

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

May 9, 1991

Council Chamber

Councilors Present: Presiding Officer Tanya Collier, Deputy Presiding Officer Jim Gardner, Richard Devlin, Tom DeJardin, Sandi Hansen, Susan McLain, George Van Bergen and Judy Wyers

Councilors Absent: Larry Bauer, Roger Buchanan, David Knowles and Ruth McFarland

Presiding Officer Collier called the regular meeting to order at 5:34 p.m.

Presiding Officer Collier announced Agenda Item No. 7.4, Resolution No. 91-1436 had been incorrectly numbered and that the correct number was 91-1454. She noted resolutions with the correct number had been distributed.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSENT AGENDA

4.1 Minutes of March 28, 1991

Motion: Councilor DeJardin moved, seconded by Councilor Gardner, for adoption of the Consent Agenda listed above.

Vote: Councilors DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Bauer, Buchanan, Devlin, Knowles and McFarland were absent. The vote was unanimous and the Consent Agenda was adopted.

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5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 91-397, For the Purpose of Amending Metro Code Section 5.02.035 Litter Control by Establishing a Surcharge for Uncovered Loads

The Clerk read the ordinance by title only for a first time.

Presiding Officer Collier announced Ordinance No. 91-397 had been referred to the Solid Waste Committee for consideration.

6. ORDINANCES, SECOND READINGS

6.1 Ordinance No. 91-396, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Insurance Fund

The Clerk read the ordinance by title only for a second time.

Presiding Officer Collier announced Ordinance No. 91-396 was first read before the Council on April 25, 1991 and referred to the Finance Committee for consideration. The Finance Committee held a public hearing on May 2 and recommended the ordinance to the full Council for adoption.

Motion: Councilor Van Bergen moved, seconded by Councilor Hansen, for adoption of Ordinance No. 91-396.

Councilor Van Bergen gave the Finance Committee's report and recommendation. He explained due to an administrative change in the Special Districts Program, Metro's previous insurance carrier was no longer available. He said the ordinance would allocate funds for increased insurance costs.

Vote: Councilors DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Sauer, Buchanan, Devlin, Knowles and McFarland were absent. The vote was unanimous and Ordinance No. 91-396 was adopted.

7. RESOLUTIONS

7.1 Resolution No. 91-1434, For the Purpose of Receiving the Housing Issues Report, Designating a Committee to Review the Report, and Designating a Subcommittee to Serve as a Liaison

Motion: Councilor Gardner moved, seconded by Councilor McLain, for adoption of Resolution No. 91-1434.

Councilor Gardner gave the Transportation & Planning Committee's report and recommendations.

Councilor Gardner said the resolution acknowledged receipt of the Housing Issues Report and designated a two person subcommittee from the Transportation & Planning Committee to review the report and the Housing Program work plan for the coming year, and said the subcommittee would return specific recommendations for the coming year on the Housing Program.

Councilor Gardner said the Committee found the report to be readable and comprehensive and said it addressed regional housing, the range of housing providers, the range of existing housing programs, and contained summary interviews with persons involved in housing to ascertain their views on regional housing. He said the report was Metro's first step in identifying its role in putting together some type of regional housing program or approach that could achieve better coordination between existing housing programs.

Councilor Gardner said the Committee amended resolution Be It Resolved language to appoint the subcommittee to review the report as well as the current Proposed Budget workbook description of the FY 1991-92 Housing Program, and to develop recommendations on further Metro actions to address similar regional issues. He said Councilors Bauer and McLain had been appointed to the subcommittee.

Vote: Councilors Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Bauer, Buchanan, Knowles and McFarland were absent. The vote was unanimous and Resolution No. 91-1434 was adopted.

7.2 Resolution No. 91-1425, For the Purpose of Authorizing Execution of an Intergovernmental Agreement on the Western Bypass Study

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Resolution No. 91-1425.

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Councilor McLain gave the Transportation & Planning Committee's report and recommendation. She referred those present to Attachment A, "Inter-Governmental Agreement Flow Chart." She said the resolution ensured total involvement by the parties involved in the process, said the agreement provided for input at three to four different levels, acknowledged compliance with land use laws, and required each jurisdiction formally acknowledge the agreement at three specific points which included: Endorsement of the study's statement of need; approval of the alternatives to be evaluated in detail and those to be rejected from further consideration; and approval of the preferred alternative. Councilor McLain noted Andy Cotugno, Director of Transportation, believed the second point represented the most important part of the process because that was where jurisdictions would determine which alternatives to pursue for potential implementation and which alternatives would be dropped. She said staff noted the resolution "Whereas" language which addressed TPAC citizen members' concerns. She said that language meant, if a final "Preferred Alternative" was rejected, a "No-Build" conclusion would result. She said the resolution ensured the Western Bypass Study would be coordinated with the 1000 Friends of Oregon study on possible comprehensive land use plan changes in the bypass corridor area, and said the resolution reaffirmed the need to meet State requirements to reduce reliance on a single transportation mode.

Councilor McLain noted ODOT and Metro staff were present to answer questions if necessary. She said Council adoption of the resolution did not mean the Council automatically agreed with all of the recommendations contained therein, but was agreeing to enter into the intergovernmental agreement because the resolution represented the agreement process the Council wanted to use. She said Exhibit A listed the parties involved, and indicated that if additional parties should be involved, they would be added.

Councilor Gardner noted the Joint Policy Advisory Committee on Transportation (JPACT) adopted the Purpose and Need Statement the date of this meeting and that the Council would likely act on it at the May 23 Council meeting.

Councilor Devlin said the Council would address the issues at least five different times including the current consideration of Resolution No. 91-1425. He said there was no controversy attached to the intergovernmental agreement, but there was some controversy related to the Purpose and Need Statement.

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Vote: Councilors Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen and Collier voted aye. Councilor Wyers voted nay. Councilors Bauer, Buchanan, Knowles and McFarland were absent. The vote was 7 to 1 in favor and Resolution No. 91-1424 was adopted.

7.3 Resolution No. 91-1444, For the Purpose of Awarding a Multi-Year Contract for a Modeling System to Simulate Solid Waste Generation, Reduction, Transport and Delivery

Motion: Councilor DeJardin moved, seconded by Councilor Wyers, for adoption of Resolution No. 91-1444.

Councilor DeJardin gave the Solid Waste Committee's report and recommendation. Councilor DeJardin said \$215,000 was budgeted for FY 1991-92 for this project. He said the modeling system would demonstrate all impacts to the regional solid waste system. He said the Request for Proposals (RFP) was issued February 15 and four proposals were received. He said the four proposals had a \$21 cost differential between them. He said the Selection Committee chose Cambridge Systematics because they were nationally recognized for developing such models. He said the Solid Waste Committee considered the proposal on May 7 and recommended adoption of Resolution No. 91-1444.

Councilor Van Bergen asked what Metro would get for \$215,000. Councilor DeJardin said the project would result in a computer modeling system. He said staff could input and analyze all pertinent data related to the regional solid waste system. He said the computer model would give various scenarios based on various decisions made and would provide Metro with in-depth analysis of Metro policy and future projects.

Councilor Gardner said the computer model would interface with ARC-Info software already used by Metro in conjunction with RLIS. He said the model would assist Metro in predicting the amounts and types of waste the region would generate and provide a finer level of detail related to specific geographic areas.

Councilor Van Bergen asked if any other agencies had the same or a similar system Metro could access. He asked if staff could create such a computer modelling system in-house. Rich Carson, Director of Planning & Development, said no comparable project had been developed for solid waste analysis. He said as staff prepared technical analyses for the Special Waste Plan, the Yard Debris Plan and the Washington County System plan, staff had had to continually create and generate new data and hire consultants for assistance. He said staff determined if an in-house model

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tioned to specific geographic and population data bases existed, staff could do such work. Councilor Van Bergen asked if Metro would retain title to the computer modelling system. Gerry Uba, Senior Management Analyst, said the contractor would surrender title to Metro.

Vote: Councilors Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Bauer, Buchanan, Knowles and McFarland were absent. The vote was unanimous and Resolution No. 91-1444 was adopted.

7.4 Resolution No. 91-1454, For the Purpose of Appointing KPMG Peat Marwick as Metro's Independent Auditor and Provider of Professional Tax Services

Motion: Councilor Van Bergen moved, seconded by Councilor Wyers, for adoption of Resolution No. 91-1454.

Councilor Van Bergen gave the Finance Committee's report and recommendation. He said the resolution authorized Metro to enter into a three-year contract with KPMG Peat Marwick for independent financial auditing services and professional tax services. Councilor Van Bergen said he was extremely satisfied with KPMG Peat Marwick's previous work for Metro and recommended adoption of the resolution.

Vote: Councilors Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Bauer, Buchanan, Knowles and McFarland were absent. The vote was unanimous and Resolution No. 91-1454 was adopted.

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Councilor Wyers discussed Solid Waste Committee consideration of Resolution No. 91-1437. She said the Solid Waste Committee had reviewed the resolution twice. She said the first Committee consideration covered costs, the second Committee consideration covered need, and the third Committee consideration would cover competitiveness in procurement and operations.

Councilor Van Bergen noted media coverage on the proposed new arena. He said the Regional Facilities Committee would hear a presentation on May 14 on the arena and planned to attend that meeting. He said it was important for the Council to be informed on the issues. He said five or six years previously, the Council was presented with a master plan for the Oregon Convention Center and the Council was told it had to be adopted at that meeting

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because of time considerations. He told the Council they would face a deadline by July 31 for some kind of Council decision on the arena and encouraged Councilors to become as informed on the issues as possible. He noted his district constituents had not given favorable comments to him about the proposed arena and said voters were not inclined to pay for and/or to maintain such a facility.

Presiding Officer Collier said when the issue arose she would ask how a new arena would affect the regional funding plan that had to be implemented to support all the regional recreational facilities for which Metro had responsibility.

Councilor Devlin said he and Councilor Gardner both believed they were not receiving enough information on the arena and that most of the information they were getting was through the media. He noted The Oregonian had just printed articles on Portland State University (PSU) and its possible use of the Memorial Coliseum for sporting events. He said that would be beneficial to PSU, but asked who would pay to keep the Coliseum doors open for PSU. He said the Council could be put in the middle of something they had very little to do with crafting. He asked if PSU was prepared to pay the millions of dollars necessary or if those costs would become an additional regional funding burden.

Presiding Officer Collier said the Council would probably consider a resolution on the issues soon and said she would ask Councilor Knowles to brief the Council at each Council meeting on events as they developed.

Don Rocks, Executive Assistant, said questions raised by staff had not been answered. He said the Oregon Convention Center example cited by Councilor Van Bergen would not be repeated on this issue. He said a subcommittee to be appointed would understand and negotiate the appropriate public aspect of public/private partnership. He said the Council would not be briefed and expected to vote on the arena issue at the same time. He said the Council would be informed about subcommittee recommendations as they were developed. Presiding Officer Collier said all regional facilities must be kept in mind when considering the proposed arena.

Councilor Gardner urged Councilors to attend the May 14 Regional Facilities Committee meeting. Councilor DeJardin said District 5 constituents had expressed concerns similar to Councilor Van Bergen's constituents.

Councilor Devlin discussed Charter Committee activities and said the Governmental Affairs Committee. Presiding Officer Collier

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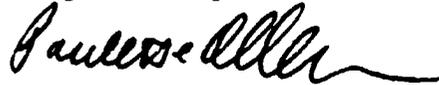
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directed the Governmental Affairs Committee to draft a resolution as a statement of Council intent based on past Council retreat discussions of the Charter Committee.

Presiding Officer Collier adjourned the meeting at 6:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paulette Allen", with a long horizontal flourish extending to the right.

**Paulette Allen
Clerk of the Council**