

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

**REGULAR MEETING
DECEMBER 1, 1983**

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

Staff Present: Donald Carlson, Ray Barker, Dan LaGrande, Ed Stuhr, Doug Drennen.

Testifiers: George Hubel.

A regular meeting of the Council of the Metropolitan Service District was called to order at 7:35 p.m. by Deputy Presiding Officer Bob Oleson.

1. Introductions.

There were no introductions.

2. Councilor Communications.

There were no Councilor Communications.

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.

There were no written communications to Council on non-agenda items.

6.1 Reconsideration of Ordinance No. 83-163, relating to Solid Waste Disposal Charges and User Fees; amending Metro Code Sections 5.02.020, 5.02.025 and 5.02.050; and declaring an emergency.

Motion: Councilor Kirkpatrick moved reconsideration of the motion to adopt Ordinance No. 83-163, as amended, which had failed at the November 22, 1983 Council meeting.

Councilor Kafoury seconded the motion.

Vote: The vote on the motion for reconsideration resulted in:

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

Nays: Councilor Deines.

Absent: Councilor Banzer.

Motion carried.

Councilor Hansen said he was prepared to change his no vote on the ordinance. He said he was not happy about increasing the rates at St. Johns to accommodate one private landfill owner, but felt it was important to get the rates set before the end of the year. He suggested that the Services Committee set up a thorough system of review for the 1985 rates.

Councilor Waker said he had voted against the ordinance because of the last two sentences in Sections 1b and 2d. He said it was not clear to him what an "acceptable recyclable material" was and asked for a definition.

Councilor Hansen responded that "acceptable recyclable materials" would be those materials for which there was accommodation for at Metro facilities--paper, glass and tin. He said yard debris would not be acceptable because at the present time a minimum charge was assessed to store and transport the debris to processing centers.

Councilor Deines asked if staff had generated the figures he requested on the amount of material going into CTRC since it opened. Ed Stuhr, Solid Waste Department, distributed a hand-out indicating the waste flow at CTRC since April 1983 (attached to the agenda of the meeting). Councilor Deines stated he still saw no reason for increasing the convenience charge rate at CTRC based on the premise that it would control the flow of waste.

Deputy Presiding Officer Oleson then asked for public testimony.

George Hubel, 8704 S.W. Terwilliger Blvd., 97219, Chair, Rate Review Committee, testified that a great deal of time and effort had been spent by the Rate Review Committee on the rates and urged Council adoption.

Councilor Van Bergen asked what happened to the material brought into CTRC which was not transferred to St. Johns. Mr. Drennen responded that that material was recyclable material and that they were marketed by Genstar with Metro receiving 25% of the revenue. Councilor Van Bergen asked several questions about the revenue--how it was computed and how it was managed. He said at some point he wanted to know more about Genstar and in light of Genstar's proposal regarding the Washington County Transfer Station, he also wanted to know more about the Washington County Refuse Disposal Association.

Vote: The vote on the motion to adopt Ordinance No. 83-163, amended to change the base disposal rate to \$9.80 per ton, and to change the language in the last two sentences of Sections 1(b) and 2(d) to read as follows: "The minimum charge for private trips shall be waived for any person delivering one-half cubic yard or more of acceptable recyclable materials. Such persons shall be charged for the actual amount of waste delivered at the extra yardage rate", resulted in:

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

Nays: Councilor Deines.

Absent: Councilor Banzer.

Motion carried, ordinance adopted.

(See after agenda item 8 for discussion on agenda item 7.1)

7.2 Future Funding -- Recommendations of the Council Coordinating Committee.

Councilor Kirkpatrick reported on the Council Coordinating Committee's recommendations on Future Funding.

Motion: Councilor Kirkpatrick moved that the Council adopt the Council Coordinating Committee's recommendations regarding Future Funding, as follows:

1. That Metro seek a three-year serial levy for the Zoo on the May 1984 ballot.
2. That the Council accept the Executive Officer's recommendation to pursue a stable funding base for the Metropolitan Service District with the 1985 legislature.

Councilor Kafoury seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: Councilors Deines and Williamson.

Absent: Councilor Banzer.

Motion carried.

7.3 Project Initiatives Program--Drainage Report.

Councilor Kafoury said Task 1 of the Project Initiatives Program (PIP) for Drainage had been completed by Mr. Barker and the Regional Development Committee was recommending that the Council direct the Council Assistant to proceed with Task 2 of the PIP work program. She said Task 2 would entail an analysis of Metro's ability to solve or mitigate problems or recommend actions that the Council should consider out of information gathered in Task 1.

Ray Barker, Council Assistant, presented the findings, conclusions and recommendations contained in his report, "Project Initiatives Program--Drainage Report", November 1983 (a copy of the report is attached to the agenda of the meeting).

Councilor Oleson commented that the conclusions were fairly conservative and that he was bothered by the jurisdictions' contemplation that Metro should play a passive role. He said he would like to have a discussion of options for generating funds to address the problems. Mr. Barker said during Task 2 the issues raised by Councilor Oleson could be addressed.

Motion: Councilor Kafoury moved that the Council direct the Council Assistant to undertake Task 2 of the drainage study for the Project Initiatives Program.

Councilor Kirkpatrick seconded the motion.

Councilor Bonner indicated that the report presumed they were going to limit their role to planning and coordination. He said the Council should indicate it was Metro's role to look across the whole region and determine what a regional drainage system should look like, what it would cost, and then go to the voters and ask them if they wanted it or not. He said their role was to draw a clear picture of the situation for the voters and present it to them for funding.

Councilor Etlinger said he would like to see in Task 2 a strong emphasis on creative financing for solving the drainage problems.

Councilor Deines said he didn't understand why some of the Council felt they needed to run out and do something they hadn't been asked to do.

Councilor Waker said that drainage was a problem of under-investment in a part of the infrastructure system and that people might want to invest in it if a properly thought out opportunity to do so was presented to them. He said they needed to continue work on developing options and a mechanism to get to the point where people could decide.

Mr. Barker said that the Development Services Department was doing an infrastructure survey which would include infrastructure costs.

Vote: The vote on the motion to proceed with Task 2 of the Project Initiatives Program on Drainage resulted in:

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

Nays: Councilor Bonner.

Absent: Councilor Banzer.

Motion carried.

7.4 Discussion of Metro Mission, including 18-month work plan and 5-year work plan.

Donald Carlson, Deputy Executive Officer, reported that there had been two chair meetings and a conclusion reached to proceed with the drafting of a RFP for a facilitator to conduct four Council/Executive Officer/Staff workshops. He said the four workshops would cover the Metro Mission, the short-range objectives of Metro, preparation for the 1985 legislative session, and the interrelationship between the Council and staff.

Councilor Kirkpatrick requested that the RFP be presented at the next Coordinating Committee meeting. She also asked that Councilors submit names of facilitators they knew to Mr. Carlson.

8. Committee Reports.

Councilor Kafoury announced that there would be no Development Committee meeting in December. She said the only item on the agenda would have been the Tigard Comp Plan. She said the staff report on the Tigard Plan would be distributed to Committee members prior to the Council meeting on December 20. Councilor Kirkpatrick requested that since she represented Tigard that she also receive a copy of the staff report when distributed to Development Committee members.

Councilor Hansen said there were two Services Committee meetings scheduled in December--the regular meeting on December 6 and a special meeting on December 7 to discuss the Washington County Transfer Station.

Councilor Williamson said there would be no JPACT meeting in December.

7.1 Ratification of appointments to Council Task Force on Metro/Tri-Met.

Presiding Officer Banzer said she was requesting ratification of the following appointments to the Council Task Force on Metro/Tri-Met:

Councilor Waker, Chair
Councilor Bonner
Councilor Kelley
Councilor Kirkpatrick
Councilor Banzer

Motion: Councilor Oleson moved ratification of the appointments to the Council Task Force. Councilor Etlinger seconded the motion.

Councilor Williamson and Deines expressed concern that the appointments to the Task Force did not reflect the different positions of the Council on the issue.

Councilor Kirkpatrick said that when a task force is appointed there should be a charge given to them and asked that the appointments be postponed until a written charge was submitted to the Council.

Presiding Officer Banzer said she had not overlooked the necessity to give a mission to the task force. She said Councilor Waker had expressed an interest in being involved in the development of the areas to be addressed by the Task Force and that she was recommending that during the next few weeks a draft of a mission could be developed and brought to the Council.

Motion to Amend: Councilor Etlinger moved to amend the main motion to add Councilor Williamson to the Task Force. Councilor Kirkpatrick seconded.

Presiding Officer Banzer said it was awkward to have a Task Force made up of half the Council and which was of an even number. She indicated that the Task Force would be looking at options and any recommendations would come to the Council for review.

Motion to Table: Councilor Kafoury moved to table the motion to ratify and the motion to amend to add Councilor Williamson to the Task Force until a written charge for the Task Force was presented to the Council. Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion to table resulted in:

Ayes: Councilors Deines, Kafoury, Kelley, Kirkpatrick, Waker, and Williamson.

Nays: Councilors Banzer, Hansen, and Oleson.

Absent: Councilors Bonner and Van Bergen.

Abstention: Councilor Etlinger.

Motion to Table carried.

Council Minutes
December 1, 1983
Page 8

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Everlee Flanigan". The signature is written in dark ink and is positioned above the typed name.

Everlee Flanigan
Clerk of the Council

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