

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

Regular Meeting
November 20, 1986

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

Councilors Absent: David Knowles

Staff Present: Donald Carlson, Eleanore Baxendale, Dan Durig, Dave Luneke, Dennis O'Neil, Sonnie Russill, Vickie Rocker, Jan Schaeffer, Randi Wexler, Phillip Fell, Andy Cotugno, Rich McConaghy, Tuck Wilson, Jennifer Sims, Doug Drennen and Ray Barker

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

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

Consideration of a transition budget for the Executive Officer-Elect. The Presiding Officer explained per the Council's request of November 13, 1986, the Executive Officer-Elect, Rena Cusma, had submitted a \$5,000 line item budget for transition expenses. She was requesting the Council approve the \$5,000 budget. Donald Carlson, Deputy Executive Officer, reviewed his memo to the Council dated November 18, 1986, which discussed the budget request.

Motion: Councilor Gardner moved a transition budget not to exceed \$5,000 be approved and that funds be expended according to guidelines recommended in Mr. Carlson's memorandum to the Council dated November 18, 1986.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

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The motion carried and the budget was approved.

Consideration of Resolution Nos. 86-704, 86-705, 86-706 and 86-707, for the Purpose of Creating the Convention Center, Solid Waste, Zoo Planning and Legislative Committees. Presiding Officer Waker said he was proposing a committee system which would ensure good Council involvement in the areas of the convention center project, solid waste, zoo planning and legislative planning. He then briefly reviewed the provisions of each resolution.

Motion: Councilor Ragsdale moved that Resolution No. 86-704 be adopted, a resolution creating the Convention Center Committee and appointing Councilors Ragsdale (Chair), Cooper, Knowles, Van Bergen and Waker to the committee. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Resolution No. 86-704 was adopted.

Motion: Councilor Gardner moved that Resolution No. 86-705 be adopted, a resolution creating the Solid Waste Committee and appointing Councilors Gardner (Chair), DeJardin, Hansen and Kelley to the committee. Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Resolution No. 86-705 was adopted.

Motion: Councilor DeJardin moved that Resolution No. 86-706 be adopted, a resolution creating the Zoo Planning Committee and appointing Councilors Kirkpatrick (Chair), DeJardin, and Frewing. Councilor Cooper seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Resolution No. 86-706 was adopted.

Motion: Councilor Collier moved that Resolution No. 86-707 be adopted, a resolution creating the Legislative Planning Committee and appointing Councilors Collier (Chair), Gardner, Kirkpatrick, Ragsdale and Waker. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Resolution No. 86-707 was adopted.

In response to Councilor Kirkpatrick's question, the Presiding Officer said the committees' meeting schedules would be listed on the monthly Council calendar.

Councilor Van Bergen said he hoped the Committees would disband when their work was complete. The Presiding Officer pointed out the Resolutions contained provisions for disbanding the committees.

At Councilor Gardner's request, the Presiding Officer said he would, with aid from the Council Assistant, review all current Council committees and report back to the Council regarding which committees should be declared disbanded.

3. EXECUTIVE OFFICER COMMUNICATIONS

Donald Carlson, Deputy Executive Officer, presented the Executive Officer's report in his absence.

Hazardous Waste Collection Days. Randi Wexler, Solid Waste Analyst, reviewed highlights of two special days organized by staff to collect household hazardous waste. She explained the pilot program was established as part of the Solid Waste Reduction Program. The

hazardous waste drive was conducted in order for staff to determine typical waste composition, to inform the public about household hazardous waste and to involve local governments in solving the hazardous waste problem. Ms. Wexler deemed the event a success in that over 200 citizens participated and cooperation from local governments was excellent. She was especially encouraged the event had created positive exposure for Metro.

Vickie Rocker, Public Affairs Director, explained the public was informed about the collection in a number of ways: press packets were sent to the media; flyers were enclosed in water bills; notes were sent home with young school children; the event received radio and television new coverage; and Ms. Wexler had made a guest appearance on the "AM Northwest" television program.

Councilor DeJardin asked how staff would change their publicity efforts for future campaigns. Ms. Rocker said because most participants heard about the event through the news media, staff would concentrate future efforts in that area.

Councilor DeJardin requested a report on the event be prepared for use by other jurisdictions. Ms. Wexler said a report would be available by mid-December.

West Transfer and Recycling Center Project. Dave Luneke, Solid Waste Engineer, reported that an application for a conditional use permit had been filed with Washington County. Staff would learn on November 25 whether the County had deemed the application complete.

Presiding Officer Waker added that the Council task force appointed to mitigate the public's concerns had not yet met to address off-site enhancement issues. He said that task force would report to the Council on their progress at a later date.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Convention Center Project. Jeffrey Litticoat, 1804 S.E. Oak, Portland, a member of the Committee for Responsible Development, testified the Council should adopt a resolution affirming they would make it a priority to provide jobs to low income citizens living in the area near the future convention center. He also urged the Council to seek public input on all decisions related to the convention center project.

Presiding Officer Waker said it would be some time before the Council was in a position to make decisions about employment, but he would make sure the Convention Center Project Committee was informed about the Committee for Responsible Development's concerns. Councilor Ragsdale, newly appointed Chair of the Convention Center Committee said he would make sure Mr. Litticoat was placed on the Committee's mailing list for meeting agendas.

6. CONSENT AGENDA

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

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried. The following minutes were approved and Resolution adopted:

6.1 Minutes of October 23, 1986

6.2 Resolution No. 86-700, for the Purpose of Authorizing Federal-Aid Urban Funds to Facilitate Expansion of Metro's Technical Services to Clackamas, Washington and Multnomah Counties

7. ORDINANCES

7.1 Consideration of Ordinance No. 86-211, for the Purpose of Modifying and Continuing 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. There was no discussion on the Ordinance.

Motion: The motion to adopt Ordinance No. 86-211 was made by Councilors Gardner and Kirkpatrick at the meeting of November 13, 1986.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Ordinance No. 86-211 was adopted.

7.2 Consideration of Ordinance No. 86-212, for the Purpose of Amending Metro Code Section 5.02.050 to Allow for the Exemption of Solid Waste from the Metro Regional Transfer Charge when it is Delivered to Marion County Solid Waste Facilities by Commercial Haulers (Second Reading)

The Clerk read the Ordinance a second time by title only. There was no discussion on the Ordinance.

Motion: The motion to adopt Ordinance No. 86-212 was made by Councilors DeJardin and Van Bergen at the meeting of November 13, 1986.

Vote: A vote on the motion resulted in:

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

Absent: Knowles

The motion carried and Ordinance No. 86-212 was adopted.

8. RESOLUTIONS

8.2 Consideration of Resolution No. 86-701, for the Purpose of Endorsing the Conclusions and Recommendations of the Oregon Roads and Transit Finance Studies

Andy Cotugno, Transportation Director, reviewed staff's written report in detail. He explained the state-wide roads and transit finance studies were conducted separately but were coordinated to ensure compatible recommendations. He then discussed Attachment A to the Resolution (Oregon Transit Finance Study Advisory Committee: Recommendations for Transit Funding).

Regarding the transit study, Councilor Kelley was concerned that disabled transit users had not been interviewed regarding their future transit needs. She served on the Committee on Accessible Transit and said that committee had not heard of any discussion with the disabled regarding transit needs. Mr. Cotugno thought disabled citizens had participated in the study.

After Mr. Cotugno's review of Attachment B to the Resolution (Oregon Roads Finance Study: Recommendations for Highway Funding), Coun-

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cilor Kelley said she would support the study's recommendations with the exception of the first 1¢ gas tax because she thought it a mistake not to involve the input of disabled transit users in the transit study.

Councilor Frewing said he was disappointed the two study groups did not integrate their recommendations and that the transit study was not more future oriented. He thought transit users deserved more from the study and suggested transit financing issues be brought before the voters of the region. He asked what impact would result if the Council did not endorse all recommendations presented in the Resolution.

Mr. Cutugno explained bills incorporating the recommendations had been introduced into the legislative process the previous day and that the endorsement of all parties involved would aid the bills in the legislative process. He added the bill only addressed the first two years of financing.

Councilor Hansen said he endorsed the bulk of the report but could not support a recommended \$10 per year increase in the vehicle registration fee. Voters had not support such an increase in the past, it was too large an increase at one time, and a fixed fee was unfair to the poorer population. The Councilor supported stronger use of the gas tax and said he would not support the Resolution as submitted.

Councilor Ragsdale asked how the Portland metropolitan area would fare under the increased revenue collection plan proposed by the highway study. Mr. Cutugno said urban areas had fewer vehicles per capita and would therefore not fare as well as other areas.

Main Motion: Councilor Van Bergen moved to adopt Resolution No. 86-701 and Councilor DeJardin seconded the motion.

Responding to Councilor Ragsdale's question, Mr. Cotugno said by endorsing the Resolution, the Council would still have latitude to suggest amendments to the Legislature in the future. The Councilor said he strongly recommended the Council work within the legislative process to seek amendments recognizing the state's growth areas when planning transportation projects.

Presiding Officer Waker said he would send a letter to the Legislature addressing the Council's concerns regarding transit and highway funding.

A discussion followed about whether the Council should amend the Resolution to include their concerns. Mr. Cotugno explained many

parties had invested a great deal of time to reach a consensus on the recommendations presented in Attachments A and B of the Resolution.

Councilor Van Bergen agreed the Council should not make changes to the Resolution, explaining the bill would go through many changes in Salem as part of the legislative process. He said the Council's changes were small compared with the many issues reached by consensus by the many state and local officials who had developed the recommendations.

Motion to Amend: Councilor Frewing moved to amend the Resolution by adding the words "principles in the" in front of the word "recommendations" wherever it appeared in the "be in resolved" sections. Councilor Kelley seconded the motion.

Councilor DeJardin asked why the amendment had been proposed. Councilor Frewing explained his proposed language would lend more flexibility to the recommendations presented in the Resolution. Councilor DeJardin said he agreed with Councilor Van Bergen and that to amend the Resolution would result in weakening its impact in the legislative process.

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

Ayes: Councilors Frewing, Hansen and Kelley

Nays: Councilors Collier, Cooper, DeJardin, Gardner, Kirkpatrick, Ragsdale, Van Bergen and Waker

Absent: Councilor Knowles

The motion to amend the Resolution failed.

Vote on the Main Motion: A vote on the main motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Gardner, Kirkpatrick, Ragsdale, Van Bergen and Waker

Nays: Councilors Frewing, Hansen and Kelley

Absent: Councilor Knowles

The motion carried and Resolution No. 86-701 was adopted.

8.1 Consideration of Resolution No. 86-702, for the Purpose of
Adopting a Legislature Program for 1987 Legislative Session

Councilor Collier, Chair of the newly appointed Legislative Planning Committee, explained the Resolution was designed to adopt principals on major District issues. The principals were not presented in any order of priority and no legislation had been introduced to date. Staff and the Committee would return to the Council at a later date to seek endorsements on specific legislation, she reported.

Phillip Fell, Government Relations Manager, reviewed major issues and staff's recommendations as reported in the written agenda materials.

Consolidated Regional Functions. Regarding the issue of Tri-Met and the Boundary Commission merging with Metro, staff offered no recommendation on principles pending discussion with key actors. Councilor Collier suggested the Council's principle be to work with other local governments towards consolidation of regional services. She advised no specific agencies be named in the adopted principles. Councilors DeJardin and Kelley added that consolidation should occur according to an orderly process.

Councilor Ragsdale requested staff and the Legislative Planning Committee consult with the Executive Officer-Elect on this matter before the Council adopted a policy on consolidated regional functions.

General Government Funding. The Council agreed with staff's recommended principle.

Convention Center Funding. The Council agreed with staff's recommended principle.

Solid Waste. The Presiding Officer noted that Estle Harlan, representing the Oregon Sanitary Service Institute, had submitted a memorandum expressing the Institute's position regarding the recommended principles: they supported "legislation which encouraged public participation in cost effective reduction, reuse and recycling programs; and legislation which reduced in a cost effective manner the volume of material being landfilled." The Institute also recommended "rate incentives must be established within a cost of service framework, and we strongly disagree with DEQ that your authority to use rates as an incentive exists without regard to your cost of service."

Regarding hazardous waste, Councilor Prewing suggested the principal be amended to read, "encourages the development and use of safe and economic disposal practices for hazardous waste."

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A discussion followed concerning Metro's role in hazardous waste disposal. Councilor Frewing acknowledged the lines were not clearly drawn between Metro's and DEQ's authority and thought the legislature could serve to more clearly define policies.

Transportation. The Council agreed with staff's recommended principles.

Administration. The Council agreed with staff's recommended principles.

Councilor Collier and Mr. Fell said they would incorporate the Council's comments into Attachment A and would bring the revised Resolution back to the Council for their consideration on December 18, 1986.

The Presiding Officer again acknowledged receipt of Ms. Harlan's written comments and forwarded her memo of November 20, 1986, to the Legislative Planning Committee for their consideration.

8.3 Consideration of Resolution No. 86-680, for the Purpose of Amending Resolution No. 86-659, Revising Appropriations, Creating a Convention Center Project Capital Fund and Convention Center Project Management Fund, and Authorizing an Interfund Loan

Jennifer Sims, Management Services Director, reported the budget revisions had been reviewed by the Tax Supervising & Conservation Committee (TSCC). The TSCC had recommended changes be made which were outlined in their letter to Metro's Board of Directors (sic) dated November 13, 1986. Donald Carlson's memo to the Council dated November 19 responded to the TSCC letter. Ms. Sims distributed a document entitled "Summary of Changes to Funds per TSCC Recommendations." She explained the changes recommended by the TSCC were of a budget restructure nature rather than policy changes. She recommended adoption of Resolution No. 86-680 but explained the Council could consider the matter on December 11 if more time was needed to review the amendments.

Presiding Officer Waker said he had attended the TSCC hearing and agreed their recommended changes were not substantial. He said the Council could consider the Resolution on December 11 if the Convention Center Committee wanted time to review the amendments.

Councilor Van Bergen referred to a reference in Estle Harlan's memorandum submitted earlier in the meeting opposing the loan of solid waste operating contingency funds to the Convention Center Project. He asked what oversight the Council would have in the

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expenditure of those funds loaned to the Convention Center Project. The Presiding Officer responded the Council Assistant would present an Ordinance to the Council on December 11 for their consideration which would require the Council to approve agreements with other government agencies which exceeded certain dollar amounts.

Councilor Ragsdale, Chair of the Convention Center Committee, said he would convene the Committee and present the Committee's recommendation to the Council on December 11.

Councilor Gardner noted the TSCC's letter was addressed to the Board of Directors rather than the Council. He requested staff inform the TSCC of this error.

8.4 Consideration of Resolution No. 86-703, for the Purpose of
Accepting the 1986 Oregon General Election Abstract of Votes of
the Metropolitan Service District

Donald Carlson, Deputy Executive Officer, reported the abstracts would not be received from the Multnomah County Elections Office until November 24. As such, he requested the Council convene at 5:00 p.m., Tuesday, November 25, to adopt the Resolution. He noted Oregon law required the Council to formally accept the abstracts with five days of their receipt from Multnomah County. The Presiding Officer agreed to the request and the special meeting was scheduled.

Presiding Officer Waker called a ten-minute recess at 8:05 p.m. The Council reconvened at 8:15 p.m.

WORK SESSION: Long-range Finance Policies for Solid Waste

Dan Durig, Solid Waste Director, introduced Mark Gardiner, a financial advisor with Governmental Finance Associates. Mr. Gardiner spoke on the importance of decisions which would expand Metro's currently sound financial base and allow the District to initiate a successful bonding program. Rich McConaghy, Solid Waste Analyst, summarized how the recommended financial management policies would provide new direction or formalize existing policies. The Solid Waste Committee of the Council, chaired by Councilor Gardner, would work with staff over the next few months and the Council was scheduled to formally adopt financial management policies in early 1987. After discussion on these issues, it was determined the Council generally supported the direction of the recommended policies.

Staff presented alternatives for commitment of the existing solid waste fund balance to offset rate increases in 1987. Councilors

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acknowledged the importance of providing for other identified needs before applying the fund balance to keep disposal rates low this year. It was recognized prudent financial management would keep rates lower over the long run and that consistent, moderate rate increases were preferable to sporadic rate fluctuations. It was generally agreed that no more than moderate amounts, if any, of the fund balance should be applied to offset rates for 1987. This approach would put the agency in a good position for its bond program and would serve to moderate the effect of the rate increase expected in 1988.

Mr. Gardiner discussed the process of issuing revenue bonds. A recommendation that a negotiated sale be considered as the most appropriate financing strategy was well received by the Council. Staff is proceeding with a negotiated sale for the West Transfer & Recycling Center project. This issue will be discussed when the rate Ordinance is considered December 11.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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