

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

May 26, 1988
Regular Meeting

Councilors Present: Mike Ragsdale (Chair), Larry Cooper, Tom DeJardin, Gary Hansen, Sharron Kelley, David Knowles, George Van Bergen and Richard Waker

Councilors Absent: Mike Bonner, Tanya Collier, Jim Gardner and Corky Kirkpatrick

Chair Ragsdale called the meeting to order at 5:40 p.m.

1. INTRODUCTIONS

None.

2. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Councilor Van Bergen submitted for the record a letter from the Eagle Creek Grange regarding Metro's recent ban on waste disposed by citizens at the Clackamas Transfer & Recycling Center (CTRC) as a result of the city of Oregon City's limit on the amount of waste that could be disposed at the facility.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Estle Harlan, 2202 Lake Road, Milwaukie, Oregon 97222, representing the solid waste disposal industry and the Tri-County Council, distributed written comments concerning the recent Clackamas County Circuit Court decision that Metro comply with the 700 ton per day limit to waste entering CTRC imposed by the city of Oregon City. Ms. Harlan asked Metro not to make hasty decisions regarding how to comply with the limit. Rather, she suggested the agency take the time to assure that the system was properly managed. The solid waste industry was working on alternatives to assist Metro in developing rational answers, she said.

4. EXECUTIVE OFFICER COMMUNICATIONS

Rena Cusma, Executive Officer, reported she would soon announce her appointments to the Metropolitan Boundary Commission.

5. COUNCILOR COMMUNICATIONS

None.

6. CONSENT AGENDA

Motion: Councilor DeJardin moved, seconded by Councilor Cooper, to approve the Consent Agenda.

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

The motion carried and the following items were approved.

- 6.1 Minutes of April 14 and 28, 1988; and
- 6.2 Resolution No. 88-914, Authorizing Federal Funds for Seven Section 16(b)(2) Transportation Projects and Amending the Transportation Improvement Program

7. ORDINANCES

- 7.1 Consideration of Ordinance No. 88-249, Amending Chapter 2.04, Metro Contract Procedure of the Metro Code, in Order to Clarify the Division of Powers Between the Council and the Executive Officer and Making Other Changes (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he was referring the ordinance to the Council Internal Affairs Committee for a public hearing and recommendation. The Committee would meet on June 9 to consider the ordinance.

- 7.2 Consideration of Ordinance No. 88-250, Adding Chapter 5.04 to the Metro Code to Provide for a One Percent for Recycling Program (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he was referring the ordinance to the Council Solid Waste Committee for a public hearing and recommendation. The Committee would meet May 31 to consider the ordinance.

- 7.3 Consideration of Ordinance No. 88-252, Amending Metro Code Chapter 2.04 Relating to the Disadvantaged Business Program (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he was referring the ordinance to the Council Internal Affairs Committee for a public hearing and recommendation. The Committee would meet June 9 to consider the ordinance.

7.4 Consideration of Ordinance No. 88-253, Setting Policy on
Complying with Conditional Use Requirements for the Use of the
Clackamas Transfer & Recycling Center (CTRC) (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he was referring the ordinance to the Council Solid Waste Committee for a public hearing and recommendation. The Committee would meet May 31 to consider the ordinance.

Councilor Van Bergen was concerned the matter could be delayed in the Solid Waste Committee. Presiding Officer Ragsdale explained the Council's rules provided for the Council, by a majority vote, to remove any item from a committee if the item was not forwarded out of committee in a timely manner.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 88-921, for the Purpose of
Approving Contracts with Unisys, Moore Governmental Systems,
Inc., and Intercomputer Communications Corp. for Acquiring
Computer Hardware and Software

The Presiding Officer explained the resolution had not been reviewed by a Council Committee but budget amendments relating to the item had been reviewed by the Council Finance Committee. A Council subcommittee had also reviewed the proposed computer purchases and recommended the Council proceed with procurement of the system in accordance with the adopted Data Processing Plan.

Councilor Van Bergen summarized the subcommittee's recommendation and explained that after a thorough review, the committee concurred with staff's recommendation.

In response to Councilor Waker's questions, Ray Phelps, Finance & Administration Director, said the obsolete computer equipment would be sold. No additional personnel would be required to operate the equipment. The new equipment was capable of handling Convention Center Project and Metropolitan Exposition-Recreation Commission needs, he said.

Motion: Councilor Van Bergen moved, seconded by Councilor DeJardin, to adopt Resolution No. 88-921.

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

The motion carried and the resolution was unanimously adopted.

8.2 Consideration of Resolution No. 88-920, for the Purpose of Entering into a Contract with Guthrie Slusarenko & Associates for the Purpose of Designing and Managing the Construction of the Africa Exhibit, Phase III

Councilor Kelley, Chair of the Zoo Committee, reported the Zoo Committee had unanimously recommended the Council adopt the resolution. However, due to the need to negotiate minor changes to the contract documents, the resolution was pulled from the May 12 Council agenda. Negotiations were complete and she recommended the Council award the \$532,623 contract to Guthrie Slusarenko & Associates. Councilor Kelley suggested that for all future contracts, the exact contract sum be clearly indicated on contract documents.

Motion: Councilor Kelley moved to adopt Resolution No. 88-920. Councilor Waker seconded the motion.

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

The motion carried and the resolution was unanimously adopted.

8.3 Consideration of Resolution No. 88-894A, for the Purpose of Amending the Classification and Pay Plans for the Metropolitan Service District

Presiding Officer Ragsdale, Chair of the Council Internal Affairs Committee, requested Ray Phelps review the key issues concerning the proposed amendments to the Plans and the revisions to the Plans recommended by the Committee. Mr. Phelps then reviewed the written Committee report contained in the agenda materials.

In response to Councilor Van Bergen's question, Mr. Phelps explained the Metro Employees' Association recommended maintaining a cost of living adjustment (COLA) program along with a merit salary adjustment program. The resolution included provisions for a merit only system.

Councilor Waker, a member of the Internal Affairs Committee, explained the Committee was recommending two merit programs. One program would be similar to the current COLA program but it would be granted only if the employee performed work on a satisfactory basis. The supervisor would conduct a simple pass/fail performance review before that merit increase would be awarded at the beginning of each fiscal year. The second merit raise would be awarded on the employee's anniversary date based on a more detailed evaluation of the employee's performance.

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Councilor Knowles did not support the Committee's recommendation. He thought it best to award COLA based on the Consumer Price Index and not on performance. He was concerned about possible employee dissatisfaction.

First Motion to Amend: Councilor Knowles moved, seconded by Councilor Van Bergen, to amend Attachment D, "Implementation Strategy," to indicate that the pass/fail merit/COLA plan would be deleted and that a COLA would be granted to employees with a specific amount to be established each fiscal year.

The Council briefly discussed the amendment.

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

Ayes: Councilors Knowles and Van Bergen

Nays: Councilors Cooper, DeJardin, Hansen, Kelley, Ragsdale and Waker

Absent: Councilors Bonner, Collier, Gardner and Kirkpatrick

The motion failed to carry.

Second Motion to Amend: Councilor Knowles moved, seconded by Van Bergen, to amend the first paragraph of section (c), Attachment D, "Implementation Strategy," by deleting all provisions for a pass/fail merit program.

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

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

Nays: Councilors Hansen and Ragsdale

Absent: Councilors Bonner, Collier, Gardner and Kirkpatrick

The motion carried.

Third Motion to Amend: Councilor Knowles moved to amend his second motion by adding the provision that COLA increases be retroactive to the beginning of the fiscal year (July 1). Councilor Van Bergen seconded the motion for discussion purposes.

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Councilor Knowles explained the third amendment would provide a more equitable situation for all employees. Councilor Waker, however, thought it awkward that some employees would receive up to 11 months of retroactive pay. Mr. Phelps pointed out that the provisions of paragraph (d) of the "Implementation Strategy" would address Councilor Knowles' concern.

Withdrawal of the Third Motion to Amend: Councilors Knowles and Van Bergen withdrew the motion.

Motion to Refer the Resolution to Committee: Councilor Waker moved, seconded by Councilor DeJardin, to refer the resolution back to the Internal Affairs Committee for review of implementation strategy issues.

Presiding Officer Ragsdale supported the motion because Councilor Collier, a strong advocate of the program recommended by the Committee, was not present at this meeting to comment on Councilor Knowles' proposed amendments.

Vote on the Motion: A vote on the motion to refer the matter back to the Committee resulted in all eight Councilors present voting aye.

The motion carried unanimously.

9. COMMITTEE REPORTS

9.1 Council Convention Center Committee Report: Status of the Rose City Plating Property

Neil Saling, Construction Project Manager and Interim Convention Center Director, discussed the status of a portion of land on the new convention center site formerly occupied by the Rose City Plating Company. Because of toxins produced as a result of the plating process, on-site tests had been conducted to determine the level and extent of possible soil contamination. The specific area of contamination had been identified and toxic materials isolated. As a result of air monitoring tests, the situation posed no threat to people driving by the site, he explained. Staff would soon receive instructions from the Department of Environmental Quality regarding cleanup procedures. Mr. Saling said about \$40,000 had been spent to date on the project.

9.2 Other Committee Reports

Council Committee Chairs announced upcoming meetings.

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The Presiding Officer adjourned the meeting at 7:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "A. Marie Nelson".

A. Marie Nelson
Clerk of the Council

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