside neutral group of individuals.

Councilor Williamson said he disagreed with both Councilors Etlinger and Bonner. He said there were advantages to an appointed Tri-Met Board and that there was a good case for leaving things the way they were. He said he supported a do nothing alternative but did not object to a broad-based study to investigate the structure and functions of Metro, Tri-Met and the Boundary Commission as outlined in the Deputy Executive Officer's memo.

Councilor Waker said he supported the general content of Councilor Bonner's resolution subject to feedback from the public and other interested parties.

Councilor Oleson said there was growing legislative and public sentiment to have more accountability from Tri-Met. He said he would like to know what Tri-Met's reaction was to Rep. Otto's suggestion to establish a process for resolving the uncertainty of the Metro/Tri-Met relationship.

Councilor Kelley said she thought a study could provide the answers to questions she had whether there should be a take-over. She said her primary question was whether Metro could provide a higher level of service than that currently provided.

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Councilor Kafoury stated she was most comfortable with the broad-based study approach. She said she agreed with Councilor Williamson that there were lots of pros and cons to an elected board. She said she did not like the mandatory review as proposed by Councilor Etlinger given Multnomah County's experience with Charter Review Commissions. She said they should not make any statement regarding the issue until input was received from the public and other agencies.

Councilor Deines stated he supported the do nothing approach. He said input should be received on what the transportation system should be from the people who pay for it.

Councilor Hansen said he supported Councilor Bonner's resolution because he thought it was a good way to start the dialogue on the issue. He said he hoped Tri-Met would come to a public hearing on the issue and bring forth an alternative if they disagreed with the proposed resolution.

Councilor Kirkpatrick stated she was opposed to the proposal by Councilor Bonner. She said she could support a broad-based study.

Councilor Van Bergen stated he supported the position of doing nothing. He said he might feel differently if there was a direct mandate by the legislature, and they provided the funding, or if there was a crisis which could be resolved through a merger. He said a general study was acceptable if Rep. Otto wanted one.

Councilor Bonner said that if the Council passed his resolution, there would need to be a great deal of study which could answer many of the questions raised by Councilors and also provide alternatives for how to implement a take-over.

The Council then recessed for twenty minutes.

Upon reconvening Presiding Officer Banzer directed the Council's attention to a discussion of H.B. 2228. Mr. Barker provided a memo indicating the status of H.B. 2228 (a copy of the memo is attached to the agenda of the meeting). He said the bill had been passed by the House on April 25th and had been assigned to the Senate Commerce, Banking & Public Finance Committee.

Presiding Officer Banzer said the issue to be resolved was what position the Council should take before the Senate. She said her recommendation was to let the bill go through the way it was presently written.

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Councilor Kafoury said she was concerned about the language in Section 3; that it should be clarified and monitored.

Presiding Officer Banzer said she agreed they should get the language clarified.

Councilor Williamson said that given what he had heard that evening he intended to express to his legislators his opinion that the marriage clause be repealed.

Councilor Etlinger reiterated that he would like to see a companion bill passed to change the Metro's enabling legislation to require an evaluation of Metro.

Councilor Kirkpatrick supported the recommendation to let the bill go and to get the language in Section 3 clarified.

Councilors Kelley, Bonner, Waker and Van Bergen also supported the recommendation of the Presiding Officer.

Presiding Officer Banzer then asked for an advisory vote on a Council position regarding H.B. 2228. She asked for a vote on a position to neither endorse or oppose H.B. 2228, except to obtain a clarification of Section 3 of the bill.

A voice vote resulted in:

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

Nays: Councilor Etlinger.

Councilor Etlinger said Metro couldn't solve a problem by neglecting it and that's why he couldn't support the recommendation.

Presiding Officer Banzer said the next issue was to address Rep. Otto's letter and whether the Executive Officer's draft letter was acceptable.

Councilor Waker suggested that the Council acknowledge receipt of the letter and inform Rep. Otto that Metro was currently conducting discussions regarding the issue and would let him know the results.

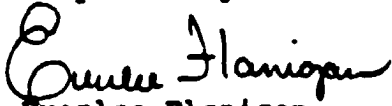
Councilor Bonner asked that Executive Officer Gustafson's draft letter be put in the form of a resolution which the Council could consider with his proposed resolution. He said the Council and public would then have some options before them for discussion.

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Presiding Officer Banzer said if there were no objections she would work with the Executive Officer to develop a resolution and then schedule a public meeting to consider the options. She concluded that a consensus had been reached to acknowledge Rep. Otto's letter and inform him the issue was being discussed.

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

  
Everlee Flanigan  
Clerk of the Council

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