

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING
JUNE 2, 1983

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

Also Present: Rick Gustafson, Executive Officer

Staff: Donald Carlson, Ray Barker, Andy Jordan, Andy Cotugno, and Sonnie Russill.

A special meeting of the Council of the Metropolitan Service District was called to order at 5:30 p.m. by Presiding Officer Banzer to discuss the three Tri-Met Resolutions regarding the relationship of Tri-Met and Metro. A tentative date for a public hearing to discuss these issues will be June 23 at the next regular Council meeting and a decision on one of these resolutions to occur on the following Council meeting, July 7.

Presiding Officer Banzer stated that two Council meetings ago we formally introduced a resolution by Councilor Bonner for the purpose of developing a plan to bring about the merger of Metro and Tri-Met on or before July 1, 1985. Since then we have had two additional resolutions introduced. Councilor Van Bergen's resolution which is a status quo position and the other by Councilor Hansen which is to begin an evaluation of combining Metro and Tri-Met functions.

Presiding Officer Banzer requested Councilor Van Bergen to share his thoughts regarding his Resolution #83-408.

Councilor Van Bergen summarized his resolution "is to do nothing as to Tri-Met." The resolution is also "to do something as to Metro's current obligations." We have several well-defined projects that need our full attention. He pointed out several of Tri-Met's problems which are creating net losses that are coming out of the company's reserves and therefore match money for capital investment in the future is lost. He stated that although the Tri-Met Board and personnel are very honorable people, they have been caught up in a system of oversupplying service that is undersubscribed. Money may help the situation temporarily but Metro does not have such funds. Metro ought to deal with its own problems which include:

- Metro's own funding continuation of the Zoo
- Solid waste management
- Other forms of services that can be accommodated within our Metro budget

Metro's timeframe is filled, there is nothing that Metro can do to improve Tri-Met's situation.

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Being elected as opposed to being appointed does not equate with more quality in government. It is the personality of the people with the obligation of the office that controls.

Councilor Waker asked, would your resolution intend to leave the so-called "uncertainty in place," that is - the marriage clause?

Councilor Van Bergen replied, I have no problem doing away with that because I would not venture into that field without some really direct call for us to do so by the Legislature, or a crisis of proportions that I don't know exist at this time.

Councilor Etlinger said that if we were to pass your resolution even unanimously, that would bind this Council but it doesn't have a time period. How would that resolve the future relationship for any period of time and the uncertainty that now exists.

Councilor Van Bergen commented that I am not concerned with who the Councilors are on this Council for next year or five years from now - that is not a consideration. If a crisis comes up we can do otherwise, any resolution we pass is not cast in stone, it can be redrawn at any time.

Councilor Hansen stated that the purpose of his Resolution #83-409 is to conduct a 6-month study, zeroing in only on the relationship between Metro and Tri-Met. We would set a criteria for the study and the study would be completed by the end of the year. I feel that the transportation system is facing some serious problems. I assume that the Legislature was faced with these same feelings when they delegated the responsibility of the Tri-Met/Metro relationship to this Council to generally oversee the relationship and to examine the issue of whether or not Metro could improve accountability, possibly improve service over the existing situation. For me to face this issue, accept the responsibility to cast an informed vote on whether that merger should be invoked in six months or in two years, we need to have the basic facts and data. I would like to see the pitfalls of the merger action, I would like to have a view of what the organizations would look like before and after the merger. I need more information, and the study directed at just the relationship would be the best way to get the facts for a vote.

Councilor Kelley asked whether at some point, will we be able to amend the resolutions being presented this evening?

Councilor Hansen replied, I would welcome any amendment to my resolution to make it more palatable or acceptable to Tri-Met, Metro or the community.

Councilor Kirkpatrick pointed out that it was not the Legislature that initiated the "merge clause," but rather it was the existing wording from the old MSD legislation before Metro had an elected Council. Therefore, the accountability issue is not one the Legislature directly addressed.

Councilor Hansen answered that the Legislature may not have directly addressed it but at the time the MSD legislation was before them, they did not see fit to change it.

Rick Gustafson, Executive Officer, referring to his memo regarding the Tri-Met/Metro Relationship, said that he has not endorsed any particular resolution since he feels it is important that the Metro Council establish a single position. He welcomes a public hearing and consideration of alternative resolutions. He recommended that the Council remain open so that all parties concerned, can be flexible, and that the Council support an independent general study of regional services. He further requested that a Councilor or Councilors be appointed to work with him to work out the details of the proposed study.

Councilor Van Bergen stated that he is opposed to a study since it will only be viewed by the public as a proposed merger of Tri-Met and Metro.

Councilor Hansen said he could support an independent study only if it could give facts so that the Council can make a decision.

Councilor Waker feels that he can support a study if it is limited to a single issue so that constituents in his area, who are interested in whether Tri-Met merges with Metro, can have a voice in the matter.

Councilor Kelley, who agrees with Councilor Waker, feels that she would like the study to have depth.

Councilor Etlinger believes that the study should have two phases:

- 1) Do you do it - should there be a merger?
- 2) If so, work out the details of such a merger after January 30.

He said that he can support Councilor Hansen's resolution with some amendments, i.e. that Tri-Met participates. He hopes that Tri-Met and Metro can hold a joint hearing on these resolutions.

Resolution #83-407

Councilor Bonner stated that the merger between Tri-Met and Metro has been clear since the beginning of MSD. The Legislature and citizen groups have said:

- 1) We don't need a proliferation of a single purpose regional government - less rather than more government.
- 2) We need more accountability for regional agencies which act on behalf of regional residents, and maybe more importantly, tax regional residents.

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To me this matter does not require a study to make a determination. However, it does require a detailed study to find out how Tri-Met and Metro can merge.

I don't believe my resolution will pass and I feel that Councilor Hansen's resolution has a very important point because it asks whether the merger of the two organizations needs a certain criteria. We the Council need to come to a decision by January.

Since my resolution has little chance of passing, I will probably withdraw it.

Presiding Officer Banzer commented that we have at least three resolutions which range from maintaining the status quo, to commencing a study that is activated by Metro to declare Metro's intention to activate the merger clause. We will ask the public to comment on these resolutions or a variation of these resolutions at a public hearing at our June 23 meeting. We will then schedule a vote of these resolutions at our July 7 Council meeting.

Councilor Van Bergen suggested that Executive Officer Gustafson's proposal be put in resolution form and be sponsored by a Councilor.

Councilor Banzer said she will be pleased to do so.

Councilor Corky Kirkpatrick suggested that Councilor Charlie Williamson prepare a resolution with a fifth choice that proposes we get rid of the "marriage clause." She said she is uncomfortable with bringing multiple resolutions before the public and would prefer to get a sense from the public and then move in an orderly fashion to work with one resolution.

Councilor Etlinger expressed the opinion that one public hearing may not be sufficient.

The Presiding Officer brought this special meeting to a close by saying her intent on this issue is to have interaction and dialogue with the Tri-Met Board of Directors. She has already asked the Executive Officer and Councilor Williamson to join her in meeting with the Tri-Met Board and it's Chairman Gerry Drummond to brief them about the Metro Council discussions, and urge them to share their thoughts on this issue.

This meeting adjourned prior to the regular Council meeting this evening at 7:30 p.m.

Respectfully submitted,


Toby Janus
Council Secretary