

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

January 14, 1988

Councilors Present: Mike Bonner, Tayna Collier, Larry Cooper,
Tom DeJardin, Jim Gardner, Gary Hansen,
Sharron Kelley, Corky Kirkpatrick, David
Knowles, Mike Ragsdale, George Van Bergen
and Richard Waker

Also Present: Rena Cusma, Executive Officer
Dan Cooper, General Counsel

Presiding Officer Waker called the meeting to order at 5:30 p.m.

1. RECONSIDERATION OF CONFIRMATION OF AN APPOINTMENT to the
Interim Task Force on Metropolitan Regional Government

Presiding Officer Waker announced that at the December 22 Council meeting, the Council failed to adopt a motion that would have appointed Ed Whelan as the Metro representative to the Interim Task Force. At that meeting, Councilor Ragsdale served notice he might request the matter be reconsidered. The Council subsequently adopted a motion that the Presiding and Deputy Presiding Officers appoint a committee of five Councilors to review the Executive Officer's appointment to the Task Force and to make a recommendation at this meeting. Councilors Knowles (Chair), Cooper, DeJardin, Kirkpatrick and Ragsdale were appointed to the ad hoc review committee. The Committee met on December 29 and January 7. The Presiding Officer explained the committee would present its recommendation after a motion carried to reconsider the matter.

Motion: Councilor Ragsdale moved to reconsider the matter of Ed Whelan's appointment to the Interim Task Force. Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Hansen, Kelley, Knowles, Ragsdale and Waker

Nays: Councilors Bonner, Gardner, Kirkpatrick and Van Bergen

The motion carried.

Councilor Knowles, Chair of the ad hoc review committee appointed by the Presiding Officer, presented the committee's report and recommendations: 1) Mr. Whelan be confirmed by the Council as Metro's appointment to the Interim Task Force (Councilor Kirkpatrick had cast the only dissenting vote concerning this recommendation); 2) future appointments requiring mutual consent of the Council and the Executive not be approved by the Council unless the Council had

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been involved in advance (unanimous recommendation); and 3) the Presiding Officer develop a procedure for considering Metro appointments. In the meantime, future appointments of whatever nature be referred to an appropriate committee prior to consideration by the full Council (unanimous recommendation).

Motion: Councilor Knowles moved, seconded by Councilor DeJardin, to adopt the ad hoc review committee's three recommendations.

Motion to Amend: Councilor Kirkpatrick moved, seconded by Councilor Gardner, to consider the first committee recommendation -- that of confirming the appointment of Mr. Whelan -- by a vote separate from the other two recommendations.

Councilor Kirkpatrick reported she did not support the confirmation of Mr. Whelan because she did not think he could adequately represent the Council based on his role in the Executive Officer's transition team on personnel issues. She was concerned Mr. Whelan had not respected Metro's Personnel Rules when advising the Executive Officer on transition personnel issues. She also said during one review committee meeting she had asked him to explain how he would represent the Council. Mr. Whelan had replied he would report to the Council on Task Force developments. He had not responded he would seek Council advice.

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

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

Nay: Councilor Knowles.

The motion to amend carried.

Motion: Councilor Knowles moved, seconded by Councilor Ragsdale, to adopt the committee's first recommendation -- that of confirming Ed Whelan's appointment to the Interim Task Force.

Councilor Knowles said he viewed all three committee recommendations as a unit -- each recommendation was related to the other two. He encouraged Councilors to approve Mr. Whelan's appointment.

Councilor Gardner commended Mr. Whelan's obvious accomplishments and character but explained he would not support the confirmation because the the Executive Officer had not made the appointment in

cooperation with Council leadership. Councilor Bonner said he would not support the confirmation for reasons having to do with process.

Vote: A vote on the motion to adopt the committee's recommendation to confirm Ed Whelan to the Interim Task Force resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Hansen, Kelley, Knowles, Ragsdale and Waker

Nay: Councilors Bonner, Gardner, Kirkpatrick and Van Bergen

The motion carried and Mr. Whelan was confirmed to the Interim Task Force on Metropolitan Regional Government.

Motion: Councilor Knowles moved, seconded by Councilor Kirkpatrick, to adopt the committees' remaining two recommendations concerning procedures for future appointments.

Vote: A vote on the motion resulted in all twelve Councilors present voting aye.

The motion carried unanimously and the committees' recommendations were adopted.

2. ELECTION OF COUNCIL OFFICERS

Motion: Councilor Collier moved, seconded by Councilor Cooper, to nominate Councilor Ragsdale for the position of Presiding Officer of the Council.

Motion: Councilor Bonner moved, seconded by Councilor DeJardin, to nominate Councilor Gardner to the position of Presiding Officer of the Council.

Vote on the Two Motions: The results of a written ballot were that Councilor Ragsdale received 7 votes and Councilor Gardner received 5 votes.

Councilor Ragsdale was elected Presiding Officer of the Council and assumed the responsibilities of the office for the remainder of the meeting.

Motion: Councilor Gardner moved, seconded by Councilor Kirkpatrick, to declare the election of Presiding Officer Ragsdale unanimous.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and the election of Presiding Officer Ragsdale was unanimous.

Motion: Councilor Gardner moved, seconded by Councilor Knowles, to nominate Councilor Kirkpatrick for the position of Deputy Presiding Officer of the Council.

Councilor Knowles declared he was not seeking the office of Deputy Presiding Officer.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

Councilor Kirkpatrick was elected Deputy Presiding Officer.

3. INTRODUCTIONS

None.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Cherie Holenstein, 6141 S.E. Steele, Portland, reported the Oregon Fair Share organization sent Metro a letter in December, 1987, requesting responses to questions concerning the economics of building an alternative technology facility. She asked that responses to those questions be provided at the January 28 Council meeting.

Judy Dehen, 2965 N.W. Verde Vista, Portland, representing the Columbia Group of the Sierra Club, testified she was very disappointed that a resolution introduced by Councilor Bonner at the January 12 Metro Solid Waste Committee had been tabled and that the many citizens appearing at the meeting had not been allowed to testify on the resolution. The resolution had called for the end to negotiations with vendors for Metro's proposed alternative technology project. Ms. Dehen challenged the Council, the Executive Officer and her staff, and prospective vendors to a public debate on regarding the economic factors related to an alternative technology project and other waste disposal alternatives.

Mike Edera, Route 1, Box 232E, Banks, representing the Helvatia Mountaindale Coalition, testified he had received word that Metro's staff had decided to use the Bacona Road Landfill site as an ash

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depository for the proposed garbage burner. He said he did not like hearing that news second hand and requested an official response be made at the January 28 Council meeting so that citizens could make plans.

Councilor Van Bergen said he had not heard of plans to turn the Bacona Road site into an ash depository and asked staff for more information. Rich Owings, Solid Waste Director, reported the Executive Officer had issued a request for bids for an out of region landfill. As part of the request, staff had asked for bids on an out of region ash fill. Staff used information learned from the Bacona Road landfill study regarding double liners, leachate collection systems and other protective measures to prepare the ash fill portion of the bid and to estimate the cost of such a project. Mr. Owings said it was not true the Bacona Road site would be used as an ash fill.

Councilor Knowles responded to Ms. Dehen's earlier testimony about the conduct of the January 12 Council Solid Waste Committee meeting. He thought the committee had done a disservice to the public by tabeling the resolution and not allowing public testimony. The Councilor said he had attended that meeting and wished he had been more forceful in persuading the committee that testimony should be heard.

Councilor Kelley said in retrospect she thought public testimony should have been heard on relevant issues. However, she explained, a motion to table the resolution was also part of the democratic process. She reported an opportunity to hear public comment on the alternative technology project and other solid waste issues would be presented to the public within the next 30 days.

Councilor Gardner said as Chair of the Solid Waste Committee he was ashamed the public had been cut off from speaking on one of the biggest decisions Metro was making. He said he would do everything possible not to repeat that mistake.

Councilor Hansen thought his motion to table the resolution at the Solid Waste Committee was a wise move at the time it was made. He explained he had no intent of supporting the resolution and thought a lengthy discussion and debate on a resolution that would not be recommended for adoption would be a disservice to all parties involved. He said the Committee would soon receive key reports regarding the alternative technology project and that ample opportunity would be given for the public to comment to the Committee and Council in an appropriate forum.

Councilor Bonner reported he had introduced the resolution to cease negotiations on the alternative technology project according to the

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Council's proper procedures. He was disappointed the Committee had shut off debate and thought a disservice had been done to the public. He explained that the public attending the meeting were there to influence the Council and they should have been given that opportunity.

Presiding Officer Ragsdale requested the Executive Officer or Solid Waste staff respond to questions raised by the Oregon Fair Share organization as soon as possible.

The Presiding Officer called a recess at 6:25 p.m. The meeting reconvened at 6:40 p.m.

6. COUNCILOR COMMUNICATIONS

Acknowledgement of Councilor Waker's Contributions as Past Presiding Officer of the Council. Presiding Officer Ragsdale presented a plaque of appreciation to Councilor Waker and recognized the Councilor's many contributions to Metro during his 1986 and 1987 terms as Presiding Officer including: JPACT Chair, Convention Center Advisory Committee on Design and Construction, Convention Center Committee, Ad Hoc Task Force on establishing policies relating to the Metropolitan Exposition-Recreation Commission, and the Legislative Committee. He recommended Councilor Waker continue to serve as Chairman of the Joint Policy Advisory Committee on Transportation (JPACT).

6.1 Consideration of Resolution No. 87-840, for the Purpose of Creating Council Standing Committees

Presiding Officer Ragsdale explained the purpose of the resolution was to organize the Council as a legislative body. All issues would first be presented to one of seven standing committees. The new committee structure would require amendments to the Council's procedures and an ordinance to amend procedures would be presented to the Council as soon as possible. The resolution included a list of Council committee assignments he explained was open for review. Other committee assignments would be evaluated and discussed at a later date.

Motion: Councilor Knowles moved, seconded by Councilor DeJardin, to adopt Resolution No. 88-840.

Councilor Waker said he wished to continue to serve on the Council Convention Center Committee.

A discussion followed about the proposed reorganization. Councilor Kirkpatrick noted that seven members would serve on the Solid Waste and Internal Affairs committees. She questioned whether problems

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would result because a minority of the Council could no longer have influence on certain issues. Presiding Officer Ragsdale requested Councilors first work with the new structure and make changes later if problems resulted.

Responding to Councilor Van Bergen's questions, Presiding Officer Ragsdale said he would soon make recommendations to address needs for increased staffing of Council committees. He also explained that new rules for Council organization would require the Council to ratify committee structure on an annual basis. This would allow for a review of the structure, he explained.

Councilor Kirkpatrick reported she was Chair of a three-member task force charged to review Council staffing needs. The Task Force would soon report its recommendations to the Council.

Councilor Kirkpatrick and Hansen noted the Council had gone through other reorganizations and the key to making any system work was good communication.

Vote: A vote on the motion to adopt the resolution resulted in all twelve Councilors voting aye.

The motion carried and Resolution No. 88-840 was unanimously adopted.

7. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Cusma congratulated Presiding Officer Ragsdale regarding his new office and the Council's reorganization. She also thanked Councilor Waker for his assistance during her first year in office.

7.1 Consideration of Resolution No. 88-841, for the Purpose of Confirming the Appointment of Y. Sherry Sheng to the Position of Director, Washington Park Zoo

Executive Officer Cusma introduced Ms. Sheng to the Council, announcing she was very pleased to recommend such a highly credentialed, well educated and exceptional candidate.

Councilor Kirkpatrick, Chair of the Zoo Committee, reported the Committee was pleased to unanimously recommend Ms. Sheng's confirmation. She also acknowledged the Committee had concerns about the Council's involvement in future appointments to key staff positions and she was confident those concerns would be worked out.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Bonner, to adopt Resolution No. 88-841.

Councilor DeJardin, a member of the Zoo Director selection committee, noted that Portland's gain was Seattle's loss. He also reported the committee had recommended Ms. Sheng because of her record of working well with others to get things accomplished.

Presiding Officer Ragsdale asked Ms. Sheng to keep in mind the zoo's relationship to Metro.

Ms. Sheng responded that when she first became director of the Seattle Aquarium, the Aquarium had a long history of working independently from the City of Seattle. She had worked to unify that relationship which had resulted in mutual benefit to the Aquarium and the City. She intended to transfer that positive experience to the Washington Park Zoo position, she said.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried, Resolution No. 88-841 was adopted and Ms. Sheng was unanimously confirmed to the position of Zoo Director.

8. CONSENT AGENDA

Motion: Councilor Kirkpatrick moved, seconded by Councilor Hansen, to approve the Consent Agenda.

Vote: A vote on the motion resulted in all twelve Councilor voting aye.

The motion carried and the following items were approved:

8.1 Minutes of November 24 and December 10, 1987

8.2 A Position Paper on the Transportation 2020 Program

9. CONSIDERATION OF A CONTRACT with Glen/Mar Construction, Inc., for a General Construction Contract for the Remodel of the Solid Waste Department

Judy Munro, Support Services Supervisor, discussed the contractor selection process. Staff recommended awarding the contract to the second lowest bidder because the low bidder had not met bid bond requirements. Glen/Mar's bid was well within the project budget, she reported, and its Disadvantaged Business Enterprise participation was excellent.

Motion: Councilor Waker moved, seconded by Councilor Kelley, to approve the contract with Glen/Mar Construction, Inc.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and the contract was unanimously approved.

10. ORDINANCES

10.1 Consideration of Ordinance No. 88-238, for the Purpose of Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 87-2: Angel Property (Second Reading)

The Clerk read the Ordinance a first time by title only. The Presiding Officer announced the Council was considering the ordinance in its capacity as a quasi-judicial body and the ordinance was not subject to the Executive Officer's veto.

Dan Cooper, General Counsel, reported he had prepared the findings attached to the ordinance as instructed by the Council at its meeting of November 24, 1987. At that meeting, the Council had failed to adopt Order No. 87-16 which had included the Hearings Officer's findings. Mr. Cooper also noted the Council had received a letter from the Department of Land Conservation and Development (DLCD) raising objections to the Council's process in considering the Angel case. Mr. Cooper had no recommendation regarding the DLCD's objections.

Motion: Councilor Waker moved, seconded by Councilor Kelley, to adopt Ordinance No. 88-238.

A discussion followed about whether a public hearing was required for the ordinance. A public hearing had been conducted before the Hearings Officer on the case. Mr. Cooper explained, however, that Metro's rules and state law required a public hearing be conducted for all ordinances. If new evidence were to be received as part of the public hearing, that information should be referred back to the Hearings Officer, he explained. The Presiding Officer then opened the public hearing.

Steve Janik, the applicant's attorney, said he wished to address the Council concerning the DLCD's letter and would not introduce new evidence regarding the Angel case. He reported he had just received the letter and was confident once he had an opportunity to talk with DLCD representatives, their concerns would be addressed.

Councilor Gardner asked if the DLCD letter should be made part of the official record and whether it contained evidence that would influence the case. Mr. Cooper said he would answer the question at the next Council meeting because he had just received the letter that afternoon.

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Councilor Knowles said after reviewing the Findings of Fact, he was convinced the Council's decision not to adopt the Hearings Officer's findings was contrary to Metro law. He thought the Findings were "tortured and convoluted" in an effort to comply with the Council's request. They did not protect UGB policies, he said. Councilor Knowles urged the Council to follow its law and send the matter back to the Hearings Officer in order for the DLCD letter to be incorporated into the record. He thought the DLCD had grounds for appeal.

Motion: Councilor Knowles moved to return the matter to the Hearings Officer along with any information submitted by the DLCD and for the Hearings Officer to make a new recommendation for Council consideration. Councilor Collier seconded the motion.

At the request of Mr. Cooper, Presiding Officer Ragsdale called a recess at 7:45 p.m. to determine whether the above motion was proper. The meeting reconvened at 7:55 p.m.

Withdrawal of Motion: Councilors Knowles and Collier withdrew the above motion because Counsel determined it was improper.

Mr. Cooper explained that if the majority of the Council did not vote to adopt the ordinance, then a motion could properly be made to refer the matter back to the Hearings Officer which would include specific instructions to the Hearings Officer.

Presiding Officer Ragsdale closed the public hearing and announced the second reading of the ordinance was scheduled for January 28, 1988.

10.2 Consideration of Ordinance No. 88-237, for the Purpose of Establishing an Office of General Counsel to Provide Legal Advice and Assistance to the Metropolitan Service District (Second Reading)

The Clerk read the ordinance a second time by title only. Presiding Officer Ragsdale announce the ordinance was subject to the Executive Officer's veto.

Motion: A motion to adopt Ordinance No. 88-237 was made by Councilor Collier and seconded by Councilor DeJardin at the first reading of the ordinance on December 22, 1987.

Presiding Officer Ragsdale noted staff had received a request from citizen Claire Green asking that a second public hearing be scheduled at this meeting in addition to the hearing conducted on

December 22. Because there were no citizens in attendance, no second public hearing was announced.

Councilor Gardner, Chair of the former Council Management Committee, referred Councilors to the Committee's written report. The Committee recommended adoption of the ordinance which had been cooperatively developed by the Executive Officer's staff, the ad hoc committee to review Metro litigation, and the Council Management Committee.

Executive Officer Cusma reported she had initial concerns with the legislation but after consultation with her staff, supported its adoption.

Vote: A roll call vote on the motion to adopt the ordinance resulted in all twelve Councilors present voting aye.

The motion carried and Ordinance No. 88-237 was adopted unanimously.

11. RESOLUTIONS

11.1 Consideration of Resolution No. 88-828, for the Purpose of Adding a Legal Counsel Position to the Executive Management Department

Councilor Gardner reported the Council Management Committee had unanimously recommended adoption of the resolution.

Motion: Councilor Gardner moved, seconded by Councilor Kelley, to adopt Resolution No. 88-828.

Councilor Kirkpatrick suggested amending the resolution to make it effective the same day as the companion Ordinance No. 88-237. Councilor Collier urged the resolution be adopted unamended so staff could start recruitment immediately.

Motion to Amend: Councilor Gardner moved, seconded by Councilor Collier, to amend the resolution to specify the position was part of the Office of General Counsel.

Vote on the Motion to Amend: A vote on the motion resulted in All twelve Councilors voting aye.

The motion carried.

Vote on the Main Motion: A vote on the main motion, as amended, resulted in all twelve Councilors voting aye.

The motion carried and Resolution No. 88-828 was adopted as amended.

11.2 Consideration of Resolution No. 88-835, for the Purpose of Adopting a Policy to Establish that the Portland/Multnomah County Transfer Station and Recycling Center be a Privately Owned and Operated Facility and that Notice be Posted to Request that Potential Vendors Obtain Land Use Permits for Proposed Transfer Station Sites

Councilor Gardner, former Solid Waste Committee Chair, reported the Committee had considered the resolution on January 12, 1988, and had adopted a motion to send the matter back to the Solid Waste Technical and Policy Committees in order that certain questions be answered.

Motion: Councilor Gardner moved, seconded by Councilor DeJardin, to refer Resolution No. 88-835 back to the Council Solid Waste Committee

Councilor Knowles was concerned the matter of privatization -- a significant policy change -- had come before the Council with no advance notice from staff. Councilor Gardner said the change had originated with the Solid Waste Advisory Committee and he was unsure why staff were pursuing adoption of the policy on an accelerated schedule.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Councilor Van Bergen was absent.

The motion carried.

11.3 Consideration of Resolution No. 88-836, for the Purpose of Endorsing an Oregon Regional Council Association Study

Councilor Collier and Steve Lee, Local Government Coordinator, briefly reviewed staff's written report. There was no discussion on the resolution.

Motion: Councilor Collier moved, seconded by Councilor Kirkpatrick, to adopt the resolution.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Councilor Gardner was absent.

The motion carried and the resolution was adopted.

11.4 Consideration of Resolution No. 88-837, for the Purpose of Amending Resolution No. 87-744, Revising the FY 1987-88 Budget and Appropriations Schedule for Insurance Program Modifications and Office of General Counsel

Jennifer Sims, Director of Management Services, summarized staff's written report. In response to Presiding Officer Ragsdale's question about the impact of referring the matter to a committee for review, she urged the resolution be adopted by the end of January to comply with the insurance policy renewal schedule.

There was no public testimony on the resolution.

Motion: Councilor Collier moved, seconded by Councilor DeJardin, to adopt the resolution and to refer the insurance program modifications to the new Finance Committee for review.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Councilor Gardner was absent.

The motion carried and Resolution No. 88-837 was adopted.

11.5 Consideration of Resolution No. 88-820, for the Purpose of Complying with the Clackamas Transfer and Recycling Center (CTRC) Conditional Use Permit; and

Consideration of Resolution No. 88-820A, for the Purpose of Stating Council Policy on the Operation of the Clackamas Transfer and Recycling Center (CTRC)

Estle Harlan, representing the Tri-County Council of the Oregon Sanitary Service Institute, distributed written comments in support of the substitute Resolution No. 88-820A.

Councilor DeJardin reported he had served on the team which had attempted to negotiate a solution to problems surrounding the conditional use permit issued by the City of Oregon City for the CTRC. He explained after attempts to negotiate had failed, he was convinced that adoption of Resolution No. 88-820A was in the best interests of the region.

Councilor Gardner said the Council Solid Waste Committee recommended adoption of Resolution No. 88-820A with Councilor Kelley casting the only dissenting vote. The Metro negotiating team had unanimously recommended its adoption.

Motion: Councilor Gardner moved, seconded by Councilor DeJardin, to adopt Resolution No. 88-820A.

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Councilor Waker, another member of the negotiating team, reported that reasonable offers were made to the City of Oregon City. He thought that Oregon City had advocated the unacceptable public policy of "paying off" the City for essential public services.

Councilor Kirkpatrick requested Metro Public Affairs and legal staff prepare appropriate information for release to the press and public about the negotiations with Oregon City. She thought it important the public understand all the issues surrounding the Council's decision.

At Councilor Van Bergen's suggestion, Presiding Officer Ragsdale asked staff to prepare conclusions, findings of fact and a resolution that could be adopted by the Council concerning the decision. Mr. Cooper, Legal Counsel, advised the Council to adopt Resolution No. 88-820A at this time and the findings would be submitted to the Council for adoption as soon as possible.

Councilor Kelley did not support Resolution No. 88-820A, explaining Metro should not violate laws adopted by the City of Oregon City. She was also uncertain about the extent to which the Metro team had negotiated. She thought it would be useful for the team to discuss the issues in a public forum. "The issue is fairness," she said.

Mr. Cooper explained the 700 ton per day limit imposed by Oregon City of waste handled at CTRC was never part of Metro's contract with the City. The limit was a condition placed on Metro after the contract was executed. He said Metro had never contested the limit not had it complied with the limit.

Councilor Collier was concerned about debris control around the CTRC site. Mr. Cooper reported the City of Oregon City had rejected Metro's offer relating to litter control. Councilor Waker thought the City's negotiations were geared toward gaining a revenue source and were not directly tied to litter control. Rich Owings, Solid Waste Director, reported the operations contract for CTRC required cleanup of the surrounding area on a daily basis. Cleanup along I-205 occurred every two weeks.

Councilor Van Bergen concurred the issue of money for cleanup was a revenue issue for Oregon City. He thought litter along I-205 was a result of interstate traffic, not the CTRC.

Vote: A vote on the motion resulted in:

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

Nay: Councilor Kelley

The motion carried and Resolution No. 88-820A was adopted.

12. CONSIDERATION OF DEAN WITTER REYNOLDS, INC. as the Senior
Manager of the Investment Banking Team for Alternative
Technology Projects to Replace Salomon Brothers

Ray Phelps, Director of Finance and Administration, reviewed staff's written report. He explained that Salomon Brothers had recently discontinued its Municipal Bond Department. Paul Atanasio, formerly employed by Salomon Brothers and an important member of Metro's alternative technology negotiating team had recently joined the investment firm of Dean Witter Reynolds (DWR). To maintain continuity of key consultants, staff recommended approval of DWR as the senior manager of the investment banking team for the alternative technology projects. Rebecca Marshall, finance advisor on the project, concurred with that recommendation.

Motion: Councilor Kelley moved, seconded by Councilor DeJardin, to approve Dean Witter Reynolds, Inc. as the senior manager of the investment banking team for the alternative technology projects.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

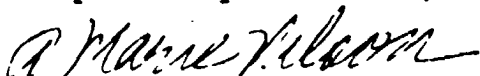
The motion carried and DWR was unanimously approved.

13. COMMITTEE REPORTS

Councilor Kirkpatrick recalled the Executive Officer had said she would use Council meetings and executive sessions as the vehicle for presenting regular updates to the Council on negotiations with alternative technology vendors. The Councilor requested updates be presented. She also requested the Executive Officer provide a report on the status of the vacant Metro legislative liaison position.

There was no further business and the meeting was adjourned at 9:00 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council