

MINUTES OF THE METRO COUNCIL MEETING

December 4, 1997

Council Chamber

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

Councilors Absent:

Presiding Officer Kvistad convened the Regular Council Meeting at 2:25 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

Doug Bollam, PO Box 1944, Lake Oswego, OR 97035, addressed a matter that he had asked the Council to address sometime back concerning the Regional Framework Plan. He submitted a letter for the record (a copy of which may be found in the permanent record of this meeting).

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. MPAC COMMUNICATION

None.

5. CONSENT AGENDA

5.1 Consideration meeting minutes of the November 20, 1997 Regular Council Meeting and Work Session.

Motion: **Councilor McLain** moved to adopt the meeting minutes of November 20, 1997 Regular Council Meeting and Work Session.

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

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

6. ORDINANCES - FIRST READING

6.1 **Ordinance No. 97-718**, For the Purpose of Granting a Solid Waste Franchise to USA Waste of Oregon, Inc., Doing Business as Metropolitan Disposal and Recycling Corporation, for the Purpose of Operating a Solid Waste Transfer Station; and Declaring an Emergency.

Presiding Officer Kvistad assigned Ordinance No. 97-718 to Regional Environmental Management Committee.

7. ORDINANCES - SECOND READING

7.1 Ordinance No. 97-715A, For the Purpose of Adopting the Regional Framework Plan.

Councilor McLain reviewed the documents before the Council, noting the amendments that would be considered today. She noted Councilor Morissette's amendment #4B.

Councilor Naito asked Councilor Morissette if on the second paragraph of his amendment he meant to say "agricultural" value. She asked if he would consider a friendly amendment adding the word "agricultural". He agreed.

Councilor McLain continued reviewing the amendments to be considered. She mentioned that Chapter 2 had no amendments other than Councilor Naito's housekeeping and wording matters. Chapter 7 also had no amendments.

Councilor Naito requested traffic enforcement be added to wording if it had not been considered already. All councilors received a copy of the letter from a citizen requesting this.

Councilor Washington asked what the person meant by traffic enforcement.

Councilor Naito said speeding, etc.

Councilor Washington said he was not familiar with this type of language in Chapter 2.

Councilor McLain said there was a group that would be giving a presentation to JPACT on a similar issue next week.

Mr. Dan Cooper, Legal Counsel, responded that the present Chapter 2 language in Chapter 2 of the Framework Plan on transportation issues called for future development of the Regional Transportation Plan (RTP) which was the functional plan and would create regulations for local government. He said the Framework Plan was called for in Section 5 of the Metro Charter and was part of the land use planning authority requirements for local governments to adopt in their comprehensive plans and zoning ordinances and codes. It was not authority for Metro to regulate all services provided by local governments. He said it had a specific limit that said Metro could not take over the provision of or regulate how local governments provided current services without MPAC specifically approving the ordinance or sending it for voter approval.

Councilor Naito said she was willing to let this move forward but said there was a direct relationship in terms of planning and livability to the traffic moving through the neighborhoods. She was happy for it to go through JPACT.

Councilor Morissette said he had no amendments on Chapter 2, but he felt it relied too much on alternative modes for movement of people in the future. He reiterated his statements in previous committee meetings that this was not going to work.

Councilor McLain said she assumed that the matrix at the beginning of the packet of amendments would be the best way to move through the items.

Motion to

Amend #1: **Councilor Washington** moved to amend Ordinance No. 97-715A with Washington Amendment #1A, the housing amendment to incorporate Resolution No. 97-2583B into the Regional Framework Plan (a copy of which may be found attached to the permanent record of this meeting).

Seconded: **Councilor McLain** seconded the amendment.

Discussion: **Councilor Washington** urged support of the amendment and asked Mr. Shaw to explain the minor change.

Mr. Larry Shaw, Legal Counsel, said the timing on the replacement ordinances in the 1A version was moved from the immediate amendment of Urban Growth Management Functional Plan to 1.3.51 in the same exact language to be considered with the Affordable Housing Functional Plan do to a need for addressing both a downtown situation and a smaller city situation.

Motion to

Amend #1A: **Presiding Officer Kvistad** moved to amend Washington Amendment #1A with Kvistad Amendment #4 which amended the proposed subsection 1.3.6.7 on affordable housing to read:

1.3.6.7 Regionwide mandatory inclusionary zoning and other functional plan requirements based on the zoning approach developed by Metro shall be considered for functional plan implementation at the end of 2001, ~~1998~~; if cooperative programs have not significantly moved the region toward the goals of this policy.

Seconded: **Councilor Morissette** seconded Kvistad Amendment #4.

Discussion: **Presiding Officer Kvistad** explained his amendment.

Councilor McLain commented that it should be recognized that amendments similar to this which talked about timing were discussed in committee and they chose not to bring forward amendments to lengthen that process. She said there was no change needed in Councilor Washington's work to extend the time because now was not the time to stop working. She explained that if the technical committee made a recommendation in 1998 that more time was needed, then that would be appropriate. She said she was not in favor of Presiding Officer Kvistad's amendment.

Councilor Washington said he felt that they were putting together a comprehensive committee to review this issue. He suggested giving it a chance to work.

Councilor Naito said she would also oppose the motion.

Presiding Officer Kvistad said his intention was not to eliminate this section but to make the timeline more reasonable.

Vote to

Amend #1A: The vote was 2 aye/ 5 nay/ 0 abstain. The motion failed with Councilors McLain, McFarland, Washington, Naito and McCaig voting nay.

Councilor Morissette said he felt this was the wrong approach. He felt a plan leading to inclusionary zoning was a mistake. He felt the real solution would be to let the market perform its duties, get to the regulatory reform and solve the problem that way.

Vote to

Amend #1: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting nay.

Motion to

Amend #2: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #8C to add Urban Reserve planning policies as the basis for the current Metro Code section 3.01.012 on urban reserve plans. 1.9 Urban Growth Boundary is amended to read: (a copy of this amendment may be found in the permanent record of this meeting).

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

Discussion: **Councilor McLain** explained her amendment.

Mr. Shaw emphasized several points that Councilor McLain had reviewed, including that the first paragraph, second sentence, was word for word what the Metro Code said for the comfort of the parties contacting the Council.

Councilor Naito asked Mr. Shaw what he was referring to.

Mr. Shaw responded, the second sentence of 1.9.2 which was where all the changes were. He said this streamlined process in the paragraph was a different approach to amendments of Urban Growth Boundaries than had been used in the past in Oregon. He said "streamlined" applied to the fact that the alternatives analysis required for a UGB amendment anywhere in the state would be batched. That would not force taking out the data already done on the Urban Reserves.

Presiding Officer Kvistad read a sentence from 1.9.2 and asked Mr. Shaw if he would explain.

Mr. Shaw said that was what he was just talking about, need, location, and alternatives analysis for the most suitable location determined by being in first tier. That would leave the Urban Reserve Plan requirement to be sure that land was efficiently used before more land was brought into the UGB.

Presiding Officer Kvistad asked for a greater definition of the Council's review of the conceptual land use plans.

Mr. Shaw explained that tied 1.9.4 to this language. He said all the following bullets were the elements of the Urban Reserve Plan.

Councilor Naito asked if MPAC had reviewed the plan.

Mr. Shaw said they had it but did not discuss it while he was in the room.

Councilor McLain said MPAC was given the language a number of months ago and no discussion was brought up regarding it at the last meeting.

Councilor Naito said it was not necessarily that she disagreed with it, but she found it confusing. She wondered about the need of putting it into the Framework Plan at this time.

Mr. Shaw said the timing was a policy question but the words were intended to be the policy base for a more specific procedure to describe it in more detail.

Councilor Naito said she knew it had been in committee and felt it was rushing, she was not prepared to support it today.

Councilor McFarland asked Mr. Shaw if someone not in tier one would apply to get into this, would we not even consider them?

Mr. Shaw responded that first tier would be brought in prior to others in the Urban Reserves unless a special land need was identified.

Councilor McFarland asked if the number of housing units was not completed by first tier, would this same plan be used for other lands.

Mr. Shaw said the way to move first tier lands into the UGB, by state law, was to bring in half of the need in one year and 100% of the need in two years. He said depending on how efficiently the first year went would impact the second year.

Councilor McFarland said that Mr. Shaw did not answer the question about the plan being the same for the second, but from his explanation, thought the answer was no. She asked if there was not enough land in tier one, would each piece be added individually without the same criteria.

Mr. Shaw said the real answer to the question was that it had not been decided yet because the first tier was not used up. He said it was a policy question.

Councilor McFarland asked Councilor McLain if leaving this until there was another opportunity to vote would hold up the process.

Councilor McLain said it would slow down the process of adding land to the UGB in the first year. She thought the agreement had been reached because there already was a Metro Code and the Urban Reserve decision passed to identify first tier need. She reminded Councilor McFarland that any land not in first tier could come with a special need at any time. She said 2½ months had already been spent on this and she was comfortable with the first paragraph.

Presiding Officer Kvistad said he wanted to be sure this gave the flexibility to make policy decisions.

Councilor Naito pointed out that she disagreed with the statement in the second paragraph regarding all first tier urban reserves would be considered similarly suitable for inclusion into the UGB. She said she could not support this. She suggested just including the first paragraph and doing more work on the rest.

Presiding Officer Kvistad asked a point of clarity regarding “enhancing our ability at LUBA”.

Mr. Shaw said the policy reason for doing it now was to go with the entire Regional Framework Plan to LCDC for acknowledgment where they would say whether what was done complied with

state laws, goals and regulations. He said that was important because we need to know if it complied with Goal 14.

Councilor McCaig said this was all the difficulty expected with Tier One. She said she would vote no on this one. She felt it was trying to make a bad decision better and she did not support the bad decision.

Councilor Morissette said there were approximately 4,100 acres in first tier and from his analysis the land was all basically parceled out and developed. He said if you thought first tier was not going to be required in state law, then go ahead, but he suggested getting through it to get to something creative. He said everyone had agreed to keep first tier simple and urged support.

Councilor McFarland said she would vote no based on the second paragraph.

Vote to

Amend #2: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors McFarland, Washington, Naito and McCaig voting nay.

Motion to

Amend #3: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain 8C deleting the second paragraph on page 2 of the amendment: ~~The Metro Council shall determine a need to add urban reserve land to the UGB as part of the five year UGB review process. First tier urban reserves identify the most suitable locations for adding land to the UGB. All first tier urban reserves shall be considered similarly suitable for inclusion into the UGB. Until the land need identified by the Metro Council has been added to the UGB, the established urban reserve plan criteria shall be the only remaining criteria for approval of a UGB amendment to add first tier urban reserves to the UGB. Prior to adding land to the UGB from first tier urban reserves the Metro Council shall review the conceptual land use plan and concept map and determine that it complies with the adopted Metro Code criteria.~~

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

Discussion: **Councilor McLain** said there was a knee jerk reaction going on right now dealing with 2 different issues not included in the rest of the piece. She suggested at this point that we remind ourselves that there was a first tier and the special need could be utilized by any of the Urban Reserves designated on the map. She said this had more clarity of language and asked Councilors to vote for 8C minus the second paragraph on page two.

Councilor McCaig said she would vote for this but said that her rationale was not knee jerk but she took the opportunity to explain even though it was sometimes difficult to continue to respond to the substantive issues when we were responded back in such a manner.

Vote to

Amend #3: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Morissette voting nay.

Motion to

Amend #4: **Councilor Morissette** moved to amend Ordinance No. 97-715A with Morissette Amendment #4B which amended page 33, Policy 1.12, Protection of Agriculture and Forest Lands with Councilor Naito's friendly amendment to add "agricultural" before the word "value" in the second paragraph of his amendment.

1.12 Protection of Agriculture and Forest Resource Lands

Agricultural and forest resource lands outside the UGB shall be protected from urbanization, and accounted for in regional economic and development plans, consistent with ~~these RUGGOs~~ this Plan. However, Metro recognizes that all the statewide goals, including Statewide Goal 10, Housing and Goal 14, Urbanization, are of equal importance to Goals 3 and 4 which protect agriculture and forest resource lands. These goals represent competing and, some times, conflicting policy interests which need to be balanced.

Rural Resource Lands - Rural resource lands outside the UGB that have significant resource value should actively be protected from urbanization. However, not all land zoned for exclusive farm use is equal agricultural value.

Urban Expansion - Expansion of the UGB shall occur in urban reserves, established consistent with the urban rural transition objective. All urban reserves should be planned for future urbanization even if they contain resource lands.

Farm and Forest Practices - Protect and support the ability for farm and forest practices to continue. The designation and management of rural reserves by the Metro Council may help establish this support, consistent with the Growth Concept. Agriculture and forestry require long term certainty of protection for adverse impacts of urbanization in order to promote needed investments.

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

Discussion: **Councilor Naito** thanked Councilor Morissette for bringing the amendment and said she would support it.

Councilor Washington said to Councilor Morissette that he would support it also.

Vote to

Amend #4: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to

Amend #5: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #7 to read: In addition to adding “cultural resources” to Policy 7.10 this amendment would add that to Chapter 3: On pages 97, 98, 99 and 101 the words “cultural” or “cultural resource” was added to inventory, plan and management Policies 3.1.5, 3.2.1, 3.3.6, and 3.6.1.

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

Discussion: **Presiding Officer Kvistad** asked for the definition of “cultural resources” and asked why it was being added.

Councilor McLain said that parks was sometimes also a cultural resource and not just recreational.

Presiding Officer Kvistad said it was a very broad area. He was concerned that it was too broad.

Mr. Shaw said that the term “cultural” appeared in the Charter as an undefined term. He said adding the word to the Framework Plan and the policy sections would leave the future opportunity to define it in an ordinance.

Vote to

Amend #5: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to

Amend #6: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #9: On page 99 a new Policy 3.3.10 was added as follows:

Metro, in cooperation with local governments shall pursue the identification and implementation of a long term, stable funding source to support the planning, acquisition, development, management and maintenance of the Regional System.

Seconded: **Councilor McCaig** seconded the amendment.

Discussion: **Councilor McLain** said this asked for identification of the long term stable funding source to deal with the regional system.

Councilor McCaig asked if this was in response to the issues raised in work sessions regarding transportation. **Councilor McLain** responded yes.

Councilor Morissette asked if this referred to long term funding for our regional facilities and did not lock Council into anything other than just reviewing. **Councilor McCaig** responded yes.

Vote to

Amend #6: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to

Amend #7: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #11: At page 153 (of the November 17, 1997 text), Policy 6.1 was added to Chapter 6 (after the Overview discussion): (a copy of the text of this amendment may be found in the permanent record of this meeting).

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

Discussion: **Councilor McLain** said this was carried forward from MPAC and had a lot of work done by Clark County. She urged support.

Councilor Morissette asked if this meant both sides of the river. He believed there needed to be another bridge across the river at some point and hoped Clark County would be willing to talk about that when the time came.

Councilor Naito said she was concerned about 6.1.1 and communicating with Clark County on a regular basis. She felt it was not in the way of policy but Executive Officer responsibility. She asked what was meant by “ongoing parks forum”. She said if that was more clearly defined she could support it.

Councilor McFarland answered that many of the concerns in reference to management of this area had been shared by Clark County for a long time. She said she would support this amendment.

Councilor Naito asked for further clarification and received it.

Councilor McLain said she would bring forward a friendly amendment taking "staff" out of 6.1.1. to make it more clear. The friendly amendment was accepted by maker of the motion and the seconder prior to the vote.

Vote to

Amend #7: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously as amended.

Motion to

Amend #8: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #4: Add at the end of Chapter 8

Policies in this Plan which require development of additional functional plan provisions and other planning activities using Metro's limited planning resources shall be subject to the allocation of available funds in Metro's normal budget process.

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

Discussion: **Councilor McLain** said this called out that Council agreed in concept but had to go through the regular budget process.

Councilor Naito said that the Framework Plan was requiring a lot of Functional Plans. She noted testimony before Council that said the priority of these plans was an issue. She said she did not feel comfortable using the normal budget process for allocating available funds to these various functional plan provisions and suggested they follow the suggestion of a city councilman to do some extra work to determine the priority of various projects.

Councilor McLain said this did not preclude extra work. She said MPAC agreed to prioritizing the issues.

Councilor McCaig said Charlie Hales had suggested that MPAC do the prioritization. She felt amendments were not needed but MPAC could advise Council of the priorities.

Councilor Morissette said he wanted to be clear that the mandated requirements would be taken care of.

Councilor Naito asked if the intent of this was to make it clear that the mandated requirements were done.

Mr. Cooper said he could not express the intent of the motion maker but it would be his legal advice to pay obligations first before you spend discretionary money.

Councilor Morissette requested Councilor McLain to add language regarding policies for planning with additional functional plans subject to properly dealing with legally mandated requirements that the agency had within its budget.

Councilor McLain responded that she understood the sentiment and agreed that it was a responsibility. She said she was not comfortable with the language Councilor Morissette suggested but would be happy to delete “normal”, or to add other wording.

Councilor McCaig said she thought it was very important that there be something in the document about this. She felt there was little doubt there were more demands in the Regional Framework Plan being placed on Council that there was available resources to respond to. She said knowing that the discretionary funds were limited, there should be a priority as to what Council wanted out of the Regional Framework Plan from of the general fund. She felt the intent of the motion was right but where to start the discussion was the problem.

Councilor McFarland said the way this amendment was written would meet our needs.

Councilor McCaig said it could be cleaner, but the discretionary funds could be addressed specifically.

Councilor Morissette said he thought the logical process would be you did your requirements before you did extras.

Councilor McLain said she had not heard any language that she would use. She felt this language would do it.

Councilor Naito asked if the word “normal” would be deleted or not.

Presiding Officer Kvistad said it stayed unless there was a motion to exclude it. There was none.

Vote to

Amend #8: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to

Amend #9: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain Amendment #5A added at the end of Chapter 8 (a copy of which may be found with the permanent record of this meeting).

Seconded: **Councilor McCaig** seconded the amendment.

Discussion: **Councilor Morissette** said this codified the regional funding for our plans.

Councilor McLain said it was starting the process.

Councilor Morissette felt it said more, a regional funding process for the Framework Plan. He said he had numerous problems with that.

Councilor McLain said it indicated that general regional funding of fiscal policies which support the implementation of the Regional Framework Plan and related Functional Plans included but was not limited to a policy requiring Metro in approving or commenting on the expenditure of regional, state and federal moneys in the metropolitan area to give priority to programs, projects and expenditures that support implementation of the Regional Framework Plan.

Presiding Officer Kvistad asked Councilor McLain if this had been to MPAC. Councilor McLain responded yes.

Presiding Officer Kvistad said he had a problem with the wording in #3 regarding Metro was going “to develop methods of providing regional funding 1) to assist those local governments bearing a disproportionate cost burden as they implement regional policies, 2) to assist financing certain facilities and services of metropolitan concern.” Metro was having problems getting through our own funding and felt this was an open door for spending money. He said number 4) “development of methods of providing adequate funding for public facilities including possible methods of capturing a portion of the increase in real property values that result from inclusion of land in the UGB” was a real problem for him. He was okay with 2, 5, 6, 7 and 8. Three and four were big problems for him.

Councilor McLain said this policy was to ensure regional funding of fiscal factors and support rather than undermine the implementation of the policies. She indicated there would be discussion of what they might be. She said it was similar to the Councilor Naito’s comment in affordable housing when she added the possibility of a real estate tax. She said both MPAC and Metro Council would have to agree to take on those responsibilities. She said even without 3 and 4 the rest of the document would stand in good stead.

Councilor Washington asked Mr. Cooper to explain at what point would “development of methods” become binding.

Mr. Cooper answered that the Metro Charter limited the ability to impose or collect taxes greater than a certain amount. He said half of that was already used up by the excise tax. More would require voter approval. Any decisions on funding would be sent to the voters. He said the language only meant you need to talk about it.

Councilor Washington reiterated that this language was non-binding but that the Charter already gave responsibility to the Council.

Mr. Cooper said “responsibility” was not in the Charter directly but would allow you to assume that for policy reasons.

Councilor Naito said she supported the concept that certain jurisdictions would be required to make greater infrastructure investments to accommodate growth. She felt items 3 and 4 were not necessary.

Councilor Morissette suggested tax sharing deserved discussion.

Motion to

Amend #9A: **Presiding Officer Kvistad** moved to amend McLain Amendment #5A to delete #3 and #4.

Seconded: **Councilor Naito** seconded the amendment to McLain Amendment #5A.

Councilor McLain said the reason 3 and 4 were there was that if the Regional Framework Plan was to be reasonable it had to address the specifics within it that have funding issues connected to it. She said taking out 3 and 4 would still make it a valuable document although she would vote against the amendment, she would vote for this motion without the 2 sections.

Vote to

Amend #9A: The vote was 4 aye/ 3 nay/ 0 abstain. The motion passed with Councilors Washington, McCaig and McLain voting nay.

Councilor McLain said keeping the rest of amendment 5A in the document was extremely important to the partners and the Council because there was a need to understand the financial requirements and needs of the agency. She urged support of 5A.

Vote to

Amend #9: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Morissette voting nay.

Motion to

Amend #10: **Councilor McLain** moved to amend Ordinance No. 97-715A with McLain amendment #10, the proposed technical corrections amendment to Regional Framework Plan (a copy of which may be found in the permanent record of this meeting).

Seconder: **Councilor McCaig** seconded the amendment.

Mr. Cooper explained the technical amendments contained in this item.

Councilor Morissette emphasized this was technical in nature to make the document work better. He asked if his points on transportation showing what Level F did would show up in the editing even without formal action.

Mr. Cooper said all the amendments adopted would be incorporated in the next version and the color charts would become appendixes in the document.

Councilor Morissette said he wanted to move Level F Transportation Service charts into the document from the appendix so it would be clear when reading the document. He wanted to make sure this happened when the document was redrafted.

Mr. Cooper said an amendment may need to be prepared to do that as he was being very careful to not put any words into the document that actually haven't been voted on by the Council.

Motion to

Amend #10A: **Councilor Morissette** moved to amend McLain #10 to move the appendix chart on transportation to the transportation chapter, Chapter 2.

Councilor McLain clarified the table came from the RTP and the conversation had taken place at Transportation Committee, JPACT and the work session. She said she could not vote for this amendment without talking to Mr. Cotugno and researching it with the Transportation staff.

Councilor Morissette said he talked to Mr. Cotugno about this at work session and they agreed it should be there.

Seconder: **Councilor McCaig** seconded Morissette's amendment to McLain #10.

Councilor McCaig said it was her understanding that this was only a clarification of an already existing piece of information on which the policy was built. She said because of the intensity of his feelings, Councilor Morissette felt it was important to display the information used to arrive at

the policy. Councilor Morissette agreed. Councilor McCaig said she would support the amendment.

Councilor McLain said she would support the amendment also.

Vote to

Amend #10A: The vote was 7 aye/ 0 nay / 0 abstain. The motion passed unanimously.

Councilor McFarland said she appreciated how Mr. Cooper had handled this piece by keeping it in front of Council as a work in progress.

Councilor Naito said she also felt that way and he had done a good job.

Vote to

Amend #10: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to

Amend #11: **Councilor McLain** moved to substitute Ordinance No. 97-715A with McLain Amendment #12 (a copy of which may be found in the permanent record of this meeting).

Councilor McLain said her amendment would change the ordinance from an A version to a B version and explained the changes in the B version and the reasoning for doing it.

Seconded: **Councilor McCaig** seconded the amendment.

Discussion: **Councilor Morissette** asked if this would not be appealable because a final decision had not been made.

Mr. Cooper said no. It would be subject to acknowledgment by DLCD and LCDC and there was a possibility for appeal to LUBA on issues not part of the acknowledgment process.

Councilor McCaig clarified that once it was a final document, it would be appealable and amendable.

Vote to

Amend #11: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

7.2 **Ordinance No. 97-716**, For the Purpose of Granting a Yard Debris Processing Facility License to Grimm's Fuel Company, Inc. to Operate a Yard Debris Processing Facility and Declaring an Emergency.

Motion: **Councilor McFarland** moved to adopt Ordinance No. 97-716.

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

Discussion: **Councilor McFarland** reviewed the ordinance.

Presiding Officer Kvistad opened a public hearing on Ordinance No. 97-716. No one came forward. Presiding Officer Kvistad closed the public hearing.

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

7.3 **Ordinance No. 97-717**, For the Purpose of Granting a Yard Debris Processing Facility to City of Portland Leaf Composting Facility and Declaring an Emergency.

Motion: **Councilor Washington** moved to adopt Ordinance No. 97-717.

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

Discussion: **Councilor Washington** explained the ordinance was a companion to the previous one. He urged support of the Council.

Presiding Officer Kvistad opened a public hearing on Ordinance No. 97-717. No one came forward. Presiding Officer Kvistad closed the public hearing.

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

8. RESOLUTIONS

8.1 **Resolution No. 97-2572**, For the Purpose of Approving Amendment No. 6 of the Public Contract with PeopleSoft, Inc. for the Provision of Consulting Services.

Motion: **Councilor McCaig** moved to adopt Resolution No. 97-2572.

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

Councilor McCaig explained this was not new money but amending an existing contract to provide consulting services needed.

Discussion: **Councilor Morissette** asked why an additional \$29,000 was needed for travel expenses.

Jeffrey Booth, Project Coordinator for InfoLink, said his agreement with PeopleSoft was they pay the travel expenses.

Councilor Morissette said the people first contracted with were not local and asked why this local group needed \$29,000 more than the original contract for travel.

Mr. Booth said travel was included in the hourly rate with the original contractors.

Councilor Morissette said it was a different form of accounting then. **Mr. Booth** agreed.

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

8.2 **Resolution No. 97-2576**, For the Purpose of Authorizing an Exemption to the Competitive Bidding Procedures and Pursuant to Metro Code Chapter 2.04.062 Authorizing a Sole-Source Purchase from the Cascade Coil Drapery, Inc. for Bird Enclosure Mesh at the Metro Washington Park Zoo.

Motion: **Councilor McCaig** moved to adopt Resolution No. 97-2576.

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

Discussion: **Councilor McCaig** this had to do with the birds of prey facility that needed something that only one provider in the United States handled. She said they were doing it basically at cost and urged support of the resolution.

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

8.3 **Resolution No. 97-2584**, For the Purpose of Authorizing Inclusion of Affordable Housing, School Siting, Environmental Education, Economic Vitality, Regional Funding and Fiscal Policies in the Regional Framework Plan Mandated by the Metro Charter.

Motion: **Councilor McLain** moved to adopt Resolution No. 97-2584.

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

Discussion: **Councilor McLain** explained this was necessary for cleanup and housekeeping work to make sure everything had been done for the Regional Framework Plan to be done on time.

Councilor Morissette said he would not support this item.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting nay.

9. COUNCILOR COMMUNICATION

Presiding Officer Kvistad said a letter had been received from Happy Valley regarding the Regional Framework Plan. (A copy is contained in the permanent record of this meeting.)

Councilor McLain said a letter had also been received from the City of Hillsboro on December 3 and December 4 regarding the RFP. (A copy of this letter is also contained in the permanent record of this meeting.)

Councilor Washington mentioned a letter from Marianne Maxfield Hall, Senior Regional Planner, extending an invitation to Councilors to attend a Westside Light Rail tour in mid-January. He said to let Pat Emerson know who wanted to go.

Councilor McCaig asked if everyone had received a November 28 letter from the City of Gresham letter regarding the RFP and asked it be noted into the record.

Councilor Naito asked about a letter from a builder from Oregon City regarding a project he was trying to do and asked if there was any interest in helping him do that.

Councilor McLain said she received a letter both from Oregon City and Forest Grove. She suggested giving the letter first to legal staff for advice.

Councilor McCaig asked about the maps.

Presiding Officer Kvistad said the maps were an addition to the RFP showing the transportation components. He said they were available in case there were questions.

10. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 4:50 p.m.

Prepared by,

Chris Billington
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
TOTAL DOCUMENT LIST OF THE REGIONAL FRAMEWORK PLAN WILL BE AVAILABLE DECEMBER 12, 1997				