

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

**Regular Meeting  
October 23, 1986**

**Councilors Present:** Tanya Collier, Larry Cooper, Tom DeJardin, John Frewing, Jim Gardner, Gary Hansen, Marge Kafoury, Sharron Kelley, Corky Kirkpatrick, Mike Ragsdale, George Van Bergen and Richard Waker

**Also Present:** Rick Gustafson, Executive Officer

**Staff Present:** Donald Carlson, Eleanore Baxendale, Randi Wexler, Jim Shoemake, Ray Barker, Dan Durig, Jennifer Sims, Vickie Rocker, Ed Stuhr, Sonnie Russill, Doug Drennen, Norm Wietting, Dennis Mulvihill, Phillip Fell, Debbie Allmeyer, Dave Luneke, Becky Crockett and Rich McConaghy

Presiding Officer Waker called the regular meeting to order at 5:35 p.m.

**1. INTRODUCTIONS**

None.

**2. COUNCILOR COMMUNICATIONS**

None.

**3. EXECUTIVE OFFICER COMMUNICATIONS**

Report for Quarter Ending September 30, 1986. Executive Officer Gustafson reviewed information contained in the document entitled "1986-87 Program Progress Report: First Quarter, July-September 1986." He said Zoo attendance during July had been the highest for any single month since the birth of Packy in 1962. The Executive Officer summarized information on solid waste volumes, affirmative action employment goals, Disadvantaged Business Enterprise program goals, and agency process on the Council's established priorities as presented in the written report.

Hazardous Waste Cleanup Program. Randi Wexler, Solid Waste Analyst, explained Metro's Solid Waste Management Plan called for neighborhood events as a means to collect and dispose of household hazardous waste. Two such events had been planned for November. Collection

points were at the Gresham City Hall and Portland Fire Bureau's Engine No. 12. The Management Committee would be asked to consider a contract on October 30 for the supervision the collection of and be in charge of disposing the waste. Staff had advertised the event and expected good participation. Ms. Wexler also reported staff and volunteers would administer a questionnaire to those disposing of hazardous waste in order to gain useful information for planning future drives. Permanent funding sources were being sought for more hazardous waste disposal drives, she said. Those participating in this fall's drive would receive information on how avoid having surplus amounts of household hazardous waste.

FY 1986-87 Budget Schedule. Jennifer Sims, Management Services Director, distributed a memo from herself to Don Carlson outlining the proposed FY 1986-87 Budget schedule. Ms. Sims explained staff would proceed with the proposed schedule unless the Council offered other suggestions.

Councilor Frewing suggested staff provide a spread sheet indicating all expenditures on a monthly or quarterly basis. He said that type of report would show spending patterns over the year. Presiding Officer Waker asked staff to investigate the practicality of providing such a report to the FY 1986-87 Budget Committee and Councilors.

Urban Growth Boundary. Councilor Van Bergen requested staff provide him with copies of Land Use Board of Appeals decisions on the City of Wilsonville and BenjFran Development Company appeals of the Council's decisions regarding Urban Growth Boundary amendments.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. CONSIDERATION OF MINUTES

Motion: Councilor Kelley moved the minutes of September 11, 18 and 25, 1986, be approved as submitted. Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kafoury, Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

The motion carried and the minutes were approved.

**7. RESOLUTIONS**

**7.1 Consideration of Resolution No. 86-696, for the Purpose of Adopting Policies Regarding Responses to Requests for Proposals for Compost Facility Services**

Debbie Allmeyer, Solid Waste Analyst, introduced Bob Zier of Gershman, Brickner & Bratton, a consultant hired to assist with the solid waste alternative technologies project. She explained the Resolution now before the Council had been amended slightly from the version in the Council agenda packet.

**Main Motion:** Councilor Frewing moved the Resolution be adopted and Councilor Kafoury seconded the motion.

Councilor Frewing was concerned the language in item 6 of the Resolution would not provide enough information to vendors. Mr. Zier said all vendors had been put on notice about the importance of the provisions of item 6.

Councilor Kirkpatrick suggested item 5 be amended to clarify disposal charge arrangements.

**Motion to Amend:** Councilor Kirkpatrick moved the item 5 under "Be It Resolved" of the Resolution be amended to read: "That the contractor will pay landfill disposal charges for compost and recovered materials which must be landfilled due to lack of a market." Councilor Gardner seconded the motion.

**Vote on the Motion to Amend:** A vote resulted in:

**Ayes:** Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kafoury, Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

The motion carried.

**Vote on the Main Motion:** A vote resulted in:

**Ayes:** Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kafoury, Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

The motion carried and Resolution No. 86-696 was adopted as amended.

7.2 Consideration of Resolution No. 86-697, for the Purpose of  
Adopting Disadvantaged Business Program Goals for FY 1986-87

Ed Stuhr, Grants/Contracts Specialist, presented staff's report as outlined in the agenda materials. He pointed out Metro's Disadvantaged Business Enterprise (DBE) program required an ongoing effort to recruit Disadvantaged Business Enterprises (DBE's) and Women-owned Business Enterprises (WBE's) even if the established goals for participation were met. Mr. Stuhr said the goals had been increased over the previous year because staff anticipated increased construction activity.

Main Motion: Councilor Kirkpatrick moved the Resolution be adopted and Councilor DeJardin seconded the motion.

Presiding Officer Waker asked if anyone from the public wished to testify on the Resolution. There was no testimony at that time. The Presiding Officer did, however, read a letter from Thomas Wright, Co-Chair, Association of Professional Businesses (APB), 1410 N.W. Johnson, Portland, Oregon 97209. Mr. Wright wrote that the APB's concerns with Metro's proposed DBE goals for FY 1986-87 were: 1) there was no clear delineation for professional minority business in Metro's categories as outlined in Exhibit A of the Resolution; 2) the DBE goal was too low; and 3) professional minority businesses had been under-utilized in the recent past.

Mr. Stuhr addressed Mr. Wright's concerns. 1) The term "personal services" had been used to delineate professional services contracts. That term, he said, had been used in the Oregon Revised Statutes and was defined as any contract not subject to the competitive bid process, such as engineering or architectural firms. 2) Staff had used its best judgment to establish DBE goals on the basis of DBE participation Metro's projects would likely attract. The Council could, in its discretion, alter those goals. 3) The past four years of Metro's DBE Program bore out a history of good participation. Mr. Wright and the APB had been sent copies of all requests for proposals Metro had generated in the past year.

Councilor Hansen suggested staff change the definition of "personal services contracts" to read "personal/professional services contracts." He thought it important to work with Disadvantaged Business Enterprises and as a result, be more successful in reaching DBE program goals. Eleanore Baxendale, General Counsel, said she would examine the state law to see if such a name change would pose problems.

Responding to Councilor Collier's question, Mr. Stuhr said he had calculated the likelihood of whether goals would be met by determin-

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ing the number of DBE's in ratio to all companies available to provide specific services. Past success in meeting DBE program goals was also a factor in determining future goals.

Gail Hinson of Jade Consultants, a WBE engineering firm, thought Metro's goals should be higher. If goals were low, staff would have less incentive to improve DBE participation, she said.

Councilor Kafoury suggested staff add a glossary of terms to its contract procedures that would define "personal service contracts" as contracts for personal and professional services. She agreed with Ms. Hensen that Metro's goals should be increased to a larger percentage over the previous year's goals. Metro, she said, needed to challenge itself and work harder in that area.

Councilor Collier agreed with Councilor Kafoury and said it was important to send a positive message to the community.

Councilor Kelley explained although she agreed with the concept presented by Councilor Kafoury, she was concerned about the specialty nature of Metro's contracts and questioned whether higher goals could be met.

Presiding Officer Waker said he thought Metro's objective was to give all businesses an equal opportunity to participate. He did not agree that establishing quotas would accomplish that objective.

Motion to Amend: Councilor Frewing moved to amend Exhibit A of the Resolution by changing the Personal Services DBE goal to 5 percent and the Personal Services WBE goal to 10 percent. Councilor Kafoury seconded the motion.

Mr. Stuhr explained that if the Resolution were amended, staff would probably continue with the same plan currently in place. That plan called for ongoing recruitment of DBE participation regardless of whether goals were met.

Councilor DeJardin said he would not support the amendment because staff had developed goals they thought could be achieved.

Vote on the Motion to Amend: A vote on the motion resulted in:

Ayes: Councilors Collier, Frewing, Hansen, Kafoury, Kelley and Ragsdale

Nays: Councilors Cooper, DeJardin, Kirkpatrick, Van Bergen and Waker

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Absent: Councilor Gardner

The motion to amend the Resolution carried.

Vote on the Main Motion: The vote resulted in:

Ayes: Collier, Cooper, DeJardin, Frewing, Hansen, Kafoury,  
Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

Absent: Councilor Gardner

The motion carried and Resolution No. 86-697 was adopted as amended.

7.3 Consideration of Resolution No. 86-693, for the Purpose of  
Appointing Citizens to Metro's Budget Committee

Ray Barker, Councilor Assistant, presented staff's report. There was no discussion on the Resolution.

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

Vote: A vote on the motion resulted in:

Ayes: Collier, Cooper, DeJardin, Frewing, Hansen, Kafoury,  
Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

Absent: Councilor Gardner

The motion carried and Resolution No. 86-693 was adopted. Michael Burns, Becky Charles, Linda Girard, Ron Hohnstein, David Little, John Michelet and Olodapo Sobomehim were appointed to the FY 1987-88 Budget Committee.

Appointment of Councilor Collier as Alternate to Council Management Committee

Presiding Officer Waker announced that due to the resignation of Bob Oleson, former Councilor of District 1, he wished to appoint Councilor Collier as an alternate member of the Council Management Committee.

Motion: Councilor Kelley moved, seconded by Councilor Hansen, to confirm the Presiding Officer's appointment.

Vote: A vote on the motion resulted in:

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Ayes: Collier, Cooper, DeJardin, Frewing, Hansen, Kafoury,  
Kelley, Kirkpatrick, Ragsdale, Van Bergen and Waker

Absent: Councilor Gardner

The motion carried.

There being no further business, Presiding Officer Waker adjourned  
the meeting at 6:50 p.m.

Respectfully submitted,



A. Marie Nelson  
Clerk of the Council

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