

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

September 25, 1986

Councilors Present: Councilors Cooper, Frewing, Gardner,
Hansen, Kafoury, Kelley, Van Bergen and
Waker

Councilors Absent: Councilors Collier, DeJardin, Kirkpatrick
and Oleson

Staff Present: Donald Carlson, Eleanore Baxendale, Tuck
Wilson, Neil McFarlane, Janet Schaeffer,
Norm Wietting, Randy Boose, Sonnie Russill,
Vickie Rocker, Jill Hinckley and Ray Barker

Presiding Officer Waker called the meeting to order at 5:40 p.m.

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

Regarding Agenda Item 6.1, Councilor Frewing asked if staff had studied the possibility of channeling federal transportation funds to local agencies other than Tri-Met for provision of transit services.

Presiding Officer Waker said he had received recent information from the National Association of Regional Councils (NARC) indicating the House of Representatives had been reluctant to allocate federal dollars for that purpose. He requested staff report back to the Council in 30 days on the matter.

3. EXECUTIVE OFFICER COMMUNICATIONS

In the absence of Executive Officer Gustafson, Donald Carlson, Deputy Executive Officer, referred the Council to items included in the written Executive Officer's Report dated September 25, 1986.

Convention, Trade and Spectator Facility (CTS) Update. Tuck Wilson, Convention Center Project Director, reviewed the document entitled "Oregon Convention Center Project" dated September 25, 1986. He specifically explained the CTS project organization and committee structure. The document also outlined the specific CTS work program and progress to date.

Mr. Wilson introduced Leonard Bergstein, President of Northwest Strategies, Inc. Mr. Bergstein reported on the progress of the campaign for the November 4, 1986, General Obligation bond measure election. He distributed campaign literature and showed a slide

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presentation narrated by Richard Ross which discussed the benefits of the proposed convention center. He explained the campaign would be straightforward and factual, and would emphasize the facility would create jobs for citizens in the region.

Councilor Kelley said she held a recent forum in East Multnomah County and was concerned citizens did not understand the direct, personal benefits of the convention center. Mr. Bergstein said future campaign efforts would focus on informing citizens about personal benefits of the facility.

Bear Grotto Exhibit. The Deputy Executive Officer reported the newly remodeled exhibit would open that weekend and Councilors were invited to attend the September 26 Friends of the Zoo exhibit preview.

Solid Waste Facilities Tour. Mr. Carlson said staff was offering an extensive tour of all Metro's solid waste facilities to new Councilors from 9:00 a.m. to 5:00 p.m., Friday, October 3.

West Transfer and Recycling Center. Eleanore Baxendale, General Counsel, reported the complete Council record for the transfer station project had been filed with the Land Use Board of Appeals in the case of Aloha-Reedville Citizens v. Metro. She hoped a decision would be made within 77 days. Issues on the record would be resolved the following Tuesday, she said.

Citizens in the 209th/TV Highway area had also filed a request for a writ of review in Washington County Circuit Court and had obtained a stay which applied to all activities related to the west transfer and recycling center project. The stay prohibited Metro from negotiating with the property owner or from discussing design plans with the community. Ms. Baxendale said the neighbor's attorney had said that as long as Metro did not change the status quo, his clients would not object to Metro continuing some type of work. The hearing on the stay was scheduled for September 29 at which time Counsel would request the Court lift or modify the stay in order to proceed with acquiring the property, performing design work and filing the permit within the 90-day time frame.

BenjFran v. Metro. Ms. Baxendale explained that BenjFran, applicants for a major Urban Growth Boundary amendment, which had recently been denied by the Council, had filed an appeal before the Land Use Board of Appeals (LUBA).

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. CONSENT AGENDA

Motion: Councilor Frewing moved the consent agenda be approved and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Gardner, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Kirkpatrick and Oleson

The motion carried and the following Resolutions were adopted:

6.1 Resolution No. 86-686, Adopting the FY 1987 to Post-1990 Transportation Improvement Program and the FY 1987 Annual Element; and Resolution No. 86-687, Certifying that the Portland Metropolitan Area is in Compliance with the Federal Transportation Planning Requirements

7.3 Consideration of Ordinance No. 86-210, for the Purpose of Authorizing a Temporary Reduction in Disposal Rates for Source Separated Yard Debris at the St. Johns Landfill (Second Reading)

The Clerk read the Ordinance a second time by title only.

Main Motion: A motion to adopt the Ordinance was made by Councilors Kelley and Frewing on September 11, 1986.

The Presiding Officer explained that Norm Wietting, Solid Waste Operations Manager, and Estle Harlan representing the Oregon Sanitary Service Institute, had met and reached an agreement on an amendment to the Ordinance, pending Council approved. Ms. Harlan proposed the following sentence be added at the end of Metro Code Section 5.02.070(a): "The collection of source separated yard debris would not be expected from sources that generated less volume and was sufficient to provide an economically feasible system." She said the amendment would address the concern she had raised on September 11 and would be consistent with promises made to the collection industry by staff.

Motion to Amend: Councilor Gardner moved to amend the Ordinance as proposed above by staff and Ms. Harlan. Councilor Hansen seconded the motion.

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Responding to Councilor Kafoury's question about the effect of the proposed amendment, Mr. Wietting said the hauling industry was concerned the Ordinance as written would require the industry to implement collection systems for yard debris. The amendment would clarify that was not Metro's intent.

Councilor Frewing asked if the amendment indicated Metro would never require the industry to source separate. Presiding Officer Waker said the Ordinance indicated that would not be a requirement at this time.

Vote on Motion to Amend: The vote resulted in:

Ayes: Councilors Cooper, Frewing, Gardner, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Kirkpatrick and Oleson

The motion carried and the Ordinance was amended.

Vote on Main Motion: The vote resulted in:

Ayes: Councilors Cooper, Frewing, Gardner, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Kirkpatrick and Oleson

The motion carried and the Ordinance was adopted as amended.

8.1 Consideration of Resolution No. 86-688, for the Purpose of Adopting Affirmative Action Goals and Objectives for FY 1986-87

Randy Boose, Personnel Officer, presented staff's report, reviewing highlights of affirmative action goals for the new fiscal year.

Presiding Officer Waker asked if certain affirmative action goals were being increased over the previous year's goals. Mr. Boose explained goals were periodically adjusted to reflect what could be realistically achieved given community resources.

A discussion followed regarding achievement of hiring goals for the previous year. Mr. Boose said the figures reflected that more minority and female employees were being hired at entry level. Because Metro had a policy of promoting its employees, aggressive promotional efforts would eventually result in minority and female employees in higher level positions, he explained.

Motion: Councilor Kafoury moved to adopt Resolution No. 86-688 and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Gardner, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Kirkpatrick and Oleson

The Motion carried and Resolution No. 86-688 was adopted.

7.1 Consideration of Ordinance No. 86-208, Adopting a Final Order and Amending the Urban Growth Boundary for Contested Case No. 85-9: Riviera Motors Property (Second Reading)

The Clerk read the Ordinance by title only a second time.

Motion: A motion to adopt the Ordinance was made by Councilors Kelley and Gardner on September 11, 1986.

There was no discussion on the Ordinance.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The Motion carried and Ordinance No. 86-208 was adopted.

7.2 Consideration of Ordinance No. 86-209, Amending Ordinance No. 83-162 to Eliminate Conditions Imposed on the Urban Growth Boundary Amendment Adopted for Contested Case No. 81-2: Waldo Estates (Second Reading)

The Clerk read the Ordinance a second time by title only.

Motion: A motion to adopt the Ordinance was made by Councilors DeJardin and Kelley on September 11, 1986.

Councilor Kafoury recalled the circumstances under which the UGB was originally changed in the Waldo Estates case. She hoped the lessons learned as a result of that decision would serve the Council for some time to come.

Councilor Van Bergen said although he would support the Ordinance, he hoped a policy could be established to prohibit the Council from making a UGB-related decision based on land use conditions. The Council, he said, had no ability to enforce those kinds of decisions.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The Motion carried and Ordinance No. 86-209 was adopted.

9.2 Consideration of a Contract with SCS Engineers, Inc. for a Solid Waste Characterization Study

Doug Drennen, Solid Waste Engineering/Analysis Manager, presented staff's report as published in the agenda materials. He explained although the project had been included in the FY 1986-87 budget, additional funds would have to be transferred from contingency to fund the total contract. Responding to the Presiding Officer's question, he said the project was an element in the Solid Waste Reduction Program previously adopted by the Council.

At Councilor Frewing's request, Mr. Drennen reviewed the proposed schedule for key seasonal waste characterization samplings: November to January 1; January 20 to February; and the first part of May.

Councilor Van Bergen said because the completed waste characterization study would have a major impact on most solid waste projects, he thought staff should spend the time and extra funds to ensure the project was completed as thoroughly as possible. Mr. Drennen responded that staff would keep careful track of demographic aspects of samples collected as a prelude to future, in-depth demographic studies.

Motion: Councilor Van Bergen moved to approve the contract and Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The Motion carried and the contract was approved.

8.2 Consideration of Resolution No. 86-689, for the Purpose of
Adopting Policies Regarding Responses to Requests for Proposals
for Resource Recovery Facility Services

Presiding Officer Waker noted staff had distributed a revised version of the Resolution, marked No. 86-689A, which reflected changes to the Resolution suggested by Councilors at their September 18, 1986, workshop on solid waste alternative technologies. Debbie Allmeyer, Solid Waste Analyst, then reviewed specific revisions in the new version of the Resolution. She concluded that Resolution No. 86-689A reflected policies outlined in the Solid Waste Reduction Program and was consistent with the Request for Proposals document for the resource recovery facility project.

Main Motion: Councilor Kelley moved to adopt Resolution No. 86-689A and Councilor Cooper seconded the motion.

Motion to Amend: Councilor Hansen moved to change the word "educate" in the seventh "whereas" clause to read "inform." Councilor Van Bergen seconded the motion.

Vote on the Motion to Amend: The vote resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The motion carried and the Resolution was amended.

Vote on the Main Motion: The vote resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The motion carried and Resolution No. 86-689A was adopted as amended.

Councilor Van Bergen urged the Presiding Officer to make sure new Councilors were thoroughly briefed on the alternative technologies project. The Presiding Officer said briefings had already begun and the Council Alternative Technology Task Force would continue to oversee the project. Ms. Allmeyer added that more work sessions for

all Councilors were planned and staff had distributed materials to Councilors providing information about firms who would be sent RFPs.

Councilor Frewing thought the information on firms would be more useful if the same types of information were provided for each organization. Ms. Allmeyer explained better comparative data would be provided upon receipt of proposals in January.

9.1 Consideration of an Agreement with Marion County for the Delivery of Solid Waste

Steve Rapp, Solid Waste Analyst, presented staff's report.

Answering Councilor Frewing's question, Doug Drennen, Solid Waste Engineering/Analysis Manager, explained staff did not expect the City of Portland to impose a surcharge on Metro this year for exceeding the maximum allowable capacity at the St. Johns Landfill. Land settlement would reduce the volume of newly filled land, he said.

Councilor Van Bergen asked staff to explain disposal costs under the proposed agreement. Mr. Drennen said the tip fee would be \$12 per ton until March 1, 1987. Thereafter, the fee would be \$15.80 a ton.

Presiding Officer Waker noted staff would soon return to the Council seeking approval on two related resolutions: one to amend the budget by transferring funds from Solid Waste Operating Fund Contingency and another waiving the Regional Transfer Charges.

Councilor Van Bergen commended staff on their work in negotiating the Marion County agreement.

Motion: Councilor Van Bergen moved to approve the contract and Councilor Hansen seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The motion carried and the contract was approved.

9.3 Consideration of a Contract with Michael Watt, Inc. for
Remodeling Improvements at the Clackamas Transfer & Recycling
Center (CTRC)

Jim Shoemake, Solid Waste Facilities Manager, reported on the need for the contract and the process for selecting the contractor. When the CTRC facility was initially built, the conference and lunchroom areas had been deleted from the project to save money. The inconvenience to employees made it necessary to install those amenities at this time. In addition, the gatehouse could be renovated to create more privacy for the cash handling operation. Mr. Shoemake presented several slides to illustrate the need for the construction.

Motion: Councilor Kafoury moved to approve the contract and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The motion carried and the contract was approved.

Councilor Van Bergen noted the request for bids was not published in a Clackamas County newspaper.

There being no further business, Presiding Officer Waker adjourned the meeting at 7:40 p.m.

Respectfully submitted,



A. Marie Nelson,
Clerk of the Council

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