

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

October 25, 1990
Regular Meeting

COUNCILORS PRESENT: Tanya Collier (Presiding Officer), Gary Hansen (Deputy Presiding Officer), Lawrence Bauer, Roger Buchanan, Tom DeJardin, Richard Devlin, Jim Gardner, David Knowles, Ruth McFarland, David Saucy, Jr., George Van Bergen and Judy Wyers

COUNCILORS ABSENT: None

The Presiding Officer called the meeting to order at 5:30 p.m. She announced that agenda item 6.1, Ordinance No. 90-365, For the Purpose of Amending Metro Code Section 2.06 to Update the Investment Policy, had been renumbered to agenda item 5.2. She also announced that agenda item 7.2, Resolution No. 90-1314, For the Purpose of Approving an Intergovernmental Agreement to Assume Custody of Certain Monies and Ownership at the St. Johns Landfill and Certain Adjacent Land from the City of Portland, had been removed from the agenda as an action item and that a briefing on Resolution 90-1314 would occur under Executive Officer Communications. The Presiding Officer also announced that agenda item 7.4, Resolution No. 90-1342, For the Purpose of Expressing Opposition to Ballot Measure #5, would be heard immediately following agenda item 7.1.

1. INTRODUCTIONS

Mr. Steve Larrance, Washington County Commissioner commented on a recent special meeting with Washington County officials to develop a facilities siting plan. He thanked Metro Council members who attended and stated that work would continue on refining the procurement process.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

2.1 Letter from Les Ruark

The Presiding Officer advised the Council that Mr. Les Ruark, a resident of Arlington, Oregon, had requested his letter to The Oregonian editor regarding relocation of Metro Central Offices be included in the agenda packet under Citizen Communications to Council on Non-agenda Items.

3. EXECUTIVE OFFICER COMMUNICATIONS

3.1 Briefing on Resolution No. 90-1314, For the Purpose of Approving an Intergovernmental Agreement to Assume Custody

of Certain Monies and Ownership at the St. Johns Landfill
and Certain Adjacent Land from the City of Portland

Deputy Executive Officer Dick Engstrom introduced Metro Solid Waste Department staff Bob Martin, Jim Watkins and Dennis O'Neill who reviewed the agenda materials including the resolution, staff report, intergovernmental agreement and draft closure plan. No action was requested on the resolution. The resolution will be considered by the Solid Waste Committee and at a joint meeting between the Portland City Council and Metro Council on November 8, 1990.

4. CONSENT AGENDA

The Presiding Officer announced that the following actions were on the Consent Agenda for consideration:

4.1 Minutes of Special Meeting July 12, 1990

4.2 Resolution No. 90-1334, For the Purpose of Approving Metro's Participation in the National Red Ribbon Campaign

4.3 Resolution No. 90-1336, Establishing the FY 1990-91 Metro Legislative Task Force

Motion: Councilor Devlin moved, seconded by Councilor Saucy, Jr. to adopt the Consent Agenda.

Vote: The eleven councilors present voted in favor of the motion. Councilor Wyers was absent for the vote.

The motion carried.

5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 90-369, An Ordinance Establishing an Office of Government Relations to Provide Government Relation Services to the Metropolitan Service District

The Clerk read the ordinance by title only for a first time. The Presiding Officer referred the ordinance to the Intergovernmental Relations Committee.

5.2 Ordinance No. 90-365, For the Purpose of Amending Metro Code Section 2.06 to Update the Investment Policy

The Clerk read the ordinance by title only for a first time. The Presiding Officer referred the ordinance to the Finance Committee.

6. ORDINANCES, SECOND READINGS

6.1 Ordinance No. 90-365, For the Purpose of Amending Metro Code Section 2.06 to Update the Investment Policy

Renumbered to agenda item 5.2; introduced for first reading and referral to Finance Committee.

6.2 Ordinance No. 90-361, For the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Wastewater Management Plan and Submitting it for Recertification

The Clerk read the ordinance for a second time by title only. The Presiding Officer announced that Ordinance No. 90-361 was first read before the Council on September 27 and referred to the Intergovernmental Relations Committee. The Committee held a public hearing on the ordinance on October 9 and recommended the Council adopt the ordinance.

Motion: Councilor Devlin moved, seconded by Councilor Gardner, to adopt Ordinance No. 90-361.

Councilor Devlin presented the Intergovernmental Relations Committee's report and recommendations contained in the agenda materials. He advised that adoption of the Plan would update collection area maps, specify studies to be completed and approve submittal of the Plan document to the Oregon Environmental Quality Commission and Department of Environmental Quality, and subsequently, the U. S. Environmental Protection Agency.

A public hearing was opened and closed. No one offered testimony.

Vote: A roll call vote was taken. The twelve councilors present voted in favor of the motion.

The motion carried.

6.3 Ordinance No. 90-331A, For the Purpose of Adding Chapter 5.06 to the Metro Code to Provide for a Composter Community Enhancement Program and Creating a Composter Community Enhancement Committee

The Clerk read the ordinance for a second time by title only. The Presiding Officer announced that as a result of Council adoption of Resolution No. 89-1103, the Composter Community Enhancement Advisory Committee had been established. After several community meetings, the Enhancement Advisory Committee recommendations were incorporated into Ordinance No. 331 which was first read before the Council on January 11, 1990 and referred to the Solid Waste Committee. The Solid Waste Committee held a public hearing on the ordinance on February 26. To address issues regarding the composition of the permanent Enhancement Committee, the Presiding Officer appointed Councilors Wyers and Gardner to a task force. On October 16, 1990, the

Solid Waste Committee amended the ordinance and voted unanimously to recommend Council adopt Ordinance No. 90-331A which incorporated Enhancement Committee composition recommendations forwarded by the task force.

The public hearing was opened. Mr. Gordon Hunter, Portland, Oregon, said that he thought the census tract figures for the Rose City Park area were incorrect. He distributed a map which is filed with the record. Mr. Hunter said that he thought that population for the Rose City Park area was over estimated by approximately 1,000. Mr. Hunter requested that the map he distributed be a part of the record (and has been filed with the record).

Councilors Gardner and Hansen spoke in favor of the ordinance. Both councilors said that while there were some shortcomings in the ordinance, they felt that cooperative efforts could be employed to address outstanding issues.

Vote: A roll call vote was taken. All twelve councilors voted in favor of the ordinance.

The motion carried unanimously.

7. RESOLUTIONS

7.1 Resolution No. 90-1339, Transmitting Housekeeping Legislation o the Oregon State Legislature for Introduction to the 1991 Legislative Session

Motion: Councilor Gardner moved, seconded by Councilor Saucy, Jr. to adopt Resolution No. 90-1339.

Councilor Gardner said that Resolution No. 90-1339 would transmit housekeeping legislation to the State Legislature for the 1991 session. He said that the resolution would: provide for judicial review of Metro Voters' Pamphlet materials by the Circuit Court; make permanent the selection process for Metro's Boundary Commission members; amend the Builders' License Program; amend the detailed description of Metro boundaries; and amend ORS 268 to effect ordinances within 90 days and provide an emergency clause.

Vote: The eleven councilors present voted in favor of the motion. Councilor Van Bergen was absent for the vote.

The motion carried.

7.2 Resolution No. 90-1342, For the Purpose of Expressing Opposition to Ballot Measure #5

Motion: Councilor DeJardin moved, seconded by Councilor Devlin to suspend Council rules requiring resolutions introduced at Council level to be referred to committee.

Vote: The eleven councilors present voted in favor of the motion. Councilor Van Bergen was absent.

The motion carried.

Motion: Councilor McFarland moved, seconded by Councilor Buchanan to adopt Resolution No. 90-1342.

Councilor McFarland introduced the resolution. She said that she supported the resolution and that she felt passage of Ballot Measure #5 was not in the best interest of the District's cities and counties.

Vote: The eleven councilors present voted in favor of the motion. Councilor Van Bergen was absent for the vote.

The motion carried.

The Presiding Officer recessed the Council and convened the Contract Review Board for consideration of Resolution No. 90-1328 was for the purpose of authorizing an exemption for additional work at the Metro Washington Park Zoo Rain Forest Exhibit.

7.3 Resolution No. 90-1328, For the Purpose of Authorizing an Exemption from Requirements of Metro Code Section 2.04.054(a) for Amendment No. 10 to the Contract with GSA Partnership, P.C. to Perform Additional Design Services for the Africa Rain Forest Exhibit

Motion: Councilor Gardner moved, seconded by Councilor Devlin to adopt Resolution No. 90-1328.

Councilor Gardner presented the Zoo Committee report which was contained in the agenda packet. He noted that the resolution would authorize \$30,000 for soil analysis by GSA. He said that GSA had a partnership with L.R. Squier & Associates on this project and that additional soil testing, fill determination and contracting methods to be done by L.R. Squire & Associates would require a contract amendment of approximately \$10,000.

Vote: All twelve councilors were present and voted in favor of the motion.

The motion carried.

Metro Council
October 25, 1990
Page 6

Resolution No. 90-1328 was adopted unanimously by the Metro Contract Review Board. The Presiding Officer adjourned the Contract Review Board and reconvened the Council.

8. COUNCILOR COMMUNICATIONS & COMMITTEE REPORTS

8.1 Tri-Met Merger

Councilor Gardner said that the consultant had issued a draft report. Meetings with legislators were scheduled and ongoing.

8.2 Intergovernmental Relations Committee Report

Councilor Gardner announced that the Intergovernmental Relations Committee had released a RLIS Marketing Services.

There was no other business, and the meeting was adjourned at 7:20 p.m.

Respectfully submitted,



Gwen Ware-Barrett
Clerk of the Council