

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Regular Meeting
February 25, 1988

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

Councilors Absent: Mike Bonner

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

1. INTRODUCTIONS

None.

2. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

4. COUNCILOR COMMUNICATIONS

None.

5. EXECUTIVE OFFICER COMMUNICATIONS

5.1 Consideration of Resolution No. 88-875, for the Purpose of
Confirming the Appointment of Greg McMurdo to the Position of
Government Relations Manager

Councilor Knowles reported that at the meeting earlier in the evening, the Council Internal Affairs Committee recommended the Council adopt Resolution No. 88-875. The Committee had interviewed Mr. McMurdo, had reviewed his resume and were confident in his ability to perform the work.

Motion: Councilor Knowles moved, seconded by Councilor Waker, to adopt Resolution No. 88-875.

Councilor Van Bergen noted that Mr. McMurdo had formerly supervised referees employed by the Worker's Compensation Board and said he was

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not satisfied with the performance of some referees. Mr. McMurdo explained that state law limited the extent of his supervision over hearings referees. He had been allowed to comment on whether cases were conducted properly but not on case decisions made by referees. He had lobbied, however, to change the law relating to supervision of the referees.

In response to Councilor Van Bergen's questions, Councilor Knowles reviewed the candidate's extensive work history in working with the state legislature.

Councilor Van Bergen expressed concern the Council was not given enough time to evaluate the candidate's qualifications. Presiding Officer Ragsdale said when he first received notice from the Executive Officer of her wishes to hire Mr. McMurdo, he had set up the process for committee review of the confirmation. The Committee, as a part of that process, was now forwarding its recommendation for Council consideration. A discussion followed about whether the Council committee process had adequately involved all Councilors in the decision making processes. Councilor Kirkpatrick agreed with Councilor Van Bergen that in the case of confirming this position, the matter had moved too quickly for all Councilors to be involved.

Councilor Gardner said he would not support the resolution because of concerns about how the position would best serve both the Council and Executive Management Departments. He thought confirmation of the position should be required, rather than voluntary, and voting for Resolution No. 88-875 would ratify a system he did not support. He explained his position was no reflection of Mr. McMurdo's capabilities.

Presiding Officer Ragsdale reported that Councilor Kirkpatrick would soon introduce a resolution that would address Councilor Gardner's concerns.

Councilor Van Bergen said he would support the resolution because of his confidence in the Councilors who had reviewed the candidate's qualifications.

Vote: A vote on the motion to adopt Resolution No. 88-875 resulted in:

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

Nays: Councilors Gardner and Kirkpatrick

Absent: Councilor Bonner

The motion carried and the resolution was adopted.

6. CONSIDERATION OF MINUTES

Motion: Councilor DeJardin moved to approve the minutes of January 28, 1988. Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in all nine Councilors present voting aye. Councilor Bonner, Cooper and Van Bergen were absent.

The motion carried and the minutes were approved.

7. CONSIDERATION OF CONTESTED CASE NO. 87-2: ANGEL PROPERTY

Motion: Councilor Knowles moved, seconded by Councilor Collier, to defer the matter to March 10, 1988.

Councilor Knowles explained when he learned Councilor Bonner would not be attending this meeting, he had determined there would not be enough votes to adopt an order in support of the hearings officer's findings or to adopt an ordinance in support of findings to amend the Urban Growth Boundary.

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

The motion carried.

8. RESOLUTIONS

REFERRED FROM THE INTERNAL AFFAIRS COMMITTEE:

8.1 Consideration of Resolution No. 88-870, for the Purpose of Authorizing an Exemption to the Public Contracting Procedure Set Out in Metro Code Section 2.04.010 et seq. for the Purpose of Requesting Proposals from Hazardous Waste Management Firms to Handle the Recycling, Treatment, Storage and Disposal of Household Hazardous Wastes from a Metro-Sponsored Regional Collection Day

Presiding Officer Ragsdale, Chair of the Council Internal Affairs Committee, reported that at their meeting of February 25, the Committee had unanimously recommended the Council adopt the resolution. Vickie Rocker, Public Affairs Director, then summarized staff's written report.

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Motion: Councilor Waker moved, seconded by Councilor Hansen, to adopt Resolution No. 88-870.

Councilor Kirkpatrick questioned why the Public Affairs Department -- instead of the Solid Waste Department -- was coordinating the hazardous waste collection day project. Ms. Rocker responded that Public Affairs was very involved in the 1986 project because the collection day had served to raise the awareness of the community about household hazardous waste. The Public Affairs Department had volunteered to coordinate the 1988 program due to the heavy Solid Waste Department workload. Ms. Rocker's staff would work with Bob Martin, Solid Waste engineer, on the project. Councilor Kirkpatrick thought it inappropriate for the Solid Waste Department not to coordinate the collection day project.

In response to Councilor Van Bergen's question, Ms. Rocker explained staff was seeking the exemption because the City of Seattle, who had conducted similar programs, had demonstrated significant money could be saved by negotiating the management contract. Different types of materials required different handling methods and money could be saved by identifying each type of material and related handling costs.

Councilor Van Bergen was concerned that bidding competition could be decreased or eliminated if an exemption was granted. Ms. Rocker responded that Metro had been contacted by four prospective bidders about the project and the specifications had been prepared as not to exclude firms from bidding. She acknowledged, however, that Seattle and other areas had experienced limited bidding on their projects.

Councilor DeJardin suggested Metro contact the Umatilla Army Base to see if some of the waste collected by Metro could be burned at the Umatilla incinerator.

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

The motion carried and Resolution No. 88-870 was adopted.

8.2 Consideration of Resolution No. 88-835, for the Purpose of Adopting a Policy to Establish that the Portland/Metropolitan County Transfer Station and Recycling Center be Privately Owned and Operated Facility and that Notice be Posted to Request that Potential Vendors Obtain Land Use Permits for Proposed Transfer Station Sites (Referred from the Solid Waste Committee)

Presiding Officer Ragsdale announced the resolution had been placed on the Council agenda in advance of the March 18 Solid Waste Commit-

tee meeting. Councilor Hansen, Chair of the Council Solid Waste Committee, explained the Committee had set the item over for discussion at the March 1 Committee meeting. The resolution would be considered by the Council after the Committee made its recommendation.

8.3 Consideration of Resolution No. 88-876, for the Purpose of Awarding a Contract for Construction of the Oregon Street Detour for the Oregon Convention Center
(Referred from the Convention Center Committee)

Councilor Cooper, Chair of the Council Convention Center Committee, reported the Committee had unanimously recommended the Council adopt the resolution.

Motion: Councilor Cooper moved the resolution be adopted.
Councilor Waker seconded the motion.

Tuck Wilson, Convention Center Project Director, reported a hearing on the matter was scheduled before the City of Portland Council on March 23. He thanked Steve Dotterer, City of Portland Transportation Planner, for his assistance on the project.

In an unrelated matter, Councilor Kirkpatrick said she had received a phone call from a citizen who thought the Council had taken improper action when adopting Ordinance No. 88-242, an ordinance exempting the Oregon Street Detour Contract from certain Disadvantaged Business Enterprise program provisions. The Presiding Officer asked staff to look into the matter.

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

Resolution No. 88-876 was adopted.

8.4 Consideration of Resolution No. 88-871, for the Purpose of Providing for the Assessment of Dues to Local Governments for FY 1988-89 (Referred from the Intergovernmental Relations Committee)

Committee Chair Waker reported the resolution had been reviewed by the Intergovernmental Relations Committee and was unanimously recommended for adoption.

Motion: Councilor Waker moved, seconded by Tom DeJardin, to adopt Resolution No. 88-871.

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In response to Councilor Van Bergen's question, Councilor Waker said Metro's authority to assess dues from local governments would expire in 1989 unless that authority was extended by the State Legislature.

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

Resolution No. 88-871 was adopted.

8.5 Consideration of Resolution No. 88-859, for the Purpose of Beginning Implementation of Allocation of Federal-Aid Urban and Interstate Transfer Funds (Referred from the Intergovernmental Relations Committee)

Councilor Waker, Committee Chair, explained the resolution had be forwarded from the Joint Policy Advisory Committee on Transportation (JPACT) with a unanimous recommendation. The Intergovernmental Relations Committee had also unanimously recommended adoption of the resolution.

Motion: Councilor Waker moved, seconded by Councilor Van Bergen, to adopt the resolution.

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

Resolution No. 88-859 was adopted.

8.6 Consideration of Resolution No. 88-860, for the Purpose of Establishing the Region's Priority Highway Project Improvements for Inclusion in the 1989-1994 ODOT Six-Year Highway Program (Referred from the Intergovernmental Relations Committee)

Committee Chair Waker announced the resolution had been unanimously recommended for adoption by JPACT and the Intergovernmental Relations Committee. The resolution reflected a regional consensus on projects to be included in the Six-Year Highway Program, he explained, and JPACT's consensus was that Metro identify priority projects and then seek funding for those projects.

Motion: Councilor Waker moved, seconded by Councilor Van Bergen, to adopt the resolution.

In response to Councilor Gardner's question, Councilor Waker explained the list of priority projects (Exhibit A to the resolution) had not been placed in any ranking order. Councilor Waker

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also acknowledged that the list of projects far exceeded the resources identified in ODOT's Six-Year Program.

Presiding Officer Ragsdale thought the Metro area's transportation needs had historically been underfunded in the Six-Year Program. He thought it important the region ask for what it needed.

Executive Officer Cusma said the Finance Subcommittee of JPACT was examining the funding of priority projects. She supported adoption of the resolution.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilor Bonner and Kelley were absent.

The motion carried and Resolution No. 88-860 was adopted.

8.7 Consideration of Resolution No. 88-861, for the Purpose of Amending the FGY 1988 Unified Work Program (Referred from the Intergovernmental Relations Committee)

Councilor Waker reported the resolution has been unanimously recommended for adoption by JPACT and the Intergovernmental Relations Committee.

Motion: Councilor Waker moved, seconded by Councilor Van Bergen, to adopt the resolution.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilor Bonner and Kelley were absent.

The motion carried and Resolution No. 88-861 was adopted.

9. COMMITTEE REPORTS

Transportation. Councilor Waker said he was serving on a committee created by City of Portland Commissioner Earl Blumenauer regarding private financing of transportation projects. The Committee would be meeting until August 1988.

Intergovernmental Relations Committee. Councilor Waker reported the Committee had agreed to consider resolutions referred from JPACT on a consent agenda which would free up committee time to discuss additional services and functions. He encouraged the Presiding Officer to place resolutions referred from a Council Committee with a unanimous recommendation on the Council's consent agenda.

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Internal Affairs Committee. Presiding Officer Ragsdale announced a special meeting had been called for March 3 to consider an ordinance and resolution regarding reorganization of the Council.

There was no other business and the meeting adjourned at 6:40 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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