

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

REGULAR MEETING

June 28, 1984

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

Councilors Absent: Councilors Cooper and Williamson.

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Don Carlson, Andy Cotugno, Steven Siegel, Jennifer Sims, and Sonnie Russill.

A regular meeting of the Council of the Metropolitan Service District was called to order at 7:40 p.m. by Presiding Officer Kirkpatrick.

1. Introductions.

There were no introductions.

2. Councilor Communications.

Motion: Councilor Banzer moved that Agenda Item No. 7.4 be considered before Agenda Item 7.1. Councilor Bonner seconded the motion.

Vote: The vote on the motion carried unanimously by voice vote.

3. Executive Officer Communications.

Mr. Gustafson reported that the Court of Appeals had upheld the Land Use Board of Appeals decision regarding Wildwood. He said staff had not yet had an opportunity to analyze the results of the decision but indicated that if the decision was not appealed, it would end the process for the land use permit issued by Multnomah County in 1982. He said Metro would have to return to the County, if the County was successful in amending their Comprehensive Plan, to request a new conditional use permit.

He said a letter had been distributed to the Council from the Tax Supervising and Conservation Commission certifying the budget without objection or recommendation (a copy of the letter is attached to the agenda of the meeting).

Mr. Gustafson also noted that Eleanore Baxendale would begin as Metro's General Counsel on July 2. He also noted that Everlee Flanigan, Sue Klobertanz, Warren Iliff, and Patty Kubala were leaving Metro.

4. Written Communications to the Council on Non-Agenda Items.

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

5. Citizen Communications to the Council on Non-Agenda Items.

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

6. Consent Agenda

The Consent Agenda consisted of the following items:

- 6.1 Minutes of the meeting of May 24, 1984.
- 6.2 Resolution No. 84-473, for the purpose of amending the 1984 Transportation Improvement Program to include an updated program of projects using Section 9 Funds.
- 6.3 Resolution No. 84-474, for the purpose of amending the Transportation Improvement Program to include Cornell Road Bridges Improvement Project.
- 6.4 Resolution No. 84-475, for the purpose of authorizing application for federal funds for a 16(b)(2) Special Transportation Project (Robison Jewish Home) and amending the Transportation Improvement Program.
- 6.5 Resolution No. 84-471, for the purpose of amending Classification and Pay Plans for the Metropolitan Service District.
- 6.6 Contract for the purchase, installation and service of a telephone system.

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

Vote: The vote on the motion resulted in:

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

Nays: Councilor Deines.

Absent: Councilors Cooper and Williamson.

Motion carried.

7.4 Consideration of Resolution No. 84-478, for the purpose of restructuring Council meetings and reorganizing Committees of the Metropolitan Service District.

Councilor Bonner presented the highlights of the resolution and noted that the Council Coordinating Committee had voted three to one to recommend Council adoption.

Motion: Councilor Bonner moved adoption of Resolution No. 84-478. Councilor Kafoury seconded the motion.

Councilor Hansen stated he was concerned about several items in the resolution including the references to task forces, whether they were Council task forces or citizen task forces; and the timing of the resolution as it pertained to two major issues facing the Council, the IRC and the Solid Waste System Plan. He said he didn't want to see those issues jeopardized in the process of experimenting with a new procedure.

Councilor Kelley stated that she was concerned that with the abolition of the Committees there would not be the arena for informal discussion or discussion of new ideas. She suggested that implementation of the resolution be delayed until January 1, 1985 in order to allow the time to resolve the issues raised by Councilor Hansen.

Motion Councilor Kelley moved to amend the main motion
to to insert an effective date of January 1,
Amend: 1985. Councilor Banzer seconded the motion.

Councilor Bonner stated that he was against delaying implementation because there had already been a considerable amount of attention paid to the matter by the Coordinating Committee. He said while there were disagreements about the restructuring, he did not believe delay would reduce the disagreement.

Presiding Officer Kirkpatrick stated that if the Resolution passed without the amendment, it was her intention to implement the provisions of the Resolution the first of August. She said she would not support the amendment.

Councilor Deines stated he supported the amendment. He said he did not want to have to bring twelve Councilors along in the process of reviewing the Solid Waste Systems Plan and what the Council did after January 1 was fine with him because he would not be a member of the Council.

Vote: The vote on the amendment to the main motion resulted in:

Ayes: Councilors Banzer, Deines, Hansen, Kelley, and Oleson.

Nays: Councilors Bonner, Kafoury, Kirkpatrick, Van Bergen, and Waker.

Absent: Councilors Cooper and Williamson.

Motion failed due to tie vote.

Councilor Bonner suggested that because of the split on the Council, the matter be continued. He said in the meantime perhaps some of Councilor Hansen's concerns could be addressed.

Motion: Councilor Van Bergen moved to continue consideration of the Resolution to the July 5, 1984 meeting of the Council. Councilor Kafoury seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: Councilors Banzer and Waker.

Absent: Councilors Cooper and Williamson.

Motion carried.

7.1 Consideration of Resolution No. 84-479, for the purpose of expressing appreciation to Mr. Joe Angel and Burger King for services rendered to the region.

Motion: Councilor Kafoury moved adoption of Resolution No. 84-479. Councilor Bonner seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: None.

Abstention: Councilors Banzer and Deines.

Absent: Councilors Cooper and Williamson.

Motion carried, Resolution adopted.

7.2 Consideration of Resolution No. 84-476, for the purpose of adopting the Mission and Purposes of the Metropolitan Service District.

Motion: Councilor Bonner moved adoption of Resolution No. 84-476. Councilor Kafoury seconded the motion.

Vote: The vote on the motion resulted in:

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

Nays: None.

Absent: Councilors Cooper and Williamson.

Motion carried, Resolution adopted.

7.3 Consideration of Resolution No. 84-477, for the purpose of adopting priorities and objectives for the Metropolitan Service District for the next two years.

Motion: Councilor Bonner moved adoption of Resolution No. 84-477. Councilor Kafoury seconded the motion.

Councilor Waker suggested that in Objective 1, Priority C, the words "cost effective" be added.

Motion to Amend: Councilor Waker moved to amend the main motion to add the words "cost effective" to Objective 1 of Priority C, to read as follows: Achieve maximum use

of the St. Johns Landfill site through cost effective reduction, diversion and operational techniques. Councilor Kafoury seconded the motion.

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

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

Nays: None.

Absent: Councilors Cooper and Williamson.

Motion to amend carried.

Mr. Gustafson stated that it was his intent to use the six priorities adopted by the Council as the mechanism for monitoring progress in achieving the Council's priorities. He also said that if the Council's priorities changed, then the Resolution should be amended so he could appropriately manage the staff to meet the priorities.

Councilor Deines stated he would vote against the Resolution because he did not believe there was anything that would discipline the Council to stay within the stated Priorities and Objectives. Councilor Van Bergen stated that he disagreed with Councilor Deines. He said he had confidence in the staff that if the Council seemed to be approaching a situation where they may be at variance with a policy, Council would be advised of it and may have to accommodate it.

Vote: The vote on the motion resulted in:

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

Nays: Councilor Deines.

Absent: Councilors Banzer, Cooper, and Williamson.

Motion carried, Resolution adopted.

Presiding Officer Kirkpatrick noted that Councilor Banzer had requested that Agenda Item 8.3 be considered prior to Agenda Item 8.1 because she needed to leave the meeting early and wanted to vote on it.

8.3 Consideration of Ordinance No. 84-173, relating to the FY 1983-84 Budget and Appropriations Schedule, and amending Ordinance No. 83-153. (Second Reading)

Jennifer Sims, Budget and Administrative Services Manager, stated that all of the changes to the FY 1983 Budget had been reviewed by the Coordinating Committee at their meeting of June 18, 1984. She pointed out there were a typographical error in Exhibit B of the ordinance under Finance & Administration. She said the Revised Appropriation Schedule for Capital Outlay should read \$113,065 and not 0.

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

There was no public testimony.

Vote: The vote on the motion to adopt Ordinance No. 84-173, made by Councilors Kelley and Williamson on June 7, 1984, resulted in:

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

Nays: None.

Absent: Councilors Cooper, Oleson, and Williamson.

Motion carried, Ordinance adopted.

8.1 Consideration of Ordinance No. 84-174, amending Section 3.01.040 of the Code of the Metropolitan Service District. (First Reading)

Motion: Councilor Kafoury moved adoption of Ordinance No. 84-174. Councilor Bonner seconded the motion.

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

Councilor Kafoury reported that the Regional Development Committee recommended adoption of the ordinance as amended. She stated a letter had been distributed from Bob Stacey of 1000 Friends of Oregon which supported the ordinance as amended by the Development Committee (a copy of the letter is attached to the agenda of the meeting).

There was no public testimony.

The ordinance was passed to second reading on July 5, 1984.

8.2 Consideration of Ordinance No. 84-175, relating to Public Contract Procedures and amending Code Sections 2.04.001, 002, 003, 005, 010, 015, 020, 030, 035, 040, and 045. (First Reading)

Motion: Councilor Bonner moved adoption of Ordinance No. 84-175. Councilor Kelley seconded the motion.

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

Councilor Bonner stated that the changes were basically housekeeping measures and that the Coordinating Committee recommended adoption.

There was no public testimony.

The ordinance was passed to second reading on July 5, 1984.

8.4 Consideration of Ordinance No. 84-172, for the purpose of adopting the annual budget of the Metropolitan Service District for Fiscal Year 1984-85, making appropriations from funds of the District in accordance with said annual budget, creating a St. Johns Final Improvement Fund, and levying ad valorem taxes. (Second Reading).

Councilor Kafoury stated that a revised Exhibit B had been distributed to the Council (attached to the agenda of the meeting).

Ms. Sims stated that since the first reading of the ordinance three items had been reviewed and approved by the Coordinating Committee: the additional salary requirements for the General Counsel, the additional costs for implementation of the Pay & Classification Plans, and \$4,000 for the Council for travel. She said another item, which was not included in the staff report, was \$1,255 for the purchase of a printer to go with the Pixel computer which had been budgeted in the current fiscal year and had not been purchased. She said a carryover of the \$1,255 would allow the purchase in FY 1984-85. She said the revised Exhibit B reflected the proposed change.

Motion Councilor Kafoury moved to amend Ordinance No. 84-172
to to substitute the revised Exhibit B for the
Amend: originally submitted Exhibit B. Councilor Waker
seconded the motion.

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

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

Nays: None.

Absent: Councilors Banzer, Cooper, Deines, Oleson, and Williamson.

Motion to amend carried.

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

There was no public testimony.

Vote: The vote on the motion to adopt Ordinance No. 84-172, made by Councilors Kafoury and Bonner on May 3, 1984, as amended, resulted in:

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

Nays: None.

Absent: Councilors Banzer, Cooper, Deines, Oleson, and Williamson.

Motion carried, Ordinance adopted.

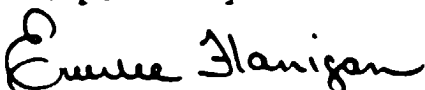
9. Committee Reports.

There were no committee reports.

Presiding Officer Kirkpatrick reported that she had attended a Youth Services Consortium meeting and had accepted on behalf of the Council a commemoration for the Council's help during the year. She also mentioned that Councilors Waker, Kelley, and herself had attended the Legislative Interim Committee session held on June 22.

There being no further business, the meeting adjourned at 8:45 p.m.

Respectfully submitted,



Everlee Flanigan
Clerk of the Council.