

## MINUTES OF THE METRO COUNCIL MEETING

April 17, 1997

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer), Susan McLain, Patricia McCaig, Ed Washington, Lisa Naito, Don Morissette, Ruth McFarland

Councilors Absent: None.

**Presiding Officer Jon Kvistad** called the meeting to order at 2:02 p.m.

### 1. INTRODUCTIONS

None.

### 2. CITIZEN COMMUNICATION

None.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

**Executive Officer Mike Burton** asked Presiding Officer Kvistad to present the Distinguished Budget Presentation Award from the Government Finance Officer Group. Jennifer Sims accepted the award and acknowledged the staff who assisted in earning the award.

She stated that the combination of this award and the Certificate of Excellence in Financial Reporting that the agency had received for the last 4 years should be a source of great pride for both staff and the organization as a whole because it was a reflection of good professional financial management. She recognized that these professional standards also serve the public because the way the materials were presented was clear and understandable to the public. She said that achievements on a management basis was part of what the rating agencies looked at when they came to make their ratings and having both of these awards was something that benefited the public in achieving lower rates for borrowing so this was not just a nice award that was great to have, but something that was serving the public.

### 4. POTENTIAL ISSUES REGARDING STATE LEGISLATION

**Councilor Naito** noted the memo included in the agenda packet. She would be making a motion to support HB 3163 as amended. This was the transportation bill that would provide 3 cents for 3 years gas tax increase, 2 cents of which would go to operations, maintenance and preservation, and 1 cent to a modernization fund. She explained the bill had a weight-mile portion, increased registration fees, and, in the TriCounty and Marion County areas, had an additional \$10 vehicle registration fee. She said it had a statewide access fee of \$2 per household per month that would go into a flexible fund. She felt it was important that Metro support this very solid transportation package.

The second bill Councilor Naito asked the Council to support was HB 3290 which would set up a task force for Metropolitan Building Codes consolidation to look at making legislative changes to implement the task force recommendations to provide a streamlined and improved building code process.

She talked about SB 459 which was submitted by Ken Baker for Tolls and Congestion Pricing. She asked that Council move from a monitoring position to support of that bill.

She also mentioned HB 3456, a recycling bill sponsored by Representative Leslie Lewis that appeared to be a favorable bill, but she was asking for a monitor of this bill for now.

**Motion:** **Councilor Naito** moved to have the Council support HB 3163A.

**Seconded:** **Councilor Morissette** seconded the motion.

**Discussion:** **Councilor Washington** urged the Council to support HB 3163A. He stated there was a tremendous need for transportation in this region. He felt that this was a good bill that had a lot of thought behind it and was worth Council's support and urged Council's full support of this bill.

**Presiding Officer Kvistad** said he would support the transportation package however he did have severe reservation on access fee in that a fixed income household of one or two would pay as much as a major corporation such as Intel or others. He was not convinced that the access fee was an appropriate source of revenue.

**Vote:** The vote on HB 3163A was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present.

**Motion:** **Councilor Naito** moved to have the Council support HB 3290.

**Seconded:** **Councilor Morissette** seconded the motion.

**Discussion:** None

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present.

**Motion:** **Councilor Naito** moved to have the Council support SB 459.

**Seconded:** **Councilor Morissette** seconded the motion.

**Discussion:** **Councilor Washington** asked Councilor Naito for additional background on this bill.

**Councilor Naito** explained that this bill was sponsored by Senator Baker and was up for a hearing this Friday to amend an existing statute allowing for some toll projects passed last session in Newburg-Dundee and Tualatin-Sherwood. She said the language would allow tollway projects within the Portland Metropolitan area UGB. This could be a pilot congestion pricing project or a toll on a bridge for repairs, or other things. It would give some state authority to do some tollway projects within the UGB. She understood there might be some amendments to make clear that other bridges could be included in that.

**Councilor Washington** asked if this would give Council authority to look into this or actually put tolls on and wondered if Council did not already have that authority.

**Councilor Naito** said Council did not now have that authority and this change would be necessary legislatively to have that authority.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present.

**Councilor McLain** asked for clarification of why Council would monitor HB 3456 and not support the bill at this time. She stated she read the package and could not see a reason not to support the bill.

Metro Council Meeting

April 17, 1997

Page 3

**Tim Raphael**, Executive Analyst, explained that it would be by Council's call to support or not support the bill at this time.

**Councilor Naito** said she was not sure what or how much the bill would do but that she would be happy to support it because it didn't seem to do anything negative in her view.

**Councilor McLain** suggested that Council support the bill unless someone could give a reason not to.

**Mike Burton** said the reason for monitoring to begin with was that when his office was asked to participate in the drafting of the bill he wanted to be very clear that his office was not taking a position on it until the Council had an opportunity to see it. He agreed that there was nothing negative about the bill.

**Councilor McLain** requested that HB 3456 be considered at next week's Council meeting in order to give the Council time to review the bill.

**Councilor Morissette** commented that he had not read the packet yet and could not vote yes until he had.

**Councilor Naito** said she would support this but would prefer to put it on for next week to give Councilors time to think about the bill.

**Presiding Officer Kvistad** tabled the item until the next meeting.

**Councilor Naito** updated HB 3638, the Eighmey bill, and said it was set for a hearing on the 23rd. She asked General Counsel to comment.

**Dan Cooper** stated that he had attended a meeting at Council's direction with Representative Sella regarding this bill. He said Mr. Higby and Mr. Sella were happy with the change in the language and there was another meeting scheduled.

**Councilor Naito** brought up that HB 3531, to abolish Metro, was not moving or expected to move. She reported that SB 947, the Boundary Commission bill, was set for a hearing on April 24th and that the two parks bills, SB 624 and 625 apparently passed to the Senate floor unanimously today. She said Senator Vern Duncan would be carrying those.

**Charles Cieko**, Regional Parks and Greenspaces Director, indicated that the parks bill meeting was uneventful and had unanimous support of the Committee.

**Councilor Naito** explained SB 626 which dealt with the RV fees. She stated that it was one of Metro's bills and had a good possibility of moving forward at this time.

She updated Council on SB 619 by Senators Burdick and Kintigh which allowed up to 20 years of housing need rather than the statutory 20 years the builders got at the last session. She did not know the status of this bill at this point but said there had been a meeting today with several people testifying.

She reported that SB 459, Tolls, was up Friday at 1:00 o'clock in Senate Transportation, and that SJR 16 was up on the 16th but there was not a lot of action on it. HB 3680, which already had Council support, relating to emergency management systems, had a hearing in House General Government at 1 p.m. on Friday along with HB 3290, Building Codes Task Force. She suggested calling the lobbyist for an update on process of Ballot Measure 50 implementation.

She mentioned that the House Transportation Committee passed the Transportation 3163 to the House Revenue Committee and she understood that they would be working on some of the weight-mile portions, trying to broker an agreement between the trucking industry and other interests.

## 5. ORDINANCE - SECOND READING

5.1 **Ordinance No. 97-684**, Amending and Readopting Metro Code 2.06 (Investment Policy); and Declaring an Emergency.

**Motion:** **Councilor McCaig** moved adoption of Ordinance No. 97-684.

**Seconded:** **Councilor Washington** seconded the motion.

**Discussion:** **Councilor McCaig** reviewed Ordinance No. 97-684.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

## 6. RESOLUTIONS

6.1 **Resolution No. 97-2479**, For the Purpose of Approving and Adopting the Howell Territorial Park Master Plan.

**Motion:** **Councilor McCaig** moved adoption of Resolution No. 97-2479.

**Seconded:** **Councilor Washington** seconded the motion.

**Discussion:** **Councilor McCaig** reviewed that in 1996 Metro received ownership of the Howell Territorial Park and at that time purchased 20 more acres so there was now a 93 acre asset on Sauvie Island which included the Bybee house. The Master Plan concluded that there was an extraordinary opportunity for an interpretive center dealing with cultural and recreational opportunities on Sauvie Island. The Master Plan put together a proposal which could ultimately cost \$1.8 million of which there was already \$275,000 allocated from Open Spaces which would allow Metro to move into the first phase. She stated that the Master Plan would be completed as the resources became available. She explained that the commitment right now was to approve the Master Plan and adopt and allocate the \$275,000 out of the Open Spaces to go ahead with the Interpretive Center and some of the initial Phase 1 Master Planning. She reported that the Oregon Historical Society had also contributed about \$5,000 in grants for the Interpretive Center. She said this was a great asset for the region and Metro. She mentioned that there was an extensive public review of this Master Plan and it also went before the regional Open Spaces and Greenspaces Advisory Committee where it was unanimously approved.

**Karla Simon**, Oregon Historical Society speaking on behalf of the Executive Director of the Oregon Historical Society, Chet Orloff, stated that they wanted on record that they had worked as a partner in this Master Plan and were in support of it. She said OHS had a long history with the Park.

**Stanley Hale**, Director of Bird of Prey Rescue Northwest, stated that his organization signed a lease with Metro two years ago to operate a bird of prey rehabilitation facility at Howell Territorial Park and they were very much interested in having the Master Plan approved so they could start working out there.

**Councilor Naito** said she would be voting enthusiastically to support the Master Plan. She felt the benefits to this park were exciting. She urged support of the Council.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

6.2 **Resolution No. 97-2481**, Approving a Contract with St. Vincent DePaul for Recovery of Reusable and Recyclable Items at Metro South Transfer Station.

**Motion:** **Councilor Washington** moved adoption of Resolution No. 97-2481.

**Seconded:** **Councilor Naito** seconded the motion.

**Discussion:** **Councilor Washington** reviewed the agreement with St. Vincent dePaul. He stated that the project had been very successful, to date approximately 1,664 tons of waste had been diverted from the landfill. The current project contract terminated August 30, 1997. He stated that the new contract which would go from May 1 to December 30, 1997, and would be basically the same as the last one and urged Council to support the agreement.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

6.3 **Resolution No. 97-2482**, For the Purpose of Authorizing an Exemption to Metro Code Chapter 2.04.064(c), Competitive bidding procedures, and Authorizing a Sole-source Contract with Information Systems, Inc. For Consulting Services for Weight Systems Software at Solid Waste Disposal Facilities.

**Motion:** **Councilor McFarland** moved adoption of Resolution No. 97-2482.

**Seconded:** **Councilor Washington** seconded the motion.

**Discussion:** **Councilor McFarland** reviewed Resolution No. 97-2482 and urged an aye vote on the resolution.

**Councilor Naito** wanted to make sure this came out of the Solid Waste Committee and had been discussed and reviewed.

**Councilor McFarland** said it passed unanimously there.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

6.4 **Resolution No. 97-2483**, For the Purpose of Authorizing the Executive Officer to Execute Current and Future Leases Related to metro's Open Spaces Property Acquisitions.

**Motion:** **Councilor Naito** moved adoption of Resolution No. 97-2483.

**Seconded:** **Councilor Morissette** seconded the motion.

**Discussion:** **Councilor Naito** reviewed Resolution No. 97-2483 and stated that it had unanimous approval from the Regional Facilities Committee and extended an existing lease and gave authority to the Executive Officer to enter into lease agreements of similar types up to \$2,000 a month. She said it allowed the Executive Officer to enter into agricultural leases for a term of greater than a year with options for renewal. She urged support of Council.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

6.5 **Resolution No. 97-2486**, For the Purpose of Approving a Personal Services Contract to Provide Independent Staff Support Services to the South/North Review Panel.

**Motion:** **Councilor Washington** moved adoption of Resolution No. 97-2486.

**Seconded:** **Councilor McFarland** seconded the motion.

**Discussion:** **Councilor Washington** explained Resolution No. 97-2486, the reason for this Resolution was that the Committee members don't get any pay or expenses and this would provide staff support. The Committee's activity ended in the Fall of 1997. This resolution would continue the last part of the project. He urged a yes vote on this item.

**Councilor Morissette** read, "whereas an Expert Review Panel was originally required by the state of Washington and is now recommended by the Federal Transit Administration to be part of the local

planning process for federally funded transportation projects." He asked, since this was no longer required, wouldn't money be saved by not doing this.

**Leon Skiles**, Project Manager on the South/North Project, said that it was still required from the state of Washington.

**Councilor Morissette** asked if Washington was paying for part of this panel.

**Mr. Skiles** responded that they had paid 60% in the beginning, later 40%, but no longer paid anything.

**Councilor Morissette** asked if the work was in relation to the entire project.

**Mr. Skiles** indicated it was.

**Councilor Morissette** summarized Washington originally required this group and they were paying 60% and we were paying 40%, then that switched and they paid 40% and we paid 60% and now they didn't pay any of it.

**Councilor McCaig** asked what happened if Metro did not authorize these moneys.

**Mr. Skiles** said the Committee would not have its independent staff and our staff would have to set up all of the meetings and so forth. He stated that the legislation called for independent staff to the Committee.

**Councilor McCaig** stated that it called for it at a different time.

**Mr. Skiles** said that the situation was different but the requirements in the legislation for enabling those funds was still in place. He stated there probably wouldn't be a panel or the panel costs would be picked up through internal staff. He said that internal staff was pretty much booked trying to get EIS out.

**Councilor McCaig** asked if this meant it would be viewed more favorably if Metro used federal funds to pay for a Washington state requirement that benefits Washington state.

**Mr. Skiles** said it was a preference of the federal government and that since ISTEA came into effect they encouraged having Expert Review and Peer panels throughout the nation. He said that a lot of Metro staff participate in peer panels and having the Expert Review Panel would get a favorable response from the federal administration.

**Councilor McCaig** asked if he meant when they reviewed funding for South/North?

**Mr. Skiles** answered yes.

**Councilor McLain** said the benefit to the lightrail in Oregon was why she supported this resolution. She said Metro was getting a lot for the dollar, the expertise was outstanding, the value to the project itself within the Oregon constraints of the project we were looking at and the reduction that we were sponsoring. She felt the most important element was the favorable nod from the federal government for future dollars and in budget season we would have to be re-looking at the staff time in the Transportation Department if Council wanted them to carry on this project too. She felt the Review Panel had been covering things Council would not want to lose because they were important to the overall quality of the project and the acceptability to the public. She urged Council to pass the resolution.

**Councilor Washington** asked Mr. Skiles if he had any sense of what it would cost Metro in dollars.

**Mr. Skiles** said that the staff hours were estimated about 500 hours over the next 9 months. It would probably be senior level planning.

**Vote:** The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors Naito and Morissette voting nay.

6.6 **Resolution No. 97-2493**, For the Purpose of Approving an Amendment to Resolution No. 96-2388 to Provide for the Retrofitting of the Metro Information on Long Range Transportation (MILT) Public Outreach Bus.

**Motion:** **Councilor McLain** moved adoption of Resolution No. 97-2493.

**Seconded:** **Councilor Washington** seconded the motion.

**Discussion:** **Councilor McLain** reminded Council this project was before Metro in April when there was an amendment for another component of this project. She said this was the bus that TriMet owned, parked, provided the fuel and maintenance for and Metro made sure display space was available. She said it had been retrofitted so it would be a good information opportunity to take to different locations such as senior citizen areas, schools, different types of open houses, etc., and this contract amendment would manage that retrofit, the competitive bid and all elements of the application of the illustrations, the signage, the insulation of the lighting, the construction of the display, and the exhibit cabinetry. She related quite a discussion at the transportation committee about making sure that they were well aware of what Metro wanted. She told of private industry interested in sponsorship of the bus. She said they were working hard to get both a public and private project out of this. She felt it was good deal as far giving Metro some flexibility and outreach. She reminded Council that this was the middle of this process and this was just one of the steps to complete it. She said they hoped to be on-line by July and hoped to start booking by July 4-5. She said an excellent staff member was present to answer any questions.

**Councilor Morissette** said he supported this as Transportation Chair last year. He would be supporting this as well. He wanted to make sure presentation was balanced between transportation modes, cars, mass transit, bikes, he didn't want the car part to be left out.

**Jenna Whitehill-Baziuk**, Transportation, answered it was equal and explained there were individual displays throughout the bus that were both static displays and hands-on interactive displays and the individual modes were divided out.

**Councilor McFarland** said that she was in favor.

**Presiding Officer Kvistad** thanked TriMet for providing for Metro's use the bus, a place to park it, and the driver, maintenance and fuel as well as insurance coverage. He proclaimed it a very good deal for Metro to use to get information out into the community.

**Councilor McLain** said this was not only a good deal for TriMet but for Metro as well. She said Metro would make sure people understand that land use and transportation were connected, so it was not just balanced to mode, it was also balanced on how transportation fit into the bigger world. She stated that Metro would be successful in this endeavor if we could build the kind of land use that transportation needed to have a balanced system.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

## 7. COUNCILOR COMMUNICATIONS

**Councilor Naito** said the Government Affairs Committee would be sharing ideas and suggestions for Metro's processes and how they could be changed to involve the public more on Tuesday at 10:30. The public was invited and she welcomed Council members to attend also.

**Presiding Officer Kvistad** noted the latest Smithsonian Exhibit numbers averaged 10,200 or 10,300 daily

Metro Council Meeting

April 17,1997

Page 8

attendance and the next highest daily attendance was in Minneapolis-St. Paul where they received 8,200 or 8,300 daily on average. He encouraged everyone to go because it was a truly outstanding event.

**8. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 3:03 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

DOCUMENT NUMBER	DOCUMENT DATE	DOCUMENT TITLE	TO/FROM
041797c-01	4-17-97	Council Position on Pending Stage Legislation	Council from Lisa Naito
041797c-02	Feb 1997	Howell Territorial Park Draft Master Plan	