

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

January 10, 1985

Councilors Present: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Councilor Absent: Councilor Rafoury

Staff Present: Don Carlson, Eleanore Baxendale, Steve Siegel, Phillip Fell, Doug Drennen, Norm Wietting, Dennis Mulvihill, Ed Stuhr, Randi Wexler, Wayne Rifer, Janet Schaeffer, Ray Barker, Andy Cotugno, Jennifer Sims, Peg Henwood

Presiding Officer Kirkpatrick called to order a regular meeting of the Council at 5:30 p.m.

1. ELECTION OF OFFICERS

Motion: Councilor Kelley nominated Councilor Bonner to the position of Presiding Officer of the Metro Council. Councilor Waker seconded the motion. There being no further nominations, Councilor Kelley moved the nominations for Presiding Officer be closed.

Vote: A vote on the nomination of Councilor Bonner resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kelley, Myers, Van Bergen, Waker, Bonner and Kirkpatrick

Absent: Councilors Hansen, Rafoury and Oleson

Councilor Bonner was elected to the position of Presiding Officer.

Motion: Councilor Kirkpatrick nominated Councilor Waker to the position of Vice Presiding Officer of the Metro Council. Councilor Van Bergen seconded the nomination. There being no further nominations, Councilor Kirkpatrick moved the nominations be closed.

Vote: A vote on the nomination resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Van Bergen, Waker and Bonner

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Absent: Councilors Hansen, Kafoury and Oleson

Councilor Waker was elected to the position of Vice Presiding Officer.

Motion: Councilor Kirkpatrick moved to consider Agenda Item 7, regarding reconsideration of a resolution to grant a commercial rate increase to the Killingsworth Fast Disposal Landfill, at a later time in the meeting because Councilor Hansen was not yet present at this meeting to state his concerns. Councilor Waker seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilors Hansen, Kafoury and Oleson

The motion carried.

1.a Confirmation of Council Committee Appointments

Presiding Officer Bonner referred the Council to his memo, dated January 8, 1985, regarding proposed committee assignments for 1985. He requested the Council confirm these assignments.

Councilor Oleson asked that he be assigned an alternate position on the Council Management Committee because his work schedule during the State Legislature would not allow for regular participation on the Committee. After some discussion it was agreed Councilor DeJardin should be nominated as a regular member of the Committee to replace the nomination of Councilor Oleson.

Motion: Councilor Kirkpatrick moved to confirm the following committee assignments for 1985 and Councilor Waker seconded the motion:

Management Committee:
Van Bergen, Chair
Kirkpatrick, Vice Chair
Cooper
Gardner
DeJardin
Oleson (alternate)
Hansen (alternate)

Joint Policy Advisory Committee on Transportation
(JPACT)

Waker, Chair
Van Bergen
Gardner
Kelley (alternate)

Intergovernmental Resource Center (IRC)

Kirkpatrick, Chair
Bonner
DeJardin
Kelley (alternate)

Friends of the Zoo

Rafoury
Kirkpatrick (alternate)

Bi-State Advisory Task Force

Cooper
Hansen (alternate)

Tri-Met Special Needs

Kelley, Chair of Tri-Met Committee

Criminal Justice Task Force

Oleson, Head of Delegation
Kelley
Gustafson
Van Bergen (alternate)

Budget Committee

Hansen, Chair
Rafoury
Myers
Cooper
Kelley
Gardner (alternate)

Regional Parks Task Force

Kelley

Convention Center Task Force

Bonner
Gustafson (alternate)

Special Legislative Liaison

Myers

Oregon Regional Councils Association (ORCA)
Representatives
Kirkpatrick
Oleson

Vote: The vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen,
Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker
and Bonner

Absent: Councilor Kafoury

The motion carried and the above Councilors and the Executive Officer were confirmed as assigned to the above-named committees.

2. INTRODUCTIONS

None.

3. COUNCILOR COMMUNICATIONS

None.

4. EXECUTIVE OFFICER COMMUNICATIONS

Don Carlson explained he would be delivering the Executive Officer's Report because Rick Gustafson was in Washington, D.C., attending a meeting of the National Association of Regional Councils' Executive Committee and Fiscal Relations Task Force.

Mr. Carlson said the Executive Officer's Report was included in the agenda packet and outlined significant departmental activities in December and early January.

Regarding the lease of office space, Mr. Carlson reported staff should have a lease prepared for Council consideration by January 24, 1985. He also requested Councilors complete the form from Jennifer Sims in order to reserve a tour of the building being considered for lease.

Mr. Carlson then reported Metro had filed an appeal with the State Land Use Board of Appeals (LUBA) of the Multnomah County Landfill Siting Ordinance, pending Council ratification of this appeal. General Counsel Eleanore S. Baxendale then requested a formal motion ratifying this appeal.

Motion: Councilor Van Bergen moved the Council ratify the appeal to LUBA of Multnomah County's Landfill Siting Ordinance. Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilors Hansen, Rafoury and Oleson

The motion carried and the appeal was ratified.

Mr. Carlson referred the Council to his memo dated January 10, 1985, regarding 1984-85 priorities and objectives. He said a Council Work Session was planned for January 31 on this subject and he requested Councilors to prepare themselves for a productive session.

Presiding Officer Bonner then appointed the following Councilors to work with staff in addressing major priorities at the Work Session:

Priority A:	Administration	Councilor Van Bergen
Priority B:	Financial Support	Councilor Waker
Priority C:	Long-term Disposal Site	Councilor Hansen
Priority D:	Local Governments	Councilor Kirkpatrick
Priority E:	Regional Service Needs	Councilor Kelley
Priority F:	Public Awareness/Involvement	Councilor Bonner

6. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

7. RECONSIDERATION OF RESOLUTION NO. 84-523, for the Purpose of Granting a Commercial Rate Increase to the Killingsworth Past Disposal Landfill (Notice by Councilor Hansen on 12/13/84)

Motion: Councilor Hansen moved to reconsider this agenda item at the Council meeting of January 24, 1985. Councilor Kirkpatrick seconded the motion.

Councilor Hansen said staff would need to consider the following concerns raised by the Council at the meeting of December 13, 1984: 1) a more equitable implementation date be established in order for the solid waste industry to have ample time to notify their customers of any rate increases; 2) a one-time, 30 percent rate increase was too high and that staff consider requesting smaller increases over a graduated time period; and 3) more detailed fiscal documentation be provided with the staff report.

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Presiding Officer Bonner said he did not consider the possible diversion of solid waste from the St. Johns Landfill to the Killingsworth Past Disposal Landfill as a result of any rate increase an issue that should be considered by staff in their report for the January 24 meeting.

Vote: A vote on the motion resulted in:

Ayes: Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kelley, Myers, Oleson, Waker and Bonner

Nay: Councilor Van Bergen

Absent: Councilor Kafoury

The motion carried and the Resolution will be reconsidered at the Council meeting of January 24, 1985.

8. CONSENT AGENDA

Motion: Councilor Waker moved to approve the Consent Agenda and Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Hansen and Kafoury

The motion carried and the following items on the Consent Agenda were approved or adopted:

8.1 Approval of minutes of the meetings of November 20 and December 13, 1984

8.2 Resolution No. 84-528, Amending the Transportation Improvement Program to Include Two New Projects: Fernhill Road Bridges Replacement and Interstate Bridge Railing Replacement

8.3 Resolution No. 84-529, Amending the Unified Work Program to Accelerate the Study of Light Rail Transit Feasibility in the I-205 Corridor Between Gateway and the Clackamas Town Center

8.4 FY 1985-86 Budget Schedule and Process

9. ORDINANCES

9.1 Consideration of Ordinance No. 85-185, for the Purpose of Setting Zoo Admission Fees and Amending Code Section 4.02.060 and Declaring an Emergency (First Reading)

The Clerk read the Ordinance by title only.

Motion: Councilor Kirkpatrick moved to adopt Ordinance No. 85-185 and Councilor Waker seconded the motion.

Kay Rich explained the purpose of the Ordinance was to increase the admission fee at the Zoo as proposed by the Five-Year Financial Plan previously presented to the Council and to meet the financial principle adopted by the Council of raising approximately 50 percent of the Zoo's operations expenses from non-tax revenues. This increase was proposed to go into effect February 1, 1985, and would also decrease the age for free admissions from below age five years to below age two years, he said.

Presiding Officer Bonner asked why an emergency was being declared for implementing this Ordinance. Mr. Rich responded that if the increase did not go into effect February 1, 1985, the Zoo would fall short of raising about 50 percent of its operating costs from non-tax sources. Presiding Officer Bonner said it appeared there was not enough evidence to support that an emergency would exist if the Ordinance did not go into effect on February 1.

Councilor Oleson asked if staff had compiled statistics on how admission increases effected attendance. Mr. Rich said attendance increased after the admission increase imposed in 1978. After the 1981 admission increase, attendance experienced a slight decline and then increased, he said.

Councilor Oleson asked for assurance that staff would continue the policy of offering free admission day and times to the general public if the rate increase were granted. Mr. Rich said six free days a year would continue to be offered as well as free admission after 3:00 p.m. on Tuesdays. Gayle Rathbun, Zoo Visitor Services Manager, added that the public was informed about these free admission opportunities by signage at the front entrance and when social service agencies and special groups called the Zoo office asking for special price breaks. Councilor Oleson urged staff to more visibly publicize the free admission days and times. The Presiding Officer requested Mr. Rich to report back to the Council about these public information efforts within two months.

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There was no public testimony on this Ordinance. The Presiding Officer announced the second reading of the Ordinance would take place at the January 24, 1985, Council meeting.

10. RESOLUTIONS

10.1 Consideration of Resolution No. 85-532, for the Purpose of Confirming the Appointment of Gene E. Leo, Jr. to the Position of Zoo Director and Approval of an Employment Contract

Sonnie Russell distributed a revised version of Resolution No. 85-532 and of the attached employment contract, explaining that subsequent negotiations with Mr. Leo had resulted in a change in the termination of employment arrangements for Zoo Director. Ms. Russell said the termination provisions of the Metro Personnel Rules would now apply to Mr. Leo's position.

Motion: Councilor DeJardin moved to approve the revised Resolution and Councilor Kelley seconded the motion.

Councilor Waker said he had attended the receptions for both final candidates, was impressed with Mr. Leo's presentation at his reception, and was most supportive of the motion to confirm Mr. Leo's appointment.

Councilor Cooper said he also supported this confirmation, but for the record reported a constituent had commented that the \$50,000 annual salary for the position was too high.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Hansen and Kafoury

The motion carried and Resolution No. 85-532 was adopted.

Mr. Leo then expressed his appreciation for the Council's confidence in his abilities and said he looked forward to the challenge of this new position.

Presiding Officer Bonner requested Mr. Leo channel special efforts into creating a closer bond between Metro and the Zoo.

10.2 Consideration of Resolution No. 85-530, for the purpose of
Agreeing to Participate in a Regional Convention, Trade and
Spectator Facilities Task Force

In summarizing the staff report contained in the agenda packet, Steve Siegel said Mayor Clark had declared the above-named facility a priority project during his administration. He said an ad hoc group had reviewed the convention center proposal and published its findings and recommendations. This resolution would accept the findings and recommendations of that report, appoint Presiding Officer Bonner as the Metro Council representative to the Regional Convention, Trade and Spectator Facilities Steering Committee, and direct the IRC Administrator to prepare a detailed budget and work program for IRC Committee and Council review as part of the FY 1986 budget process, Mr. Siegel said.

Councilor Waker asked if the Council would be making funding commitments by voting to adopt this Resolution. Mr. Siegel responded no such commitments would be made at this time. The Council would review funding proposals as part of the FY 1986 budget review process and could support or deny any funding program at that time.

Motion: Councilor Kirkpatrick moved to adopt the Resolution. Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Hansen and Kafoury

The motion carried and the Resolution was adopted.

10.3 Consideration of Resolution No. 85-533, for the Purpose of
Amending Resolution No. 84-526 (Amending the Metro Pay Plan for
Non-Union Metro Employees)

Jennifer Sims explained the previously adopted Resolution No. 84-526 had provided for a 2 percent cost of living increase to all non-union Zoo employees retroactive to July 1, 1984. However, she said the original Resolution intended to exclude from consideration for increases temporary employees separated from Metro prior to December 31, 1984. This current Resolution would provide for that exclusion, she said.

Motion: Councilor Van Bergen moved to adopted the Resolution and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Hansen and Kafoury

The motion carried and the Resolution was adopted.

11. UPDATE REPORT ON RESOLUTION NO. 84-491, Interim Management Strategy for the St. Johns Landfill (Specifically the Waste Reduction Program)

Dennis Mulvihill called the Council's attention to an updated staff report dated December 19, 1984. Presiding Officer Bonner then explained the Council had previously adopted Resolution No. 84-491 with the understanding staff would develop more specific language addressing the recycling program as part of the Interim Management Strategy for the St. Johns Landfill.

Mr. Mulvihill then reviewed the staff report and specific aspects of the proposed recycling program including: 1) develop a model demonstration project for recycling collection from multiple family housing; 2) adopt a multi-year regional promotion marketing program; 3) conduct a demonstration project at the St. Johns Landfill to determine the cost-effectiveness of siting additional yard debris drop off centers; and 4) on a interim basis, waive Metro fees for franchised mixed waste sorting operations.

The Presiding Officer asked the Council to review the proposed resolution revisions carefully, to be prepared to discuss staff's recommendations and vote whether to adopt the new language at the Council meeting of January 24, 1985.

12. COMMITTEE REPORTS

Councilor Kirkpatrick announced the Friends of the Zoo would plan their next annual Penguin Ball for March 6, 1986. She said the September ball had been changed to a spring event because there would be less competition with other fund-raising events. Councilor Waker said he did not think the 1984 Ball was well publicized and thought a better efforts could be made in the future. He also said he did not think the new Zoo exhibits were well promoted and would like to see a more aggressive public information campaign from the Zoo.

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Councilor Oleson said he had attended the two winter sessions of the Adult Regional Corrections Task Force and the Council would soon be asked to act on two resolutions which related to the Task Force's efforts.

Presiding Officer Bonner said he was planning a series of informal Council meetings for the first Thursday of each month beginning in February. The February 7 meeting would focus on Metro's legislative program and he said the public was invited to attend this meeting.

Councilor Hansen said he would like to see more information provided to Councilors about upcoming, major decisions the Council would be asked to consider.

Don Carlson announced Dan LaGrande would be leaving his position as Metro Public Affairs Director for a similar position at Portland's Providence Hospital. The Council thanked Mr. LaGrande for his excellent service to Metro and said he would be missed.

There being no further business, the Presiding Officer adjourned the meeting at 7:05 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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