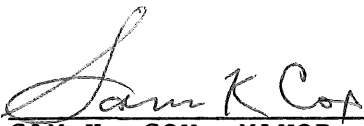


AGENDA
TROUTDALE CITY COUNCIL
7:00 P.M. -- CITY COUNCIL CHAMBERS
104 SE KIBLING
TROUTDALE CITY HALL

JUNE 25, 1985

- (A) 1. Pledge of Allegiance
Call to Order, Roll Call and Agenda Update: Mayor
- (A) 2. Consent Agenda:
2.1: Accept: Minutes of 6/11/85 - Regular Session
- (A) 3. PUBLIC COMMENT
- (A) 4. ORDINANCE: ADULT FOSTER CARE HOMES
FIRST READING
- (D) 5. DISCUSSION: Intergovernmental Agreement Ambulance
Franchise
- (A) 6. RESOLUTION: Adopting City of Troutdale's Fiscal Year
85/86 Annual Budget and Making
Appropriations
- (A) 7. ORDINANCE: Levying Ad Valorem Taxes 85/86
FIRST READING
- (A) 8. RESOLUTION: Adopting Supplemental Budget 84/85
- (A) 9. APPOINT: Capital Improvement Program Committee's
- (A) 10. RESOLUTION: A Resolution Opposing the Siting of a
Hazardous Waste Facility Near the Columbia
River
- (A) 11. COUNCIL CONCERNS AND INITIATIVES
- (A) 12. ADJOURNMENT.



SAM K. COX, MAYOR

vjr:05:16
6/18/85 Tue 14:58:44

MINUTES
TROUTDALE CITY COUNCIL MEETING
TROUTDALE CITY COUNCIL CHAMBERS
104 SE KIBLING STREET
TROUTDALE, OR 97060

JUNE 25, 1985

AGENDA ITEM #1: -- PLEDGE OF ALLEGIANCE, CALL TO ORDER, ROLL CALL
AGENDA UPDATE

The meeting was called to order by Mayor Sam K. Cox at 7:06 p.m.

Pledge of Allegiance

PRESENT: Gene Bui, Ron Burgin, Marty Gault, Sharlyn
Jacobs, Marge Schmunk, Paul Thalhofer, Sam Cox

STAFF: Pam Christian, Nancy Nixon, Greg Wilder, Jim
Jennings, Valerie Raglione

PRESS: Webb Reubal, Oregonian

GUESTS: Joe Acker, Director City of Portland -
Multnomah County Emergency Medical Services
Dan Smith, Consultant - Fire Dist. #10
Heini Ziegler, Fire Dist. #14
Joe Parrott, City of Gresham, Fire Dept.
Robert Denbo, Gen'l. Mgr. Buck Ambulance Serv.
Sharon Henry, CARE Ambulance - Tualatin Valley

AGENDA ITEM #2 -- CONSENT AGENDA

MOTION: Gault moved that the Minutes of June 11, 1985 be
accepted. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

AGENDA ITEM #3 -- PUBLIC COMMENT

Mayor Cox called for public comment. There was none.

AGENDA ITEM #4 -- ADULT FOSTER CARE HOMES ORDINANCE

Christian noted that this is a discussion item brought forth from
the June 11, 1985 meeting. Staff needs direction from Council on
alternatives and how Council desires to have the Ordinance
written.

Wilder pointed out that the templates were optimized and that the
mechanism by which the initial radius would be established has

not been determined. It could be determined by the first person that makes application, which would set the radius points. The templates were done for 2,000' (allowing approximately 16 facilities to be located in the City); 1,500' (allowing approximately 20-21 facilities); 1,000' (allowing approximately 45-50 facilities). The City of Portland is using 2,000'.

Schmunk asked how many applications have been recent. Wilder stated that 1 was, which was the application discussed at a prior meeting, and any others have been rumor or innuendo. Schmunk felt that the 2,000' template appeared to break them into neighborhoods and stated she would opt for 2,000' because it would keep it to a minimum of about 1 per neighborhood. She realized that one locating at a strategic point could alter other neighborhoods.

Wilder pointed out that another neighborhood could be prohibited by a strategic point of location. He also stated that under the best circumstances 16 facilities would have the availability of locating in the City. However, 12-14 would be a better guess -- 1,500' feet would accomplish the same thing. Sandee Palisades would have the availability of 2 facilities.

- A. 1,000';
- B. 1,500';
- C. 2,000'.

Thalhofer "B"; Schmunk "C"; Burgin "C"; Gault "B" or "C"; Jacobs "C"; Bui "C".

Schmunk stated Sandee Palisades, as an example, because it was one of the largest neighborhoods and there was only 1 entrance in and out of the area.

Wilder stated that a 2,000' radius creates a lot of no mans land and a 6 sided figure is really the only one that works. The circles had been overlapped to indicate that.

Mayor Cox asked if there was anyone in the audience that would like to speak to this item. There was no comment.

Burgin stated that a dozen of this type of facility in a City the size of Troutdale was certainly fair.

Gault stated that effectively the 2,000' radius, although 16 might be achieved under certain circumstances, maybe 10-12 would be more likely; Using the 1,500' radius he felt 14-15 would be likely. There wasn't a large difference between either of the two as an end result.

Thalhofer stated that his reason for "B" was it seemed to be less restrictive.

Bui stated that once into this and applications come in, "C" is not practical, Council could opt to make an adjustment.

Wilder stated that in the pre-existing "grandfathered" units, Council may find that there are more facilities than the circles allow due to the 'grandfathering'.

Thalhofer stated he overlooked that and opted for "C" also.

MOTION: Bui moved that Item "C" be accepted. Schmunk seconded the motion.

YEAS: 6
NAYS: 1
ABSTAINED: 0

Christian stated that Jennings would prepare the Ordinance for first reading at the July 9, 1985 meeting, using the criteria that Council has discussed.

Burgin asked if June 25, 1985 could be the date used for cut-off. It had been previously discussed and the public notification of the meeting, June 25, 1985 would meet the requirements.

Jennings responded yes, anything that was in on or before 5:00 P.M., June 25, 1985 could be treated as a 'grandfathered' application. (Business application).

Wilder stated that there could be a problem with some facilities already existing but not having a business license application. He felt that a State Operational license should prevail rather than a City business license.

Jennings stated that this too, could be included in the Ordinance. He also felt that there could be the possibility that some may not have known to approach the City for a license.

Gault stated that another possibility would be effective June 25, 1985 there will be no further applications accepted for new people, however, a certain time period for people having this type of facility already operating in the City -- to come in and make application for a business license. If they choose not to do that, then they would not be 'grandfathered' in underneath this provision. He felt time should be allowed for those people to come in and make application.

Jennings felt this was a legislative determination. He stated if it was assumed that everyone was licensed through the State as of 5:00 p.m. on the 25th of June, eligible to be 'grandfathered' in then, staff needs from Council an indication as to how long this grace period would extend before they would be cut off -- a license would not be issued -- and the 'grandfathering' effect would not operate.

Christian brought into discussion the passage of the Ordinance for Multnomah County Adult Foster Care...The County agreed to notify the City (through the Building Division) due to the Fire Life Safety as those homes were certified and they went through the process.

Jennings stated that the State must still maintain a list of the people licensed by the State and that list should be able to be broken down into the people living in the City.

Burgin stated that it was difficult to require people to make application when there is no City law that allows for them to apply, at present. There is no way presently that they can apply for a business license so how could we require them to apply or have applied before there is an Ordinance?

Jennings stated that a period of time could still be set during which they would have to apply and this could be done from the effective date of the Ordinance.

Gault stated a list from the State or County of which homes are currently operating in the City could be sent a letter explaining the process...that there is a potential for something that would affect the operation of their home and that within the time period be set (i.e., 2 weeks) we expect a response. If there was no response it should be sufficient time and ample notice and if they didn't want to respond, that would be their decision. Thalsofer stated that August 31, 1985 would give ample time to get the business license, and use June 25, 1985 as the cut-off for the State licensing application to have been made.

Schmunk stated that if they had a City business license, they should have a State license and make that procedure for obtaining a business license.

Christian stated that the original issue on Adult Foster Care for those residential homes less than 5 people there was no State mechanism of regulating them. That was why Multnomah County asked the City to adopt that Ordinance. She also stated she wasn't sure if they had to be State licensed. It is only through Multnomah County, and she didn't want the assumption to be made that the State licensing should be the guideline.

Burgin requested that the Ordinance state whichever is appropriate language... State or County. He also asked if stating sixty (60) days was acceptable rather than specifying a date thereby not affecting the actual date that the Ordinance may or may not be passed.

MOTION: Bui moved that the Ordinance read Sixty (60) days from the date of this Ordinance, application must be made for a City business license with the provision that County or State license was approved no later than June 25, 1985.

YEAS: 6
NAYS: 0
ABSTAINED: 0

AGENDA ITEM 5: -- INTERGOVERNMENTAL AGREEMENT - AMBULANCE
FRANCHISE

Christian reviewed the requests of Council at the June 11, 1985 meeting and stated that representatives of Fire District 10, 14, Ambulance Association, County EMS, were in attendance. She then turned it over for discussion and questioning from Council.

Parrott reviewed the proposal and stated the purpose would be to collectively and competitively bid for ambulance service for our areas. Essentially let competition prevail regarding rates while under the auspicious and dictate of the County's quality standards. He stated it would function similarly to the Cable Regulatory Commission in that it would consist of representatives from each of the 4 cities and the decisions would be final based on review action from the Council's.

Bui asked if Parrott had any comments about holding off until the County made a decision on their own.

Parrott stated it was an option to wait. Competitively bidding for rates and service provider may or may not be the result of the County study effort. He stated Gresham felt that rate control in some manner had worked well and seemed to be a logical form of rate control because it did allow free market to prevail in companies participating in a free enterprise system.

Schmunk asked how long the City of Gresham had this agreement with an ambulance company.

Parrott replied...The current agreement with the rate control structure had been for three years.

Mayor Cox asked if there were any further questions to Parrott.

Thalhofer stated he would like to hear from everyone and he would also like an attorney's opinion on this.

Jennings asked if Parrott had an opportunity to discuss an article in the paper (June 11, 1985) regarding this topic, with Gresham's attorney and if so, what was the opinion of Gresham's attorney as to the abilities of both Gresham and the new proposed service district to form a service district; whether or not they might run into the Anti-Trust Laws that were mentioned in the article?

Parrott stated that Tom Sponsler, City of Gresham's attorney, had no fears at all of any Anti-Trust violation for either the City of Gresham or any other cities that would be participating or the district itself.

Jennings stated that he was in opposition of that based on the research he had done. He felt it was a valid concern of violating the Anti-Trust Law.

Dan Smith, consultant for Fire District 10, stated he worked for the District for 33 years. He spoke with members of the Board concerning this matter, and the District had no problem with how the City of Troutdale gets their ambulance service. He felt there would be a problem with the District in calling it a "Emergency Medical Service District". This was a part of the district and the district did provide Emergency Medical Service. He felt that it would mean there was two services if adopted as presented and the District would certainly continue to provide advance life-support emergency service from Twelve-Mile corner, as had been done for years, and basic life-support from on the hill (Station 49).

Thalhofer asked if 911 was dialed and it was a heart attack victim and the person calling was shook who would get the call? Dan Smith said that call would be routed to County Emergency Medical dispatch at Kelly Butte. They dispatch ambulances and also relay the calls to fire dispatch. So Fire District 10 would respond in case of a hard call in which time was essential. At the same time an ambulance would be dispatched. Thalhofer asked what the procedure would be when they all got there. Smith stated that the agreement with the ambulance company, which has been working out well, would be the first paramedic arriving is the person in charge of the scene. The person would be stabilized, if possible, at the scene and then be transported by an advance life-support ambulance. The District would not transport unless a matter of life and death, however, the unit coming from 12-Mile corner is not legally equipped to transport. The 'niceties' of the law would be ignored in some cases.

Schmunk asked if 911 was called and asked for 'rescue', would there be a problem calling a specific ambulance company? Smith stated that if 911 was called you would get ambulance dispatch if there was a medical problem. Schmunk asked if you would always get an ambulance? Smith stated if they deemed it necessary, one would be sent. Schmunk asked what if you don't request one? If you tell them it is a medical emergency and you asked for 'rescue'. Smith stated if you made it clear that you did not want an ambulance you wouldn't get one.

Heini Ziegler, Board member Fire District 14, was not familiar with this proposed Ordinance and stated it would be foolhardy for him to take an action other than what should be the Board's action.

Joe Acker, Director of Multnomah County Emergency Medical Services, made his presentation. First consideration in trying to deal with Anti-Trust issue through legislative process, setting boundaries for ambulance service. It was intended that 4 counties provide for competitive mechanism of assignment over those areas.

This legislation cleared the House Committee. The County elected to pull from the floor that legislation based on the Attorney General's opinion of the Anti-Trust problem.

Staff had prepared a Rate Study which compared rates with Multnomah County to other portions of the U.S. It was found that rates in Multnomah County were among the highest, if not the highest, anywhere in the U.S. He stated that the study had been under attack by the ambulance companies and they felt the study wasn't valid and didn't consider all of the issues that deal with ambulance rates. EMS Policy Board elected to establish a Rate Study Committee which was made up of citizens of Multnomah County, 3 ambulance operators, an emergency medical technician 4 (paramedic) sit on the committee as non-voting members. However the Committee's majority was made up of citizens of the County in consumer roles. This Committee begins to meet within the next 3 weeks. By Ordinance mandate, their report which must determine whether ambulance rates are in comparison, equal, or high or low, for similar services in the rest of the U.S. as well as recommended outcomes to deal with the findings must be completed by September 10, as well as a way to deal with the rates. The outcome might be a competitive assignment of ambulance service areas.

State Guidelines (rates) which directs a County or two or more contiguous counties to establish ambulance service areas. The rules are in draft form currently. It is expected that these rules will be in force by September, after a Public Hearing process. This would give Multnomah County, and any county, the guidelines and some involvement at the state which is needed to secure an umbrella for the Anti-Trust issue.

Significant reason needs to be proven to create a new ambulance service area. It need not be an arbitrary decision. It has to make sense and increase the service delivery, reasonable, effective and efficient ambulance service. To just adopt the City of Gresham itself it not appropriate. However, it may be very well to adopt East County with some dividing line as ambulance service area. Parrott is talking with Troutdale, Wood Village, and Fairview. He felt that was a step in the right direction if, and when, this area wants to be an ambulance service area. It does need to meet the criteria of an effective and efficient ambulance service.

Acker stated that there were basically two concerns: Anti-Trust and Rate Accountability. The County disagrees with Gresham, it is felt that a City without a County involved in this process does not carry the State umbrella of immunity that the County feels they have through the correct process. Two items for State umbrella (1) intent to restrain (County has); (2) State supervision - with rule process adopted, State approves and they have been involved.

The rate accountability needs to be established to assure the public that the best service for the dollar spent -- a mechanism of rate accountability for the ambulance service provider. (1) 1 provider to an ambulance service area; (2) through 911 all emergency calls go to the specific ambulance serving that area; if anyone else crossed that territory it becomes a finable offense if somebody else jumped that territory and steals calls as long as they are on file with our office (3) fine offense.

Considerations for bid process are: quality of service; reasonable quantity of ambulance availability; response time (8 minutes - 90% of time); commitment (community that is served, will make financial commitment to survive and provide emergency medical services; rate charges (one of the criteria - not the only one). Best proposal based on all of the above, not strictly lowest rate charge.

County protection by (1) assignment process; (2) rules; (3) Policy Board.

There are basically three concerns with Gresham's process: (1) legally right (a) correct process followed with ASA designation; (b) ASA assignment. (2) Is this timely, a September 10 deadline for Rate Study Committee to recommend action for Multnomah County as a whole. (3) Public involvement - process of Council's, and citizens so desires are known.

Acker stated that Gresham has been very patient with Multnomah County. The County has not proceeded as rapidly as they could have. He was sympathetic to Gresham's process and need to go ahead and push this issue. He stated he could not justify why it has taken the time to get as far as the County has to date, however, could not change this.

Thalhofer felt that waiting until September 10, when everything has gone through process and proper channels would be in order.

Schmunk stated her pleasure at the presentation and clarification of the problem(s).

Bui asked Parrott if there was a problem with waiting until the September 10 date. Parrott explained that County would have to take action after the September 10 deadline on the Committee's recommendation so that would push the action further ahead than the 10th.

Parrott stated that the City of Gresham upon entering into the proposal send a request to the County to re-designate the City limits of Gresham as a separate ambulance service district. He felt that this answered a lot of the legal questions. Parrott has since asked the County to hold that pending the decisions of the other three Council's. If all three Council's joined, it would really be the EMS District Board that should make that request for ambulance service area designation. No one was trying to rule

the County out of the process, but to involve them in a more appropriate way.

Duane Clement, President, Oregon State Ambulance Association. A representative of each of the following was also brought to the meeting -- current provider - Washington County - Metro area.

Clement stated his appreciation for concern of cost and cost control, cost accountability. He stated that Multnomah County was a user fee system. Rate comparisons is an extremely complex subject. At a February Policy Board meeting, the Oregon Ambulance Association asked the Board to request that a Committee be appointed to study the ambulance costs in answer to Mr. Acker's report. He didn't know about Anti-Trust, it was a new word in his vocabulary -- he provides ambulance service. He realized the concern of the County to protect and franchise him. A mechanism to review rates to make sure that he was providing a cost effective product, he felt was needed and he welcomed it. But to destroy the financial situation in support of our ambulance companies was dangerous. A collective unit of cities to franchise ambulance services - if it was made impossible for the operator to operate, he should not get a rate increase because someone didn't see it that way; if he should have to leave or go out of business, he would have to be replaced.

Clement stated as for 'commitment', he personally has 25 years of experience in the ambulance business in Multnomah County. He started in 1963. He felt that this was a commitment. He thought that the service in this area has been around for 75 years and felt that this too was a commitment to the community.

Clement said a fair rate study was asked for. It had been asked by the ambulance company are we doing this wrong? He stated that Multnomah County had the highest technical ambulance service and the highest standards anywhere in the country. 2 paramedic 4's, Oregon State Certified (above the national level of training); 90% calls are answered in under 8 minutes. The average response time in Multnomah County is 5 minutes 10 seconds. He felt this was pretty respectable for a metropolitan area our size. To provide the level of service, it is expensive. When the County wrote the Ordinance, an approximate estimation of what it would cost was given to them to do this. Don Clark didn't care. Clement stated we had the best in the country, and a very cost effective one. He asked that we wait long enough to look at it and evaluate it before worrying about getting involved in Anti-Trust, or whether we get involved in franchising and low bid. Right now he (Acker) didn't want the lowest cost, he's going to pick and choose.

Clement stated Commitment, yes. Providing a high level of care, he didn't feel they could be faulted there. Look at cost - \$200,000 was the subsidy that the County used to give to the ambulance companies to transport the medically indigent. That money in the last 4 years has decreased to \$66,000. \$66,000 is

the total subsidy to three ambulance operators in Multnomah County. He felt that they were unfairly compared to in the report to ambulance services that receive \$3.5 million a year in subsidies. He stated that they would not like to be a tax itm on our budget. They would like to remain private businessmen that take care of themselves. He asked that we think before taking action.

Bui asked what company Clement was with. Clement stated AA Ambulance, Portland.

Bob Denbo, General Manager, Buck Ambulance Company spoke. He stated they were here to answer any questions Council might have. He stated there were many flaws in the study the County has. One being the average bill being \$490. In the past year in Troutdale the average bill was \$321 the average basic life transport was \$260 and the average advance life support bill was \$405. In consideration of the basic life transports are 60% of transports, he didn't feel that their rtes even came close to \$490.

Denbo stated that Acker also had a list of cities and the base rates, and yes, the majority of cities are subsidized heavily. This was not mentioned. However, I was not here to discuss the flaws.

Sharon Henry, paramedic and operations manager, CARE Ambulance Tualatin Valley. Also represents Oregon State Paramedic Association, paramedic representative Multnomah County Advisory Board. Henry stated it is difficult to argue this without an RFP that East County wanted. Henry encouraged that a decision be held off until the Rate Review Committee is met. This Committee will consider all parts of Multnomah County. It is a County review board. One of the purpose and duties is to make recommendations will some alternatives. It may help to make a more prudent decision for the exact avenue to pursue for ambulance coverage of this area.

Henry stated that EMS wants the very best system, the fastest response times but no one ever mentioned costs. She would have voted for all of those changes, being a parametic she felt that having 2 paramedics on each ambulance is the very best, having response times under 8 minutes is the very best. She felt that cost had not been taken into account until now. She encouraged Council to not compare cities, instead decide what system we specifically desire in East Multnomah County - staffing considerations, response time standards, etc. She encouraged weighing the alternatives, decide what system was wanted before going into the bid process. She asked that other options be considered rather than the franchise option. County rules could be changed to help lower cost to providers now in existence; getting rid of 50% rule - sign a mutual aid agreement among companies may help; lowering staffing standards (is it really necessary to have a paramedic to drive the ambulance, or would it be okay to have a lesser trained person to drive and the

paramedic in back with the patient.) Take a closer look at what has been developed and what it has cost, and I think that there are alternatives to displacing the private providers that are currently in business. She feared turnover problems with the franchise system. Personnel (at 70%) costs are the highest, the personnel could be turned over every three or four years in the bid and start at 0. Tenure employees are very expensive, if the bid process is every three years Henry keeps turning the personnel over and keeps the cost down, but scary as a paramedic.

Henry stated that the 50% rule is a complex issue. If a company gives a call in their service area and a certain percentage of the ambulances must be available. It assures that there are always a lot of backup ambulances in Multnomah County. It might be nice, but it is expensive. Multnomah County EMS office is working with companies to reduce our costs and eliminate some of those rules -- we are are working together on that.

Thalhofer asked if anyone was working on changing some of those rules.

Henry stated that the provider board for Multnomah County was working on it. Currently they were exploring the possibility of eliminating the 50% rule and helping to cut down the number of ambulances during non-peak hours. (i.e, 3:00 A.M. versus 12:00 Noon). They have not been discussed in an open forum as yet, but felt it would be and that the Rate Review Board should be discussing these issues to decide what can and cannot be afforded. She felt that these issues should be decided upon before the displacement of local providers, to be fair.

Thalhofer again asked that we have our attorney's opinion.

Jennings responded that he tended to agree with Mr. Acker. He broke it down as follows: the Federal Government has enacted the Sherman Act, Clayton Act, Federal Trade Commission Act. All state that no one can engage in any anti-competitive activity. That is the basis with which we begin...and that includes municipalities. It does say that the local jurisdiction (the State) can pick particular areas if it is in the State's interest and designate those areas where anti-competitive activity can take place. An example in the State of Oregon is the process whereby ambulance services are provided. The State statute is ORS 485-573. This allows the State and the counties to create these local service areas for provision of both ambulance and emergency services. It is Jennings understanding that Parrott and the City of Gresham to be proposing is a new service area. He did not see that they had the power to do it. If they choose to, they are running the risk of being found to be in violation of the Anti-Trust laws. The impact of this State legislation is to protect all of us from having an ambulance service bring a lawsuit against Multnomah County for designating specific service areas. It can't be done because the State has said Multnomah County can designate these

service areas. He didn't see, however, anything to prohibit an ambulance service from bringing a lawsuit against the new service district who would be acting autonomously and without County authority.

Jennings stated that it is conceivable for Multnomah County to somehow designate, delegate, or give the authority to some other area to create the service district. He wasn't sure of the legality of this though.

Acker stated that the County's attorney didn't feel that the County could give that authority. However, the proposal that Gresham has asked from the EMS Policy Board is to act on that process. That process has been put on hold until the other cities in East Multnomah County express interest in that process. Then, it is that the whole of East Multnomah County has expressed interest. It would still remain under the auspicious of the County. Formally, to guarantee the best of umbrella coverage would be that the formal action be Multnomah County's.

Jennings stated that it would be his opinion that the City would be put at risk. If the 4 cities joined together, formed this ASA and for some reason or other they can't reach an agreement or alliance or operate under the umbrella of the County his feels that they could be subject to anti-trust action. The City of Gresham's attorney apparently feels differently.

MOTION: Burgin moved that the discussion be postponed until the second meeting in September, 1985. Schmunk seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

BREAK: 8:25 P.M.

Ron Burgin had to leave the meeting at this time. He stated he wanted to go on record as voting "yes" for agenda items 6, 7, and 8.

COUNCIL RECONVENED AT 8:42 P.M.

AGENDA ITEM #6 -- ADOPTING CITY OF TROUTDALE'S FISCAL YEAR 85/86 ANNUAL BUDGET AND MAKING APPROPRIATIONS

Nancy reviewed the memorandum which was included in Council packets. The Budget Committee has reviewed, taken action, and recommended the budget to Council, Council accepted it, Tax Supervising has reviewed and certified without recommendation or objection and the final step is the legal authority to spend money after June 30, 1985.

Mayor Cox read the Resolution by title.

MOTION: Bui moved for the passage of the Resolution. Jacobs seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

AGENDA ITEM #7 -- AN ORDINANCE LEVYING AD VALOREM TAXES FOR 1985-86

Mayor Cox read the Ordinance by title.

MOTION: Bui moved to adopt the ordinance. Gault seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

AGENDA ITEM #8 -- RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1984-85

Christian stated that this has also been reviewed by the Budget Committee and a presentation was made to Council prior to sending it to Tax Supervising.

Mayor Cox read the Resolution by title.

MOTION: Thalsofer moved for the passage of the Resolution. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

AGENDA ITEM #9 -- APPOINTMENT OF COUNCIL MEMBERS TO CIP COMMITTEE'S

Christian stated that the Resolution establishing committee's was passed at the previous Council meeting. Staff is now asking for recommendations for appointment for citizens representation, or Council representatives or both.

Mayor Cox stated that there were two volunteers Schmunk and Burgin for the Policy Advisory Committee. Gault has volunteered for the Technical Committee.

MOTION: Schmunk moved that Gault be the Council representative for the Technical Committee and Burgin and Schmunk be Council representatives for the Policy Advisory Committee. Bui seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Christian stated that a tentative schedule for meetings was included for Council. The terms are three year terms which are staggered expiration dates so there are no large turnovers on the Committees at the same time. The Planning Commission will appoint their own representatives and to ask at their meeting for a volunteer.

Schmunk read that 2 members from Council, 2 members from Planning Commission, 1 member from Budget Committee and 1 member at-large.

Christian stated that she will contact the Budget Committee for a representative and asked that Council set the at-large representative from someone in the community they felt comfortable with. The Planning Commission might have someone that they would suggest to serve as an at-large representative.

It was decided to wait until after the Planning Commission meeting to consider appointing any other members.

AGENDA ITEM #10 - A RESOLUTION OPPOSING THE SITING OF A HAZARDOUS WASTE FACILITY NEAR THE COLUMBIA RIVER

Christian pointed out that the Resolution was in the packet. She asked that any changes be included before any action is taken.

Schmunk questioned the "unless or until" portion of the 7th paragraph in the Resolution.

It was decided that "unless or until full disclosure to all jurisdictions is made by proposer." should be omitted and replaced with "without full disclosure to all jurisdictions by proposer."

Jennings stated that the City was not committed to any position without full hearings, an EIS statement and public hearings.

The Resolution will be rewritten with the changes as noted and copies made available to all Council members.

Thalhofer stated that he hoped to present a similar Resolution to the Federal Issues Committee of the Gresham Area Chamber of

Commerce for study and hopefully a Resolution. He stated that he had shown this Resolution in Prineville at their Chamber of Commerce Legislative Affairs meeting and they passed the Resolution.

The Mayor read the Resolution by title.

MOTION: Bui moved approval of the Resolution with the Bona Fide language. Gault seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

AGENDA ITEM #11 -- COUNCIL CONCERNS AND INITIATIVES

Schmunk asked for an update on the CDBG grant.

Wilder stated that the Departmental Report of the past meeting had a status report. He stated that the County has decided to take the responsibility of providing the engineering, inspections, and so forth. He added that it was decided over our opposition, however, the decision had been made. It was felt that the construction would probably be delayed past the August 17, 1985 expected start date. Wilder felt that it would be approximately one month later than the expected start date due to the fact that drawings were not into drafting. There had already been a 6 weeks delay on the drafting problems alone. He felt that Council support the next time around might help to eliminate this problem. He stated the system was the problem, not individual staff members.

Schmunk asked if the problem was due to the County being the governing body in allocating the funds.

Wilder stated through the Policy Board the County had assumed a much stronger role than they should have been able to. The County had dictated to us, as staff, that they were going to perform the management and engineering services. We capitulated because they said they could do it more economically and more expeditiously than if we were to go through the process of Requesting Proposals, selecting an engineer, and so forth. Our time lines strongly suggested that we could still do that and begin construction mid-June.

Schmunk indicated that our track record on the EDA grants showed that we could do that, and do that well, ourselves.

Wilder stated that he felt at the time they saw the block of money, they were under utilizing their staff and things have changed and the necessary staff to perform the services is not there.

Schmunk asked, as the City of Troutdale, what could we do?

Wilder stated that next time, with Council support, we could be much more definitive about what we allow to happen in that arena. He also stated that this very form and discussion was the start of that process.

There were a few other projects, Troutdale captured most of them. As staff we had tried to respond to their delays, we've tried to problem the CDBG staff is uncomfortable because they are caught in the middle. They can't really get into the discussions because they are under the umbrella of the County. The original intent was that the County would perform the administrative services and that the jurisdictions would be able to select their engineers. He stated were we told that was not going to be the case, we indicated that we had already established costs for private consulting engineers and we would compare those to them. They are also running over those costs. In Wilder's conversation with them they indicated that if they run over the costs budgeted, it's staff recommendation that the County eat those costs..whether that will happen or not Wilder did not know.

Schmunk stated that that puts us on a tenuous situation, we were talking road improvements and weather conditions that we are going to have to work around.

Bui agreed. He stated the bottom line answer is they have a new engineer...who thinks he can do everything and is not willing to coordinate or cooperate with our staff.

Gault - in response to the Resolution of the Hazardous Waste Disposal Site - asked if copies could be passed on to Wyden.

Christian stated that July 2, 1985, a dinner with Congressman Ron Wyden, was scheduled at the Red Baron at 5:30 P.M - no host. To speak about local issues and concerns that the Council might have. Thanks to Sam Cox, he will be touring the Job Corps facility to see what they are doing and what they have done.

Thalhofer stated his concern over the weeds on the berm along Cherry Park Road. Christian stated that it will be taken care of.


Christian asked if there were any questions or comments regarding the draft proposal for the Sewage Treatment Plant contract. She stated that any questions could be addressed to either herself or Wilder.

AGENDA ITEM 12 -- ADJOURNMENT

MOTION: Schmunk moved to adjourn the meeting. Jacobs seconded the motion.

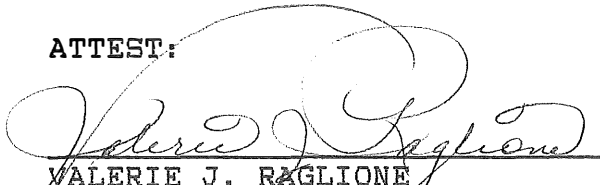
YEAS: 5
NAYS: 0
ABSTAINED: 0

The meeting was adjourned at 9:10 P.M.



SAM K. COX, MAYOR
DATED: July 10, 1985

ATTEST:



VALERIE J. RAGLIONE
CITY RECORDER