

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

**REGULAR MEETING  
MAY 5, 1983**

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

**Councilors Absent:** Councilor Oleson.

**Also Present:** Rick Gustafson, Executive Officer.

**Staff Present:** Donald Carlson, Andrew Jordan, Ray Barker, Dennis Mulvihill, Jack Bails, Andy Cotugno, Norm Wietting, Dan Durig, Jennifer Sims, Keith Lawton, Steven Siegel, Doug Drennen, Mel Huie, Rod Sandoz, Sonnie Russill, Tom O'Connor, and Dan LaGrande.

**Testifiers:** Ray Polani, Robert Breihof, Ernestine Francisco, and Joe Cancilla.

A regular meeting of the Council of the Metropolitan Service District was called to order at 7:45 p.m. by Presiding Officer Banzer.

**1. Introductions.**

There were no introductions.

**2. Councilor Communications.**

Councilor Hansen asked if agenda item 8.3 should be on the agenda since the Council had voted to table the ordinance on April 28, 1983. Donald Carlson, Deputy Executive Officer, responded that the agenda had been printed prior to the Council's action to table the ordinance.

Councilor Bonner introduced for Council consideration and public hearing, a resolution for the purpose of declaring the Metropolitan Service District Council's intent to develop a plan and bring about the merger of Metro and Tri-Met.

Councilor Bonner invited Council members to tour, with members of the Recycling Subcommittee, the Waste By-Products Company on Friday, May 13th.

3. Executive Officer Communications.

There were no Executive Officer communications.

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. Ray Polani, 2717 S.W. Spring Garden Street, Portland, 97219, representing Citizens for Better Transit, stated that he had attended the Council Informal on the Tri-Met/Metro Relationship earlier in the evening. He said the Citizens for Better Transit wanted to bring to the Council's attention legislation they had had introduced, S.B. 593, which addressed the election of the Tri-Met Board of Directors. He distributed a copy of the bill and highlighted elements of it (a copy of the bill is attached to the agenda of the meeting).

Mr. Robert Breihof, 1246 S.E. 49th Avenue, Portland, expressed his concern about the membership of the Contract Review Committee. He said the Committee was not comprised of the membership required by Metro ordinance. Presiding Officer Banzer responded that Mr. Breihof was correct and that she had requested that a change to the ordinance be drafted for Council consideration.

6. Consent Agenda.

The Consent Agenda consisted of the following item:

6.1 A-95 Review Report.

Motion: Councilor Kafoury moved adoption of the Consent Agenda. Councilor Deines seconded the motion.

Vote: The vote on the motion resulted in:

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

**Nays:** None.

**Absent:** Councilor Oleson.

Motion carried, Consent Agenda adopted.

7.1 Consideration of Resolution No. 83-403, for the purpose of approving the FY 1983-84 budget and transmitting the approved budget to the Tax Supervising and Conservation Commission.

Motion: Councilor Kirkpatrick moved adoption of Resolution No. 83-403. Councilor Kafoury seconded the motion.

Ms. Jennifer Sims, Budget & Administrative Services Manager, distributed a summary sheet indicating changes the Budget Committee had made to the Proposed Budget and items which individual Councilors had raised as issues during the Council's work sessions on the budget (a copy of the summary sheet is attached to the agenda of the meeting).

Solid Waste

Motion: Councilor Deines moved deletion of Transfer Station Capital Funds (Land Acquisition & Engineering Services) from the Solid Waste Capital Fund budget. Councilor Van Bergen seconded the motion.

Presiding Officer Banzer said a letter had been received from the Washington County Refuse Disposal Association supporting Councilor Deines' motion (letter attached to the agenda of the meeting).

Councilor Deines stated that there was no demand for a transfer station in Washington County and that he did not see a reason to appropriate the funds.

Mr. Dan Durig, Solid Waste Director, said that when the budget was proposed, staff had tried to anticipate what the capital needs would be. He said the funds would be borrowed and the Council would have many more opportunities to consider whether to go ahead with the transfer station. He said one of the conditions of the lifting of the 400 ton daily limit at CTRC was that another transfer station would be sited by 1985. He said Metro had also been criticized by the Solid Waste Advisory Committee in Washington County for not doing enough in solid waste and was recommending the County go out and look for its own landfill. He said it would be prudent to begin to make some decisions during FY 83-84 about a facility in Washington County.

Councilor Bonner said it was a problem of not having a systems plan. He said if a systems plan was complete, they would know whether they needed to have the transfer station in the budget.

Councilor Kirkpatrick noted that until a new systems plan was adopted, the existing plans called for the transfer station.

Councilor Hansen said the new systems plan might call for the transfer station and believed the appropriation should be left in the budget.

Motion: Councilor Waker moved to call the question. Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion to call the question carried by voice vote.

Vote: The vote on the motion to delete the appropriation for the Washington County Transfer Station resulted in:

Ayes: Councilors Banzer, Deines, Kelley, and Van Bergen.

Nays: Councilors Bonner, Hansen, Kafoury, Kirkpatrick, Waker, and Williamson.

Absent: Councilor Oleson.

Abstention: Councilor Etlinger.

Motion failed.

Councilor Etlinger presented his memorandum proposing Community-Based Yard Debris Collection Projects (attached to the agenda of the meeting). He said he was proposing that \$23,000 be shifted from Contractual Services and designated for community-based yard debris collection projects. He said the funding would be open to any county, city, neighborhood or civic group, with highest priority given to volunteers and home pick-up for seniors and the disabled.

Motion: Councilor Etlinger moved that \$23,000 be shifted from Waste Reduction Contractual Services to Yard Debris and to add to the Waste Reduction Work Program a quantifiable target to be attained, as follows: Support community based yard debris collection projects in order to increase volume of material diverted from disposal facilities to Metro yard debris processing centers. RFP criteria to be approved by Council. Councilor Bonner seconded the motion.

Councilor Williamson said he had not seen the Yard Debris Report Councilor Etlinger alluded to in his memo and wondered if other recommendations which might be in it would be preempted if the Council decided to adopt the motion.

Councilor Kirkpatrick suggested that the budget be left as it was until the Council had reviewed the Yard Debris Report recommendations.

Mr. Durig said the \$23,000 could be left in Contractual Services and earmarked for Yard Debris if the Council desired. He said the Yard Debris Committee would be submitting its report to the Executive Officer and the Executive Officer would be submitting it to the Council.

Vote: The vote on the motion to transfer \$23,000 from Contractual Services to Yard Debris resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, and Kafoury.

Nays: Councilors Deines, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Absent: Councilor Oleson.

Motion failed.

Councilor Bonner suggested that the Recycling Subcommittee and Services Committee look at the Yard Debris Report and make recommendations to the Council for implementation in the FY 83-84 budget. Presiding Officer Banzer responded that that would be appropriate once the Executive Officer had submitted the Report to the Council.

Ms. Ernestine Francisco, 11727 S.E. Brookside Drive, representing the League of Women Voters of CRRILO, submitted and read a letter regarding Waste Reduction which substantially supported the proposed budget for waste reduction (a copy of the letter is attached to the agenda of the meeting).

### Criminal Justice

Mr. Carlson distributed and presented a memo regarding the Criminal Justice budget. He noted that the Council had requested information regarding the Regional Jails program option. He said a decision to allocate approximately \$12,000 to the Criminal Justice Program for the purpose of doing a

regional jail plan study was premature because the nature and scope of such an effort had not yet been determined by the Ad Hoc Regional Jails Committee nor had Metro been specifically asked to do such a plan. He said it was recommended that any study be considered under the Project Initiatives Program and that Mr. Bails continue to provide support to the Ad Hoc Committee. He said if Metro was asked to do a study, there was the opportunity at the end of the first quarter to allocate the funds. He said Councilor Oleson, who had requested the information, was in concurrence with the recommendation.

Councilor Williamson asked what they needed to do to adopt the recommendation. Presiding Officer Banzer responded they need not do anything.

#### Transportation

Andy Cotugno, Transportation Director, distributed and presented a memo regarding alternatives for the use of \$30,000 budgeted for the development of an "Elderly & Handicapped Transit Plan" (attached to the agenda of the meeting). He outlined three options for use of the funds if the Council wanted to transfer the funds to other projects:

1. Accelerate LRT studies in the Barbur/Westside Corridor.
2. Increase the budget for the Southwest Corridor Study.
3. Increase the Technical Assistance budget.

He said his recommendation was to retain the \$30,000 for elderly and handicapped planning.

Motion: Councilor Bonner moved to: 1) reduce the elderly and handicapped plan budget to \$5,000 which would allow sufficient funding for staff and Council review and public hearings on the plan developed and recommended by Tri-Met; and 2) to increase the budget for the Southwest Corridor study by \$25,000 and Metro's local match of \$2,500. Councilor Etlinger seconded the motion.

Councilor Bonner said it hadn't been shown to him that having both Tri-Met and Metro involved in the elderly and handicapped study would make the plan any better and there were other uses for the funds.

Mr. Cotugno said the rationale for Metro involvement was the fact that Tri-Met was one of the possible operators of the special handicapped services and one of the possible funding

sources. He said if it was strictly an effort conducted from only their point of view, it may not necessary be the best plan for the client group or the community as a whole.

Councilor Kafoury said that the Council should vote on the elderly and handicapped funding proposal, but that any other options should be discussed at the Regional Development Committee and a recommendation forwarded to the Council. Councilor Van Bergen agreed.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer and Bonner.

Nays: Councilors Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Absent: Councilors Deines and Oleson.

Motion failed.

### Council

Presiding Officer Banzer said that at the May 2nd meeting of the Council on the budget they had discussed whether the Clerk position should be in the Council's budget. She said she was recommending that the position be transferred to Executive Management.

Motion: Councilor Kirkpatrick moved to delete the Clerk of the Council position from the Council budget and add it to the Executive Management budget. Councilor Waker seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: Councilors Hansen and Kafoury.

Absent: Councilors Deines and Oleson.

Motion carried.

Presiding Officer Banzer noted that during the budget work sessions a number of suggestions had been made regarding the

Council Assistant's work plan. She asked Mr. Barker to present his memo on his work program for FY 1983-84 (a copy of the memo is attached to the agenda of the meeting). She noted that with the inclusion of the Project Initiatives Program to Mr. Barker's work program, Councilors should be sensitive when making requests for Mr. Barker's time.

Finance & Administration

Motion: Councilor Hansen moved that the Council adopt a budget note to appoint a committee comprised of non-Metro members to review the size and organizational structure of the administrative and support positions in the Finance & Administration Department, specifically the question of whether the level of staffing was reasonable and appropriate for the assigned tasks and mission. Councilor Bonner seconded the motion.

Councilor Williamson commented that a fiscal task force had already reviewed the level of staffing a year previously.

Mr. Carlson suggested that instead of appointing an outside review committee, it would be appropriate to add a budget footnote which directed the Executive Officer to review the Finance & Administration Department and address the issues raised by Councilor Hansen prior to the preparation of the next budget.

Councilor Hansen said that would be satisfactory and withdrew his motion. Councilor Bonner withdrew his second.

Ms. Sims then presented revised estimates for the Transportation Technical Assistance Fund (attached to the agenda of the meeting).

Motion: Councilor Kirkpatrick moved adoption of the revised estimates for the Transportation Technical Assistance Fund. Councilor Kafoury seconded the motion.

Vote: The vote on the motion resulted in:

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

**Nays:** None.

**Absent:** Councilors Bonner, Etlinger, and Oleson.

Motion carried.



General Issues

Ms. Sims said that the Tax Supervising and Conservation Commission staff had raised the question as to whether the level of detail provided in the Schedule of Appropriations was sufficient. She said the statute appeared to require a greater level of detail than that currently provided by Metro documents. She said staff had prepared the FY 83-84 Schedule the same way as they had in past years. She asked the Council if they wanted to change the level of detail.

Councilor Van Bergen commented that the Schedule should be left the way it was presented and if the TSCC wanted Metro to change its standard, TSCC should make a formal request. Presiding Officer Banzer suggested that the 1984-85 budget be presented in greater detail.

Councilor Deines noted that he was going to vote against the Resolution because he believed the Solid Waste Budget, especially the Capital Fund, was bloated.

Vote: The vote on the motion to adopt Resolution No. 83-403, as amended, resulted in:

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

Nays: Councilor Deines.

Absent: Councilor Oleson.

Motion carried, Resolution adopted.

At this time, the Council recessed for ten minutes.

8.1 Consideration of Ordinance No. 83-153, for the purpose of adopting the annual budget of the Metropolitan Service District for Fiscal Year 1983-84, making appropriations from funds of the District in accordance with said annual budget, and levying ad valorem taxes. (First Reading).

Motion: Councilor Kirkpatrick moved adoption of Ordinance No. 83-153. Councilor Kafoury seconded the motion:

The ordinance was then read the first time, by title only.

There was no public testimony.

The ordinance was passed to second reading on June 23, 1983.

Presiding Officer Banzer thanked Councilor Kirkpatrick and her committee for the work they had done on the budget.

8.2 Consideration of Ordinance No. 83-154, relating to the FY 1982-83 budget and appropriations schedule and amending Ordinance No. 82-132. (First Reading).

Motion: Councilor Kirkpatrick moved adoption of Ordinance No. 83-154. Councilor Hansen seconded the motion.

The ordinance was then read the first time, by title only.

Mr. Cotugno presented the computer purchase funding schedule.

Councilor Van Bergen said he was not particularly enamored with initial computer equipment requests and hoped it had been reviewed in depth. Councilor Waker said he had asked for assurances there would be a performance standard referred to in the contract. Mr. Cotugno responded that the contract would contain performance standard language.

The public hearing was then opened.

Mr. Joe Cancilla, 18450 S.E. Vogel Road, Boring, 97009, President of the Portland Association of Sanitary Service Operators, submitted and read a letter supporting the acquisition of the computer hardware and software (a copy of the letter is attached to the agenda of the meeting).

The ordinance was then passed to second reading on May 26, 1983.

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

(This agenda item was tabled by the Council on April 28, 1983 and was not considered at this meeting).

9. Committee Reports.

Councilor Van Bergen made comments regarding his desire for the Council to adopt more formal procedures when addressing each

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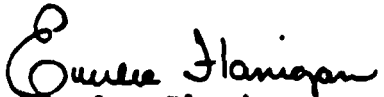
other during meetings. He said it would lend far more dignity to the Council.

Councilor Kafoury noted that the Regional Development Committee would meet on Monday, May 9, 1983.

Councilor Hansen noted that the Regional Services Committee would meet on Tuesday, May 10, 1983.

There being no further business, the meeting adjourned at 10:05 p.m.

Respectfully submitted,

  
Everlee Flanigan  
Clerk of the Council

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