

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

REGULAR MEETING
NOVEMBER 3, 1983

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

Councilors Absent: Councilor Kafoury.

Also Present: Rick Gustafson, Executive Officer.

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

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 Williamson said he had distributed a letter inviting Council members to visit Ramsey Lake and the Wildwood site with Peter Staples of the West Hills & Island Neighbors.

Councilor Hansen commented that he was concerned that neither he nor the Services Committee were contacted earlier about the proposed visit. He said that since Ramsey Lake was in his district that he should have been informed of the proposal before the letter was sent. He also said that any such visit should involve the Port of Portland and citizens from North Portland. He said he did not want a signal to go out to the community that Ramsey Lake was being considered as a landfill when the Council had already decided on the Wildwood site.

Councilor Williamson apologized for not talking to Councilor Hansen when the request was initially received. He said he had no inclination to change the decision regarding Wildwood. Several other Councilors stated that the visit would not change the fact that a decision had been made for the Wildwood site as a regional landfill.

Councilor Waker noted that he had inquired about whether or not Councilors were covered by Metro's insurance when travelling on Metro business. He said Ms. Sims had indicated they were not but that staff would be bringing the matter to the Council in the near future.

3. Executive Officer Communications.

Rick Gustafson, Executive Officer, presented highlights of the contents of the First Quarterly Program Progress Reports. (A copy of a compilation of the reports is attached to the agenda of the meeting). He said the purpose of the reports was to assist the Council in their oversight of Metro staff activities, and as a management tool for himself in monitoring the progress of the departments. He said a more detailed presentation of the reports would be made to the Committees of the Council.

He then presented a memo entitled, "Future Funding Decision Schedule" which outlined the work remaining to be completed for the Council's consideration (a copy of the memo is attached to the agenda of the meeting). He also indicated that a summary of the results of a Friends of the Zoo survey was also before the Council for their information (copy attached to the agenda of the meeting).

Councilor Kirkpatrick said she was concerned about the timeline and process. She said the Council had not discussed in depth the issues already presented by the Executive Officer and advised that before they went any further, they should have such a discussion. She said they needed to give the Executive Officer direction.

Mr. Gustafson said they key policy decisions which needed to be made as soon as possible were: 1) what was going to be in a measure presented to the voters, 2) were they going to seek a tax base or a serial levy, and 3) a decision on the long-range financial policies of the Council as far as the General Fund. He said a decision on the amount to be requested could hold until additional information was presented to the Council according to the schedule outlined in the memorandum presented.

Motion: Councilor Deines moved to refer the future funding issue to the Council Coordinating Committee of November 14, 1983 for discussion of the survey and the General Fund and Zoo funding; that all Councilors be invited to attend the Committee meeting; and that

the Committee return to the Council with an analyses of the major assumptions under which the Executive Officer was working and a recommendation as to whether those assumptions are appropriate or should be changed.

Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilor Kafoury.

Motion carried.

Mr. Gustafson then presented the highlights of the results of the Friends of the Zoo survey.

Councilor Bonner said one of the issues was whether the funding measure should be a base or a levy and the survey seemed to indicate support for a tax base for the Zoo. He said he believed the Zoo should have a solid funding base.

Mr. Gustafson said law prohibited them from dedicating a tax base to the Zoo without creating a special service district. He said it may look like they were trying to take on other powers for Metro if they went for a tax base.

Councilor Williamson requested that at the Council Coordinating Committee a timeline be presented for creating a special service district.

Councilor Etlinger said he was leaning toward a 3-year serial levy for the Zoo and that during that time they should work toward proposing a tax base to include parks and recreation along with the Zoo.

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 Consideration of Ordinance No. 83-164, for the purpose of amending the FY 1983-84 Budget, and Appropriations Schedule, and amending Ordinance No. 83-153. (Second Reading).

The ordinance was read a second time, by title only.

Councilor Waker asked if the funding was sufficient to continue legal services through the fiscal year. Councilor Kirkpatrick responded that there was sufficient funding to maintain legal services until a long-term decision was made.

Mr. Gustafson reported that the legal services subcommittee was recommending that an in-house general counsel be hired, probably at a different classification than the current one, along with maintaining an outside legal counsel contract.

There was no public testimony.

Vote: The vote on the previous motion, by Councilors Kirkpatrick and Deines on October 27, 1983, to adopt Ordinance No. 83-164 resulted in:

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

Nays: None.

Absent: Councilor Kafoury.

Motion carried, Ordinance adopted.

7.1 Consideration of Resolution No. 83-433, for the purpose of approving the Collective Bargaining Agreement between Metro and Laborers International Union, Local 483.

Andrew Jordan, Legal Counsel, reported that the contract was a two-year contract with a one-year wage reopener.

Motion: Councilor Kirkpatrick moved adoption of Resolution No. 83-433. Councilor Williamson seconded the motion.

There was no public testimony.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilor Kafoury:

Motion carried; Resolution adopted.

Councilor Van Bergen requested that the Executive Officer provide a critique of the bargaining team process and recommendations for how the process should be conducted in the future.

8.1 Metro/Tri-Met Relationship.

Presiding Officer Banzer noted that there was a motion on the floor made by Councilors Oleson and Bonner on October 6, 1983:

"That the Council direct the Presiding Officer to appoint a Council task force to work with the Metro staff to consider possible Tri-Met relationship issues and to develop specific proposals in preparation for the 1983 legislative session."

Councilor Oleson made comments regarding his motion and urged support of it. He said the issue would not go away and they needed to determine their role. He said his concern was to achieve the most accountable delivery of regional services and that transportation was certainly a regional service. He said if they did nothing, regional services would continue to be fragmented.

Councilor Etlinger indicated that he had sent each of the Council members a resolution he had drafted. He said he was not yet prepared to introduce it because he didn't believe he had the votes to adopt it. He said he hoped that Metro and Tri-Met could sit down and discuss their relationship with a resolution by 1985.

Motion to
Amend:

Councilor Kirkpatrick moved to amend the main motion to read as follows:

"That the Council direct the Presiding Officer to appoint a Council task force to work with Metro staff, Tri-Met, and community groups to consider possible Tri-Met relationship issues and to develop specific proposals."

Councilor Bonner seconded the motion.

Councilor Bonner said he believed the issue needed to get into the public arena and to provide a more systematic review of the alternatives.

Councilor Kelley said she liked the motion but commented that she would prefer that all the issues were identified before public discussion took place.

Councilor Waker commented that the only issue regarding the matter had already been identified and that was whether the Tri-Met Board should be appointed or elected.

Councilor Hansen said he didn't see a need for community-wide discussion but did see a need to develop proposals for introductions to the legislature in 1985.

Councilor Van Bergen asked if the task force would require a great deal of staff time and whether it competed with the work of the interim legislative committee recently formed.

Councilor Oleson responded that the task force could provide assistance to the interim legislative committee and that they should participate in the discussions of the committee.

Councilor Kirkpatrick commented that in making the motion to amend she did not intend that a great deal of staff time would be required.

Presiding Officer Banzer asked the Executive Officer if he had any comments.

Mr. Gustafson said he did not believe a Council task force was necessary to support the interim committee's activities. He said he recommended that in lieu of a task force they urge the legislative interim committee to discuss the Metro/Tri-Met issue as one of their priorities and assist the committee in promoting citizen involvement.

Councilor Bonner said they needed some reasonably developed options and the task force could set forth more specific proposals for community discussion.

Motion to
Substitute:

Councilor Williamson moved to substitute the main motion and motion to amend with the following:

"That the Council direct the Presiding Officer to appoint a Council task force to work with the Metro staff to consider possible Tri-Met relationship issues and to develop proposals for discussion and to then work with Tri-Met and community groups to attempt to develop a consensus.

Councilor Etlinger seconded the motion.

Councilor Etlinger said the motion would commit them to work toward a consensus with the community and Tri-Met.

Presiding Officer Banzer urged that Councilors vote against the motion because procedurally it would be impossible to achieve and substantively it was an inappropriate position for the Council to take. She said a task force should come back to the Council with specific proposals to do something about the issue.

Vote: The vote on the substitute motion resulted in:

Ayes: Councilors Etlinger, Kelley, and Williamson.

Nays: Councilors Banzer, Bonner, Hansen, Kirkpatrick, Oleson, and Waker.

Absent: Councilors Deines, Kafoury, and Van Bergen.

Motion to substitute failed.

Vote: The vote on the motion to amend the main motion which would add the words "Tri-Met and community groups" after "Metro staff" and delete the words "in preparation for the 1985 legislative session" resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Kirkpatrick, Oleson, Waker, and Williamson.

Nays: Councilors Hansen and Kelley.

Absent: Councilors Deines, Kafoury and Van Bergen.

Motion to amend carried.

Councilor Etlinger said he wanted to see in the motion a statement that a consensus would be reached by the end of the 1985 legislative session.

Motion to Amend:

Councilor Etlinger moved to amend the main motion to add after the word "proposals", the following language: "with the intent to find an acceptable regional consensus which would be affirmed by the next legislature and resolve the issue no sooner than July 1985".

The motion died for lack of a second.

Presiding Officer Banzer stated that they had been discussing the issue for several months and it was not appropriate for them to buck the issue to the legislature. She said the legislature needed to know what Metro's position was on the issue and the task force would help to define that position.

Vote: The vote on the main motion, as amended, resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kirkpatrick, Oleson, and Waker.

Nays: Councilors Kelley and Williamson.

Absent: Councilors Deines, Kafoury, and Van Bergen.

Motion, as amended, carried.

The adopted motion reads as follows: That the Council direct the Presiding Officer to appoint a Council task force to work with the Metro staff, Tri-Met and community groups to consider possible Tri-Met relationship issues and to develop specific proposals.

Motion: Councilor Oleson moved that the Presiding Officer and Executive Officer jointly communicate the Council's interest in studying the marriage issue to the appropriate interim legislative committees.

Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, Kirkpatrick, Oleson, and Waker.

Nays: Councilor Williamson.

Absent: Councilors Deines, Kafoury, and Van Bergen.

Motion carried.

8.2. Guidelines for Council Expenditures.

Presiding Officer Banzer noted there was a motion on the floor, made by Councilors Etlinger and Bonner, to amend guideline number 4 under General Council account, as follows:

4. Within the Council General Account up to \$1,200 per year shall be reserved for expenses incurred by the Presiding Officer of the Council in carrying out official duties associated with that office.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Oleson, and Waker.

Nays: Councilors Kirkpatrick and Williamson.

Absent: Councilors Deines, Kafoury, Kelley, and Van Bergen.

Motion carried.

Proposed Guidelines:

5. An individual Councilor may request reimbursement from the Council General Account for expenses incurred for general Council business.
6. All requests for reimbursement or expenditure from the Council General account must be approved by the Presiding Officer. The Presiding Officer shall submit a budget for the General Account to the Council Coordinating Committee. The Presiding Officer can authorize expenditures within the limits approved by the Council Coordinating Committee.

The Fiscal Officer shall provide monthly reports to the Council Coordinating Committee. Each request must be accompanied by supporting documentation which shall include the nature and purpose of the expense, the names and titles of all persons for whom the expense was or will be incurred and receipts justifying the expense.

Vote: The vote approving General Council Account Guidelines 5 and 6 resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Kelley, Kirkpatrick, Oleson, and Waker.

Nays: Councilors Hansen and Williamson.

Absent: Councilors Deines, Kafoury, and Van Bergen.

Motion: Councilor Bonner moved adoption of the Council Guidelines for Expenditures, as amended. Councilor Waker seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Bonner, Etlinger, Hansen, Kelley, Kirkpatrick, Oleson and Waker.

Nays: Councilor Williamson.

Absent: Councilor Deines, Kafoury, and Van Bergen.

Motion carried.

9. Committee Reports.

Councilor Williamson noted that there would be no JPACT meeting in November. He said he had distributed to the Council copies of letters to Paul Bay at Tri-Met regarding the Metro/Tri-Met review of the Transportation Development Program (copies of the letters are attached to the agenda of the meeting). He asked if there were any comments on the letters to let him know.

Councilor Kelley said the Development Committee meeting would be held on November 7.

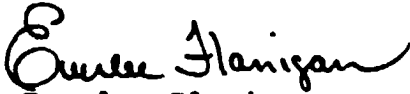
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Councilor Hansen noted that the Services Committee meeting would be held on November 8.

Councilor Banzer noted that the Zoo Penguinarian would open on November 4.

There being no further business, the meeting adjourned at 9:50 p.m.

Respectfully submitted,


Everlee Flanigan
Clerk of the Council

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