

**MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

**August 24, 1989
Regular Meeting**

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

Councilors Absent: Judy Wyers

Presiding Officer Mike Ragsdale called the meeting to order at 5:35 p.m. and announced that Resolution No. 89-1139, For the Purpose of Confirming the Appointment of Councilor Ruth McFarland to the Council Convention, Zoo and Visitor Facilities Committee had been added to the agenda.

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

Councilor Van Bergen reported that he had distributed to Councilors a memo containing questions he had regarding the Metro East Transfer Station. Councilor Hansen reported that a public hearing on the Metro East Transfer Station had been scheduled for September 5, 1989, and that the Solid Waste Committee had reserved September 7, 1989, for a Committee meeting if the matter was not decided on September 5.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Ms. T. R. Factor expressed concerns about Jack Gray Transport, Inc. and their contract compliance. She said that she urged the Council to make alternative plans in case Jack Gray was not able to obtain necessary permits by January 2, 1990. Ms. Factor also raised concerns about the transport company's efforts to obtain financing through sale of industrial revenue bonds. She also stated that she was not convinced that the Company could complete the daily trips without breaking speed limits or federal laws governing maximum driving hours.

4. EXECUTIVE OFFICER COMMUNICATIONS

None.

5. CONSIDERATION OF MINUTES OF August 8, 1989

Councilor Devlin asked that his statements regarding Resolution No. 89-1115 as recorded in the August 8 minutes be reworded to read: "Councilor Devlin said although he had concerns about the MOU, he felt he could achieve more by voting in favor of the agreement than against. He said he would like the implementing agreement to provide for: 1) flexibility in Metro ERC appointments; 2) a regional PCPA Advisory Committee; 3) coverage of incurred overhead costs for "central services" and review and oversight; and 4) no diminishment in the Council's oversight authority relative to the Metro ERC. to approve the minutes of May 4, 1989." There were no objections.

Motion: Councilor Van Bergen moved, seconded by Councilor Bauer to adopt the minutes of August 8, 1989 as amended.

Vote: The eleven councilors present voted in favor of the motion. Councilor Wyers was absent.

The motion carried unanimously.

7. RESOLUTIONS

7.1 Resolution No. 89-1129, Endorsing the Metro Planning & Development Department Scope of Work for a Regional Natural Areas Inventory and Analysis

Councilor Gardner presented the Intergovernmental Relations Committee's report and recommendations. He said that the resolution endorsed a work plan and scope of work for regional natural areas inventory and analysis. He said that the program had received positive support from parks advocates and local jurisdictions.

Motion: Councilor Gardner moved, seconded by Councilor Bauer to adopt Resolution No. 89-1129.

In answer to questions raised by councilors regarding spending funds on areas outside the District, Council Administrator Carlson explained that funds would be contributed by local jurisdictions, and those jurisdictions had indicated the areas they wished studied. Councilor Gardner also pointed out that work inside the District boundary would amount to more than \$20,000.

Vote: The eleven councilors present voted in favor of the motion. Councilor Wyers was absent.

The motion carried.

7.2 Resolution No. 89-1123, For the Purpose of Authorizing Sale of Right-of-Way on the Oregon Convention Center Site to the Highway Division, Oregon Department of Transportation

Councilor Knowles presented the Convention, Zoo and Visitor Facilities Committee's report and recommendations. He said that at the time the Convention Center was planned, the Oregon Department of Transportation (ODOT) had on the drawing board several highway improvement projects. Councilor Knowles said that the resolution would authorize the sale of right-of-ways to ODOT for those improvements. He also noted that the sale had been anticipated in the project planning, and the revenue had been budgeted.

Motion: Councilor Knowles moved, seconded by Councilor Buchanan to adopt Resolution No. 89-1123.

Vote: The eleven councilors present voted in favor of the motion. Councilor Wyers was absent.

The motion carried unanimously.

7.3 Resolution No. 89-1116, Granting an Exemption to Requirements of Metro Code Section 2.04.053 for Amendment No. 16 to the Contract with Zimmer Gunsul Frasca for Final Engineering Services for Holladay Street

The Presiding Officer announced that the Council, in its capacity as the District's Contract Review Board, would consider the exemption and recessed the Council and convened the Contract Review Board. Councilor Knowles presented the Convention, Zoo and Visitor Facilities Committee's report and recommendations. He said that Tri-Met had received preliminary approval of a light rail station at Union and Holladay Street, however the Urban Mass Transit Authority (UMTA) had not given formal approval. He said that Zimmer, Gunsul Frasca had been retained by the project manager, Tri-Met to, do the engineering work, and in order to keep the project on schedule and completed before the opening of the Oregon Convention Center, the resolution proposes that Metro retain Zimmer Gunsul Frasca to perform the final engineering work. He noted that the cost would be \$25,000 which Metro would not be reimbursed for since UMTA rules do not permit retroactive payments.

Motion: Councilor Knowles moved, seconded by Councilor Buchanan to adopt Resolution No. 89-1116.

Vote: The eleven councilors present voted aye. Councilor Wyers was absent.

The motion carried unanimously.

7.4 Resolution No. 89-1130, Granting an Exemption to Requirements of Metro Code Section 2.04.053 for Amendment No. 17 to the Contract with Zimmer Gunsul Frasca for Additional Design Services for the Oregon Convention Center Project

Councilor Knowles presented the Convention, Zoo and Visitor Facilities Committee's report and recommendations. He said that the amendment covered several additional design services, the largest of which was re-examining the glazing of the windows of the Convention Center.

Motion: Councilor Knowles moved, seconded by Councilor Buchanan to adopt Resolution No. 89-1130.

Councilor Gardner asked if any of the amendments had been necessitated by the contractor improperly performing prior work. Councilor Knowles replied that all of the work was additional work that Metro had requested outside of the original contract.

Vote: The eleven councilors voted aye. Councilor Wyers was absent.

The motion carried unanimously.

The Presiding Officer adjourned the Contract Review Board and reconvened the Council.

7.5 Resolution No. 89-1139, For the Purpose of Confirming the Appointment of Councilor Ruth McFarland to the Council Convention, Zoo and Visitor Facilities Committee

Motion: Councilor Knowles moved, seconded by Councilor Devlin to suspend the Council's rules requiring resolutions introduced at the Council level and not recommended by a Committee to be referred by the Presiding Officer to a Committee so that the Council as a whole could consider Resolution No. 89-1139.

Vote: The eleven councilors voted in favor of the motion.

The motion carried.

Motion: Councilor Bauer moved, seconded by Councilor DeJardin to adopt Resolution No. 89-1139.

The Presiding Officer explained that based on conversations he had had with Councilor McFarland, he felt that based upon

Councilor McFarland's background and interests, he felt it appropriate to appoint her to the Committee. He also announced that Councilor DeJardin had agreed to fill the vacancy on the Solid Waste Committee until such time as a permanent replacement was seconded. Presiding Officer Ragsdale said that he had asked Councilor DeJardin to be a member of the Solid Waste Committee until such time as a decision on the Metro East Transfer Station was made and that it would be his intent at a later time to remove Councilor DeJardin from the Committee and appoint Councilor McFarland as a permanent member.

Vote: The eleven councilors present voted in favor of the motion.

The motion carried.

8. COUNCIL COMMITTEE REPORTS

The Presiding Officer announced that at the Internal Affairs Committee meeting held earlier that day, the Committee had unanimously voted to send a letter of commendation to Steve Carpenter for his assistance as a summer intern.

Motion: Councilor Bauer moved, seconded by Councilor Hansen to direct the Presiding Officer to send a letter of commendation on behalf of the Council to Steve Carpenter for his assistance as a summer intern.

Vote: The eleven councilors present voted in favor of the motion. Councilor Wyers was absent.

The motion carried unanimously.

Councilor Devlin announced that Washington County would hold an election on September 19 on MSTIP-2 for road safety and capacity improvements. He said that he applauded Washington County's efforts and that there was a recognition in Washington County that many road improvements would need to be funded at the local level.

Presiding Officer Ragsdale announced that he had met with Metro Water Quality staff and that briefing reports on the program's development would be periodically presented to the Intergovernmental Relations Committee. He said that when appropriate, briefings would also come before the full Council.

Presiding Officer Ragsdale also announced that Councilors Collier and Van Bergen had been appointed as an ad-hoc committee to plan the Council retreat. Councilor Collier said that the ad-hoc committee, in anticipation of their appointment, had met and

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proposed a Friday-Saturday session, and a draft agenda would be distributed to all councilors.

The Presiding Officer also noted that councilors had received correspondence appointing Councilor McFarland to the Friends of the Washington Park Zoo Board of Directors, and that correspondence was premature, since he had not had an opportunity to see if other councilors were interested in the appointment. He asked if there were councilors interested in serving on the Board that they contact him.

Councilor Buchanan announced that Browning Ferris Trans-Industries had extended an invitation to councilors to visit their facilities in Seattle.

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

Respectfully submitted,

Gwen Ware-Barrett

Gwen Ware-Barrett
Clerk of the Council

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