

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

August 13, 1992

Council Chamber

**Councilors Present:** Presiding Officer Jim Gardner, Deputy Presiding Officer Judy Wyers, Roger Buchanan, Richard Devlin, Ed Gronke, Sandi Hansen, Ruth McFarland, Susan McLain, George Van Bergen and Ed Washington

**Councilors Excused:** Tanya Collier

**Councilors Absent:** Larry Bauer

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

Presiding Officer Gardner announced that Agenda Item No. 9 had been added to the agenda.

**1. INTRODUCTIONS**

None.

**2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS**

None.

**3. EXECUTIVE OFFICER COMMUNICATIONS**

**3.1 Briefing on Metro Charter Proposal**

Ken Gervais, Senior Management Analyst, briefed the Council on the Metro Charter proposal. The Council and Mr. Gervais discussed Metro Charter issues.

**Motion:** Councilor Devlin moved, seconded by Councilor Gronke, that further consideration of the proposed Metro Charter be referred to the September 3, 1992 Governmental Affairs Committee meeting, and that prior to that meeting, staff prepare an analysis of the Charter including, but not limited to, its fiscal impact on Metro and a comparison of its provisions to the charter principles adopted by the Council as set forth in Resolution No. 92-1543A, and that the Governmental Affairs Committee should recommend a course of action for the Council at the earliest possible time.

The Council discussed the motion.

Vote: Councilors Buchanan, Devlin, Gronke, Hansen, McLain, Washington and Gardner voted aye. Councilors McFarland, Van Bergen and Wyers voted nay. Councilors Bauer and Collier were absent. The vote was 7 to 3 in favor and the motion passed.

#### 4. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

##### 4.1 Status on 13 for Art for Metro Headquarters Building

Kristin Calhoun, Metropolitan Arts Commission, gave a status report on art projects for the Metro Headquarters Building.

#### 5. CONSENT AGENDA

REFERRED FROM THE FINANCE COMMITTEE

##### 5.1 Resolution No. 92-1664, For the Purpose of Authorizing a Contract with Steel Rives Boley Jones and Gray for Bond Counsel Services

REFERRED FROM THE SOLID WASTE COMMITTEE

##### 5.2 Resolution No. 92-1657, For the Purpose of Authorizing Issuance of a Request for Bids for Hauling and Processing Yard Debris from the Metro South Station

Motion: Councilor Devlin moved, seconded by Councilor Buchanan, to adopt the Consent Agenda.

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

#### 6. ORDINANCES, FIRST READINGS

##### 6.1 Ordinance No. 92-469, Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Schedule for the Purpose of Reflecting the Reorganization of Division Functions Within the Solid Waste Revenue Fund, Establishing the Planning and Technical Services Division and Funding the Carryover for Phase II of the Storm Water Processing and Retention Project at Metro South Household Hazardous Waste Facility

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

Presiding Officer Gardner announced Ordinance No. 92-469 had been referred to the Finance Committee for consideration.

7. ORDINANCES, SECOND READINGS

7.1 Ordinance No. 92-468, For the Purpose of Approving an Increase in the Transfer Rate for the Forest Grove Transfer Station (Public Hearing)

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

Presiding Officer Gardner announced that Ordinance No. 92-468 was first read on July 23, 1992, and referred to the Solid Waste Committee for consideration. The Solid Waste Committee considered the ordinance on August 4 and recommended it to the full Council for adoption.

Motion: Councilor McFarland moved, seconded by Councilor Wyers, for adoption of Ordinance No. 92-468.

Councilor McFarland gave the Solid Waste Committee's report and recommendations. She explained the ordinance would grant a \$2.75 per ton increase in the transfer rate charged at the Forest Grove Transfer Station (FGTS) and that the station's operator, A.C. Trucking, had requested the rate increase due to: 1) Increased administrative costs; 2) A Public Utilities Commission (PUC) ruling that reduced the size of truck payloads transferring material from the station to the Riverbend Landfill; and 3) Reduced operating hours at the Riverbend Landfill.

Presiding Officer Gardner opened the public hearing. No citizens appeared to testify on the ordinance and the public hearing was closed.

Vote: Councilors Buchanan, Devlin, Gronke, Hansen, McFarland, McLain, Van Bergen, Washington, Wyers and Gardner voted aye. Councilors Bauer and Collier were absent. The vote was unanimous and Ordinance No. 92-468 was adopted.

8. RESOLUTIONS

8.1 Resolution No. 92-1663, For the Purpose of Authorizing Execution of the Contracts for the Art Projects Selected Under the Auspices of Metro's Headquarters Building One Percent for Art Program

Motion: Councilor Washington moved, seconded by Councilor Devlin, for adoption of Resolution No. 92-1663.

Councilor Washington gave the Regional Facilities Committee's report and recommendations.

Berit Stevenson, Headquarters Project Manager, displayed and described the art works selected for the Metro Headquarters Building.

Councilor Van Bergen asked if Metro would own the art works. Ms. Stevenson said Metro would own the art and the artists would retain the copyrights. She said Metro would retain grants from the artists for promotional and/or educational purposes. She said because the artists wanted to maintain the integrity of pieces as designed, that if Metro wanted to move them, the artists had to be consulted on proposed alterations. She said if Metro and the artist could not agree, the contract allowed Metro to destroy the art work. She said Metro also retained the right to display or not to display the work.

Councilor Washington listed the cost of the art work and honorariums given to the top six finalists including the two artists whose works were selected.

Presiding Officer Gardner said the 1½ for Art for the Metro Headquarters Building Committee members felt Metro had obtained art works of considerable value at a reasonable cost.

Vote: Councilors Buchanan, Devlin, Gronke, Hansen, McFarland, McLain, Van Bergen, Washington, Wyers and Gardner voted aye. Councilors Bauer and Collier were absent. The vote was unanimous and Resolution No. 92-1663 was adopted.

8.2 Resolution No. 92-1655, For the Purpose of Authorizing the Execution of a Sale Agreement with Intel Corporation for Acquisition of Property at Southwest 209th and Tualatin Valley Highway

Motion: Councilor Hansen moved, seconded by Councilor Devlin, for adoption of Resolution No. 92-1663.

Councilor Hansen gave the Finance Committee's report and recommendations. She said both the Solid Waste and the Finance Committees reviewed the resolution. She said Metro purchased the property in 1986 from Intel for the purpose of siting Metro West Station on that property. She said Metro West would not be built on that property and that the Regional Facilities Department had asked to sell it as surplus property. She said the Solid Waste Committee agreed it was surplus property, but asked if it would be viable for inclusion in the Greenspaces Program and

recommended it to the Finance Committee for further consideration. She said because of the facilities surrounding the site, the property was not suitable for inclusion in Greenspaces. She said Councilors asked if the property should be sold at public bid. She said Metro bought the property in 1986 for \$900,000 and would sell it back to Intel for \$1 million.

The Council briefly discussed fair market value, the unsuitability of the property for Greenspaces, and the unsuitability of the property for a transfer station.

Vote: Councilors Buchanan, Devlin, Gronke, Hansen, McFarland, McLain, Van Bergen, Washington, Wyers and Gardner voted aye. Councilors Bauer and Collier were absent. The vote was unanimous and Resolution No. 92-1665 was adopted.

8.3 Resolution No. 92-1659, For the Purpose of Approving an Intergovernmental Agreement with the City of Oregon City Providing Reimbursement to the City for Household Hazardous Materials Problems

Motion: Councilor Hansen moved, seconded by Councilor Wyers, moved for adoption of Resolution No. 92-1659.

Councilor Hansen gave the Solid Waste Committee's report and recommendations. She said the resolution would reimburse the City of Oregon City for training their fire department personnel on how to handle household hazardous waste at Metro South Station (MSS). She said Oregon City would be reimbursed for \$17,000 for training and \$5,000 for equipment. She said future costs would be less because personnel had been trained and equipment had now been acquired.

Vote: Councilors Buchanan, Devlin, Gronke, Hansen, McFarland, McLain, Van Bergen, Washington, Wyers and Gardner voted aye. Councilors Bauer and Collier were absent. The vote was unanimous and Resolution No. 92-1659 was adopted.

Presiding Officer Gardner recessed the Council of the Metropolitan Service District and convened the Contract Review Board of the Metropolitan Service District to consider Agenda Item No. 8.4

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**8.4 Resolution No. 92-1656, For the Purpose of Authorizing an Exemption to the Competitive Procurement Procedures of Metro Code 2.04.053 and Authorizing a Change Order to the Design Services Agreement with Parametrix, Inc.**

**Motion:** Councilor McFarland moved, seconded by Councilor Wyers, for adoption of Resolution No. 92-1656.

Councilor McFarland gave the Solid Waste Committee's report and recommendations. She said Solid Waste Department staff explained there was a need for several levels of assistance from Parametrix concerning scheduled work for the closure of Subareas 2 and 3 at St. Johns Landfill (SJL) and the development of a related motor blower flaring facility. She said the change order contract cost was for \$213,795. She noted staff stated also it was necessary to add \$50,000 to the regulatory contingency fund to fund unanticipated services related to addressing any potential issues raised by state and federal regulatory agencies.

**Vote:** Councilors Buchanan, Devlin, Gronke, Hansen, McFarland, McLain, Van Bergen, Washington, Wyers and Gardner voted aye. Councilors Bauer and Collier were absent. The vote was unanimous and Resolution No. 92-1656 was adopted.

Presiding Officer Gardner adjourned the Contract Review Board and reconvened the Council of the Metropolitan Service District.

**9. OTHER BUSINESS**

The Council discussed possible retreat dates and locations and agreed to have a retreat August 29 at the Oregon Convention Center.

All business having been attended to, Presiding Officer Gardner adjourned the meeting at 7:40 p.m.

Respectfully submitted,

  
Paulette Allen  
Clerk of the Council