

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

June 8, 1989  
Regular Meeting

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

Councilors Absent: Sharron Kelley (Deputy Presiding Officer) and Tom DeJardin

Presiding Officer Ragsdale called the meeting to order at 6:30 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSIDERATION OF MINUTES OF MARCH 23 AND APRIL 13, 1989

Motion: Councilor Collier moved, seconded by Councilor Bauer to approve the minutes of March 23 and April 13, 1989.

Vote: The ten Councilors present voted aye. Councilors DeJardin and Kelley were absent.

The motion carried unanimously.

5. ORDINANCES, FIRST READING

5.1 Ordinance No. 89-299, Amending Ordinance No. 88-247 Revising the FY 1988-89 Budget and Appropriations Schedule for Zoo Visitor Services Operations

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

5.2 Ordinance No. 89-298, Amending Ordinance No. 88-247 Revising the FY 1988-89 Budget and Appropriations Schedule for Convention Center Capital Fund Project Costs

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

## 6. RESOLUTIONS

### 6.1 Resolution No. 89-1104, For the Purpose of Exempting Proposals for the Metro East Station from Competitive Bidding Procedures

Presiding Officer Ragsdale recessed the Council and convened the District's Contract Review Board. Councilor Hansen said the Solid Waste Committee had held a special meeting earlier that day and voted to recommend the Council adopt the resolution. He said that the resolution, if adopted, would exempt the public option portion of the request for proposals for a franchise to design, construct, own and operate the Metro East Station from the competitive bid process, thereby enabling the franchise to be awarded based on factors other than lowest bid.

In response to a request for more information made by Councilor Van Bergen, General Counsel Dan Cooper explained that an addendum to the Metro East request for proposals (RFP) added a requirement that a public ownership option be submitted by proposers. He said that the public ownership option could be construed to be a public contract, and without the exemption would have to be awarded according to competitive bidding procedures. The exemption, he said, would allow the contract to be awarded to a proposer that was not the low bidder. He said the findings the Council would be adopting as a basis for the exemption were that it was likely that there would be considerable cost savings to the District because a replacement facility for the St. Johns Landfill must be found prior to February 1991 or the District would suffer great additional expense. He said that the findings also state that competitive proposals would be sought and the process would not encourage favoritism.

Councilor Van Bergen said that he wanted to assure that there were willing vendors able to compete. He said based on Mr. Cooper's statements that vendors had been identified and would be able to submit proposals, he would vote in favor of the resolution.

Motion: Councilor Hansen moved, seconded by Councilor Van Bergen, to adopt Resolution No. 89-1104.

Vote: The ten councilors present voted aye. Councilors DeJardin and Kelley were absent.

The motion carried and the Contract Review Board adopted the resolution.

Presiding Officer Ragsdale adjourned the Contract Review Board and reconvened the Council. He announced that he was returning to

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agenda item 2: Citizen Communications to Council on Non-Agenda Items.

George D. Ward, 4941 S. W. 26th Dr., Portland, Oregon, 97201, reminded the councilors that he had previously spoken to them regarding a landfill in Columbus, Ohio. Mr. Ward said that in response to a letter he had written, the Franklin County Board of Commissioners had responded with an invitation to visit the Columbus landfill. He said that their invitation included a tour of the facility, intensive technical summary, including the use and recovery of methane, the use of citizen committees and free housing. He said that he would forward copies of the letter to the Solid Waste Committee Chair Gary Hansen and Mayor Bud Clark.

Mr. Ward urged the Council to carefully look at estimates for the closure "cap" on the landfill and careful analysis be done on end use of the landfill. He also asked that Metro seriously consider Franklin County's invitation to visit the Ohio Landfill. Mr. Ward also said that he wanted to alert the Council to plans the City of Portland had to solicit proposals to place sewage sludge in the Rivergate area over a five year period as a sand stabilization project. He said that the sludge would be deposited downstream from the Landfill and urged a serious analysis and dialogue take place between Metro and the City.

Mr. Ward said that he felt that citizen input on end use of the landfill had been heard by the Council, but that the Council should reconsider alternatives which would leave the landfill open to public use after closure. Mr. Ward also expressed concerns about ground water contamination. He said that he thought the Metro community was behind the times on modern methods of landfill closure and usage of methane gas. Mr. Ward said that technology was in place for cleaning Smith and Bybee Lakes and encouraged the Council to question staff about whether they were keeping current through waste management periodicals on innovative and tested methods and procedures.

Presiding Officer Ragsdale suggested that Mr. Ward keep in contact with the Solid Waste Committee and suggested the Committee meetings and work sessions would be a good forum for providing technical information on options and studies. Mr. Ward also said that he intended to propose plans for alternate use of rail transportation for the Region's waste products.

#### 8. COUNCILOR COMMUNICATIONS & COMMITTEE REPORTS

Councilor Ragsdale recognized Councilor Knowles who said that Joint Convention Zoo and Facilities Committee and Finance Committee had met to consider the contract for the African Rainforest Exhibit and discussed whether the contract was subject to Council review. As a result of the Joint Committees meeting, Councilor Knowles reported that it was decided by the eight councilors present that the intent

of the contracting procedures was that contracts of this type should be subject to Council review and approval. Councilor Knowles said that the Joint Committees had approved a motion requesting the Executive Officer to amend the bid documents and submit them for Council review and in response Executive Officer Cusma had written a memorandum dated June 8 requesting Council approval of the African Rainforest bid documents and advising that contract documents would be presented to the Council in resolution form for Council adoption. Councilor Knowles said that because of the Executive Officer's memorandum, he was requesting that a resolution under consideration by the Convention, Zoo and Visitor Facilities Committee to remove Exhibit funding be removed from further consideration and that the Council approve a motion to approve the bid documents as amended.

Motion: Councilor Knowles moved, seconded by Councilor Devlin to remove Resolution No. 89-1097 from further consideration.

Vote: The ten councilors present voted in favor of the motion. Councilors DeJardin and Kelley were absent.

The motion carried.

Presiding Officer Ragsdale pointed out that appropriate action before the Council was consideration of Resolution No. 89-1097A which deleted Article 9 General Provisions of the bid documents which described the contract as a "continuing contract."

Motion: Councilor Knowles moved, seconded by Councilor Van Bergen that the Council adopt Resolution No. 89-1097A.

Vote: The vote was unanimous with all ten councilors present voting aye. Councilors DeJardin and Kelley were absent.

The motion for approval of the bid documents carried.

Councilor Hansen announced that those wanting copies of the Waste Age periodical that Mr. Ward referred to contact Council Analyst Ray Barker and the Presiding Officer requested that Council staff order the periodical for all Solid Waste Committee staff and other Council members who requested it.

Presiding Officer Ragsdale reported that the Internal Affairs Committee had met regarding a resolution setting guidelines for Councilor per diem and had referred the matter to the Council Finance Committee. He also advised that the Transportation 2000 funding package had reached its final stage and a package that appeared to have the Governor's support would come out of the Legislature and be submitted to the voters. Presiding Officer Ragsdale also announced that the Joint Policy Advisory Committee on Transportation (JPACT) had appointed a subcommittee on membership.

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

Respectfully submitted,

*Gwen Ware-Barrett*

Gwen Ware-Barrett  
Clerk of the Council

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