

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

Regular Meeting  
January 12, 1989

Councilors Present: Mike Ragsdale (Presiding Officer), Sharron Kelley (Deputy Presiding Officer), Lawrence Bauer, Roger Buchanan, Tanya Collier, Richard Devlin, Tom DeJardin, Jim Gardner, Gary Hansen, David Knowles, George Van Bergen and Judy Wyers

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

1. ELECTION OF COUNCIL PRESIDING OFFICER

Presiding Officer Ragsdale announced he had appointed Councilor Kelley temporary Deputy Presiding Officer for the purpose of conducting the election of a Presiding Officer for 1989. Councilor Kelley reviewed the procedures for electing a Presiding Officer.

Motion: Councilor Collier nominated Councilor Ragsdale for the position of Presiding Officer. Councilor DeJardin seconded the motion.

There were no other nominations for Presiding Officer.

Vote: All twelve Councilors present voted by ballot for Councilor Ragsdale.

Councilor Ragsdale was unanimously elected Presiding Officer. Presiding Officer Ragsdale then announced that under the provisions of Section 2.01.010(a) of the Metro Code, he was appointing Councilor Kelley as Deputy Presiding Officer for 1989.

Presiding Officer Ragsdale announced that Resolution No. 88-1038 (reorganizing Council standing committees) had been added to the end of the agenda, and item 8.1 would be considered immediately before the Consent Agenda.

2. INTRODUCTIONS

None.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

4. COUNCILOR COMMUNICATIONS

Councilor Knowles announced his intent to introduce an ordinance for Council consideration regarding a smoking policy for the Metro Center building.

5. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Cusma congratulated Presiding Officer on being re-elected to Council leadership.

8.1 Consideration of Resolution No. 89-1037, for the Purpose of Expressing Appreciation to Employees for Service Rendered to Metro

Presiding Officer Ragsdale explained the resolution gave special recognition to employees who had worked for Metro 10, 15, 20 and 25 years.

Motion: Councilor DeJardin moved to adopt the resolution and Councilor Hansen seconded the motion.

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

The motion was unanimously adopted.

As Presiding Officer Ragsdale read the names of honored employees, Executive Officer Cusma presented each person a plaque in appreciation of his or her years of service.

6. CONSENT AGENDA

Councilor Collier requested item 6.4 be removed from the Consent Agenda so that Talbot & Korvola could make a presentation to the Council on January 26 regarding the proposed performance auditing plan. The Presiding Officer removed the following item from the Consent agenda:

6.4 Resolution No. 89-1030, for the Purpose of Accepting Talbot & Korvola's "Report on Performance Auditing Plan for the Metropolitan Service District Council"

Motion: Councilor DeJardin moved, seconded by Councilor Collier, to approve items 6.1, 6.2, 3.5 and 6.5 of the Consent Agenda.

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

The motion carried unanimously and the following items were approved:

- 6.1 Minutes of December 8, 1988
- 6.2 Resolution No. 88-1028, for the Purpose of Confirming the Reappointment of Ben Middleton to the Metropolitan Exposition-Recreation Commission
- 6.3 Resolution No. 89-1029, for the Purpose of Confirming the Reappointment of Charles O'Connor and Jonathan Block to the Solid Waste Rate Review Committee
- 6.5 Resolution No. 89-1033, for the Purpose of Authorizing Entry into a Contract with R.W. Beck and Associates for an Engineering Feasibility Study and Technical Document Review for the Mass Composting Facility

7. ORDINANCES, FIRST READINGS

- 7.1 Ordinance No. 89-280, for the Purpose of Adopting a Policy Giving Preference to the Purchase of Recycled Paper and Paper Products and Amending Metro Code Section 2.04.040

The Clerk read the ordinance a first time by title only. Councilor Ragsdale referred the ordinance to the Internal Affairs Committee.

- 7.2 Ordinance No. 89-281, for the Purpose of Amending Ordinance No. 88-247 Revising the FY 1988-89 Budget and Appropriations Schedule for the Purpose of Adding a Secretary Position for the Accounting and Data Processing Divisions

The Clerk read the ordinance a first time by title only. Councilor Ragsdale referred the ordinance to the Finance Committee.

- 7.3 Ordinance No. 89-282, for the Purpose of Updating the Regional Transportation Plan (RTP)

The Clerk read the ordinance a first time by title only. Councilor Ragsdale referred the ordinance to the Intergovernmental Relations Committee.

- 7.4 Ordinance No. 89-283, for the Purpose of Amending Ordinance No. 88-247 Revising the FY 1988-89 Budget and Appropriations Schedule to Provide Funding for Implementation of the Waste Reduction Plan in Compliance with a Department of Environmental Quality Stipulated Order

The Clerk read the ordinance a first time by title only. Councilor Ragsdale referred the ordinance to the Finance Committee.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 89-1037, for the Purpose of Expressing Appreciation to Employees for Service Rendered to Metro

This resolution was considered and adopted earlier in the meeting.

8.2 Consideration of Resolution No. 88-1031, for the Purpose of Supporting Certain Recommendations of the Interim Task Force on Metropolitan Regional Government

Councilor Gardner, Chair of Metro's Legislative Task Force, announced the Task Force had not yet formed a recommendation for Council Consideration. He said the resolution would be ready for Council consideration on January 26 after a January 19 meeting of the Task Force.

8.3 Consideration of Resolution No. 89-1035, for the Purpose of Adopting a Regional Transportation Funding Proposal

Intergovernmental Relations Committee Chair, Councilor Gardner, introduced Andy Cotugno, Transportation Director, to explain the purpose of the resolution. Mr. Cotugno reviewed staff's written report. He explained the resolution would endorse a funding program from existing and proposed new federal, state and regional resources for a comprehensive set of 10-year transportation priorities for: 1) regional highway corridors; 2) urban arterials, 3) light rail transit corridors; and 4) transit operations and routine capital. The Joint Policy Alternative Committee on Transportation (JPACT), he said, would serve as the forum to discussion regarding funding.

Motion: Councilor Gardner moved, seconded by Councilor Devlin, to adopt the resolution.

Discussion followed about the type of lobbying effort that would be required to carry out the funding proposal. Councilor Kelley was concerned that under the proposal, public schools would no longer be exempt from paying transit payroll taxes. Mr. Cotugno explained the proposal had been recommended because area businesses thought it inequitable that schools and other governments had been exempt from paying the tax. He pointed out that schools are a primary user of the transit system. Councilor Devlin thought a more equitable plan was long overdue.

Vote: A vote on the motion resulted in eleven Councilors voting aye. Councilor Kelley voted no.

The motion carried and the resolution was adopted.

8.4 Consideration of Resolution No. 89-1034, for the Purpose of Adopting the Regional Forecast of Housing, Population and Employment for 1995 and 2010

Councilor Gardner, Intergovernmental Relations Committee Chair, reported the Committee had unanimously recommended the resolution be adopted at its January 10 meeting.

Motion: Councilor Gardner moved to adopt the resolution and Councilor Kelley seconded the motion.

Dick Bolen, Regional Planning Manager, discussed the forecast project, noting that Metro had worked closely with city and county planners to reach consensus on where growth in employment, housing and population would occur for 1995 and 2010. He reported that a new forecast was adopted every four years.

Councilor Van Bergen requested the report be given wide distribution and sold at a price that would cover its production costs. The Council agreed the information was valuable to a wide audience.

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

The motion carried and the resolution was unanimously adopted.

8.5 Consideration of Resolution No. 89-1025, for the Purpose of Setting Timelines for Implementing Priority Programs of Metro's 1986 Waste Reduction Program

Councilor Hansen, Chair of the Solid Waste Committee, referred Councilors to a revised version of Resolution No. 89-1025 which had been recommended for adoption by the Committee at a special meeting earlier in the evening. He reported the resolution endorsed staff's agreements with the Department of Environmental Quality (DEQ) concerning the Waste Reduction Program. Additional funding would be required to accomplish the priority programs identified in Attachment A of the resolution, he said.

Councilors discussed the probable fiscal impact of the resolution. The Presiding Officer said that although a specific budget had not yet been presented, the program revisions would probably result in a staff increase of five full-time people. After Resolution No. 89-1026 was adopted, staff would return with a budget amendment proposal that would be reviewed by the Finance Committee, he explained.

Councilor Van Bergen asked if sanctions would be imposed by DEQ if the Council did not adopt the resolution. Councilor Hansen said the

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Solid Waste Committee had not discussed that possibility because it fully supported the corrective actions embodied in the resolution. The Committee had acknowledged that a successful Waste Reduction Program would require additional funding.

Councilors questioned staff about the estimated budget figures listed on Attachment A of the resolution. Bob Martin, Solid Waste Director, explained the figures were staff's preliminary estimate of the additional staff and resources required to implement the Waste Reduction Program. Staff would return with a formal budget amendment request that would propose a specific budget for the project, he said. He estimated the budget request might include five additional full-time staff and about \$150,000 additional expenditures for FY 1988-89.

Councilor Collier was reluctant to adopt the resolution with the expectation that a budget increase would follow. Presiding Officer Ragsdale noted that at the Solid Waste Committee meeting he had introduced an amendment to the resolution that would clarify the work schedule was contingent upon the Council's adoption of a budget.

Motion to Amend: Councilor Collier moved, seconded by Councilor Van Bergen, to amend Resolution No. 89-1025 by deleting the "FTE" and "Budget" columns from Attachment A to the resolution.

Councilor Van Bergen said he supported the motion but was concerned that the Finance Committee, when it considered the project budget, not revisit the policy issues already deliberated by the Solid Waste Committee.

Presiding Officer Ragsdale said he would support the amendment because it would not harm staff's position in working with the DEQ and would not dilute the overall impact of the resolution document. Mr. Martin agreed, explaining the Environmental Quality Commission (EQC) could be informed later of the Council's final budget amendments.

Councilor Hansen urged the Council to adopt the resolution. He also urged the Finance Committee to support staff's budget requests. He thought it was very important staff have the proper resources to carry out the Waste Reduction Program.

Vote on the Motion to Amend: The vote resulted in all twelve Councilors present voting aye.

The motion carried unanimously.

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Councilors Van Bergen and Collier spoke in favor of the Waste Reduction Program and the need for the Finance Committee to recommend a sound budget for the program.

Vote on the Main Motion as Amended: The vote resulted in all twelve Councilors present voting aye.

The motion carried and Resolution No. 89-1025 was adopted as amended.

8.6 Consideration of Resolution No. 89-1026, for the Purpose of Approving a Request for Bids for Metro South Station Operations; and

Consideration of Resolution No. 89-1026A, for the Purpose of Authorizing Negotiation of a Contract Extension or a Request for Bids for Metro South Station Operations

Councilor Hansen, Solid Waste Committee Chair, reported the Committee recommended adoption of Resolution No. 89-1026A, rather than Resolution No. 89-1026. The Committee had determined that requests for bids for the new operations contract should not be released until staff had completed its selection of the compaction equipment that would be used at the Metro South Station. The type of equipment selection would have a significant impact on how vendors would respond to the bid. In the meantime, the committee recommended staff be authorized to negotiate a contract extension with Wastech, the existing transfer station operations contractor.

Motion: Councilor Hansen moved, seconded by Councilor DeJardin, to adopt Resolution No. 89-1026A.

Councilors Van Bergen and Devlin declared they had received ex parte communications concerning the matter but were qualified to vote impartially.

Rick Daniels, Vice President and General Manager of Oregon Waste Systems, urged the Council not to adopt Resolution No. 89-1026A. He thought the Council should proceed with releasing the bid for the new South Station operations contract as soon as possible. He did not think the compactor decision needed to be made before bids were requested and a delay the bidding process would result in limiting competition.

Councilor Devlin spoke in favor of extending the current operations contract. The unresolved compactor selection would potentially restrict bidding on a new contract because vendors would not know how trucks should be fitted to work with the new compactor.

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Mr. Daniels thought trucks could be leased until the compactor selection was determined. He explained a transition period was inevitable and overcoming problems were not insurmountable.

Presiding Officer Ragsdale pointed out the resolution had been introduced by the Solid Waste Committee and not the Executive Officer as erroneously noted on the resolution.

Merle Irvine, Vice President of Wastech, operations contractor at the Metro South Station, addressed Mr. Daniel's earlier statement that the operations contract should be rebid as soon as possible and that the successful contractor could easily lease trucks to accommodate the new compaction system. Mr. Irvine explained that trucks would be easy to lease but top loading trailers for the trucks would be difficult to lease. Most leasing firms would not lease to any company hauling garbage because of the resulting damage and corrosion of equipment. He also thought Metro would limit competition by going out to bid at this time for the operations contract. The type of compactor was unknown and some companies could not justify bidding under those conditions, he said.

In response to Councilor Knowles' questions, Councilor Hansen reviewed the history of the project and explained it was important the Council take action on this matter soon because the Wastech operations contract would expire April 1, 1989. The Solid Waste Committee had voted 4 to 0 to extend the Wastech contract, he said. Mr. Martin added that staff was prepared to either negotiate a contract extension or rebid the contract according to the wishes of the Council.

Councilor DeJardin reported the Oregon City Enhancement Committee had recommended the Wastech contract be extended due to the trust establish between Wastech and the Oregon City community.

Vote: A vote on the motion to adopt Resolution No. 89-1026A as introduced by the Solid Waste Committee resulted in:

Ayes: Councilors Buchanan, Collier, DeJardin, Gardner, Hansen, Kelley, Van Bergen, Myers and Ragsdale

Nays: Councilors Bauer, Devlin and Knowles

The motion carried and Resolution No. 89-1026A was adopted.

8.7 Consideration of Resolution No. 89-1038, for the Purpose of Reorganizing Council Standing Committees for 1989

Presiding Officer Ragsdale explained his objectives in reorganizing the Council standing committees were to give each Councilor his or



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her first choice of committees; to provide continuity on standing committees concerning committee membership and objectives; and the reduce the number of committees and councilor workloads. Resolution No. 89-1038 proposed combining the Zoo and Convention Center Committees due to their compatible interests. The resolution also proposed that the Internal Affairs Committee, rather than the Finance Committee, be charged with oversight of performance auditing as recommended by Talbot & Korvola.

Motion: Councilor Ragsdale moved to adopt the resolution and Councilor Knowles seconded the motion.

In response to Councilor Van Bergen's question, Presiding Officer Ragsdale said he had proposed combining the Zoo and Convention Center Committee's because the Zoo Committee's agendas had been light and because the Convention Center project would soon be moving to a phase where it would be a major were visitor attraction. Councilor Van Bergen requested the Council monitor the effectiveness of the combined Zoo and Convention Center committees.

Councilor Devlin noted the resolution had not listed an alternate councilor appointed to the Joint Policy Advisory Committee on Transportation (JPACT). Presiding Officer Ragsdale said he would announce the appointment as soon as possible.

Councilors Wyers, Devlin and Bauer expressed satisfaction with their appointments and commended the Presiding Officer on the difficult task of accomodating everyone's requests.

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

The motion carried and the resolution was unanimously adopted.

Presiding Officer Ragsdale thanked all Councilors for their cooperation. He also referred Councilors to a memo from himself concerning additional committee assignments for calendar year 1989. He said he had inadvertently omitted assigning a councilor to the Special Districts Association and would announce an appointment soon.

## 9. COMMITTEE REPORTS

Councilors reported on various upcoming committee meetings.

Councilor Knowles noted a resolution would soon be brought before the Council Solid Waste Committee (Resolution No. 89-1039) which would authorize entry into negotiations for an agreement with

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Schnitser/Ogden Martin for a mass incineration facility for solid waste.

There was no other business and the meeting was adjourned at 7:40 p.m.

Respectfully submitted,



A. Marie Nelson  
Clerk of the Council

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