

MINUTES OF THE METRO COUNCIL MEETING

May 16, 1996

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer), Susan McLain (Deputy Presiding Officer), Patricia McCaig, Ruth McFarland, Rod Monroe, Ed Washington

Councilors Excused: Don Morissette

Presiding Officer Jon Kvistad called the meeting to order at 2:00 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS

None.

3. MEMORIAL

Presiding Officer Jon Kvistad noted the passing of former Metro Councilor and Presiding Officer Judy Wyers. The Presiding Officer asked that all those in the Council Chamber stand and observe a moment of silence in remembrance of Ms. Wyers.

4. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Mike Burton spoke to the Council regarding an amendment to the budget for MERC and other Regional Facilities - MERC Resolution No. 96-12. Mr. Burton noted that at the time Resolution No. 96-12 was passed, he did not recommend adoption of this measure by Metro Council and that he is still uncomfortable with its provisions. He requested that when Metro Council considers this measure, it be kept in mind that there is a loan that should have been structured through Metro offices since this would have saved taxpayer money. The Executive Officer asked that this loan be restructured and in the event that Metro Council passes this measure, the MERC staff needs be instructed to work immediately with Metro staff to restructure that loan.

5. CONSENT AGENDA

5.1 Consideration of the Minutes for the May 16, 1996 Metro Council Meeting.

Councilor McFarland made a motion for the acceptance of the Minutes of the May 9, 1996 Metro Council Meeting. Deputy Presiding Officer Susan McLain seconded the motion.

Vote: The vote was 6/0 in favor of accepting the minutes for the May , 1996 Metro Council Meeting. Councilor Don Morissette was excused from today's meeting. Presiding Officer Jon Kvistad declared the minutes unanimously approved.

6. ORDINANCES

6.1 **Ordinance No. 96-641**, Amending the FY 1995-96 Budget and Appropriations Schedule by Transferring \$97,601 from the Spectator Facilities Fund Contingency and \$64,199 from Capital Outlay to Civic Stadium Materials and Services; and \$276,000 from the Regional Parks and Expo Fund Contingency to Expo Center Materials and Services and Capital Outlay to Meet Unforeseen Increased Expenditures; and Declaring an Emergency.

Motion: Councilor Ruth McFarland moved adoption of adoption of Ordinance No. 96-641.

Second: Councilor Patricia McCaig seconded the motion.

Discussion: Councilor McFarland stated that this internal transfer funds is necessary to replace gates at the Expo Center that have been run over by automobiles and, in the case of the Civic Stadium, refurbish the concession stands in order to be able to deal with the increased business.

Councilor Susan McLain asked if there was a need for Council to review the need, at some future date, the procedures that caused this type of interaction between Metro's two financial departments in an effort to be certain that Metro is looking the best possible expenditure of moneys.

Councilor McFarland answered that the staffs are doing exactly the procedure that has been recommended by Executive Officer Mike Burton and others.

Public Hearing: No members of the public wished to testify.

Presentation by Alexis Dow, Metro Auditor: Auditor Alexis Dow addressed the Council members with her concerns regarding this ordinance. Ms Dow stated that she was troubled regarding the issues Executive Officer Mike Burton raised in his April 18, 1996 letter. She stated that she found it very unusual that Metro is turning around to reimburse Fine Host for expenses they incurred. She pointed out that Fine Host had entered into a contract to provide concession services. Fine Host made the decision to increase staffing and do other things in order to create good relations. That is, according to Ms Dow, part of a contractor's decision on their own style of business operations. Fine Host then requested that Metro absorb those additional costs. It is not, in her opinion, prudent business practice for Metro to honor that request.

Councilor McFarland stated that a portion of the reimbursement to Fine Host is the additional facilities they are buying and at the end of this contract, those facilities will belong to Metro. She also pointed out that the contract was written in a manner such that Fine Host was given room to try some other things. Councilor McFarland stated that if this measure is not passed, Metro will not be in compliance with state law.

Auditor Dow asked if the moneys had already been expended even though they were not approved by the budget? Is Metro fixing a mistake after the fact?

Heather Teed, Director of Fiscal Operations at MERC, testified that this was not the case. In fact, this process was begun to NOT spend something that was not yet budgeted.

Auditor Dow asked if there was indeed no commitment to make the payments. Presiding Officer Jon Kvistad stated that Metro had made the commitment to put this in place by passing the ordinance. The money has not been expended and those dollars will be tracked as the contract progresses.

Ms. Teed stated that this contract is a management contract whereby all expenditures of the concessions operations run through Metro. All appropriate expenditures are reimbursed through the contract.

Ms Dow asked if this contract was a 'cost-plus' contract. Councilor Monroe stated that this situation has happened before and it is not unusual or illegal or immoral or fattening. Metro budgets on a certain level based upon when is expected in terms of economic activity. If the economic activity greatly exceeds that budget level, expenditures will exceed that budgeted level if they are projected out to June 30. Prior to that actual over-expenditure occurring, the budget amendment is necessary to catch up with the increased level of economic activity. Councilor Monroe stated that this is appropriate means of dealing with a situation such as this. In response to questioning by Councilor Washington, Councilor Monroe stated that if Metro Council does not pass this ordinance or something like it, Metro will be in violation of state budget law.

Auditor Dow stated that her concern revolved around the increased labor costs are due to a change in contractor. The contractor, according to Ms. Dow's understanding, did not understand the business. If the shortfall was due to increased revenues, then the Ordinance makes sense. If, however, the money to be expended is the result of poor business practices on the part of the contractor, that is a different agenda completely.

Presiding Officer Jon Kvistad stated that Metro's job is to be certain that ascertain that state budget law is being followed. Councilor Monroe stated that business practices and management are the concern of MERC.

Ms. Teed testified that this happens quite often. Budgets are prepared using certain basic assumptions. In this case, assumptions were made as to what the actual contract would look like. Ms. Teed suggested that at the time some of the expenditures were noted as well as increased labor costs, conversations were begun with Fine Host. Expo management staff issued a directive, one result of which was increased labor costs for Fine Host.

Jeffrey Blosser, Managing Director, Oregon Convention Center, stated that this kind of contract is very similar across facilities throughout the country. This gives management a larger hand in facilitating such transitions as opposed to a gross receipts contract wherein the facility receives a percentage is granted and management has very little control over the contractor.

Councilor Ed Washington asked if there was not some means by which situations such as the present one might be avoided in the future and suggested that parties involved meet regarding this issue and its avoidance in the future.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared the motion passed unanimously. Councilor Don Morissette was excused from today's meeting.

7. RESOLUTIONS

7.1 **Resolution No. 96-2325A**, For the Purpose of Accepting the Report of the City of Portland / Metro Facilities Consolidation Advisory Committee.

Motion: Councilor Washington moved the adoption of Resolution No. 96-2325A.

Second: Councilor McFarland seconded the motion.

Discussion: Councilor Washington stated that this Resolution was discussed in Finance Committee last week. He urged the Council's adoption.

Public Hearing: Mr. Larry Harvey, representing Tri-County Lodging Association testified:

- *"I wanted to just again encourage you to proceed with this. The Tri-County Lodging Board spent several hours discussing all the issues relating to this particular resolution. We are now prepared to give to the Council a complete recommendations with how we will be able to work with you in implementing the transition. They only wanted me to mention today that they would like to be participatory in making the recommendation to the Council as to who should represent the lodging industry on that transition team. Beyond that, I think the record is abundant with comments from me on this issue so I have nothing else to say."*

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.2 **Resolution No. 96-2319**, For the Purpose of Authorizing an Exemption from Competitive Bidding and Awarding Multi-Year Public Contracts Solicited through a Request for Proposal Process for Recycling Business Development Grants.

Motion: Deputy Presiding Officer Susan McLain moved the adoption of Resolution No. 96-2319.

Second: Councilor Washington seconded the motion.

Discussion: Deputy Presiding Officer Susan McLain pointed out that for the last years, Metro has put forward a program for providing recycling business grants. This is done in an effort help with the goal moving toward to commercial recycling. \$75,000 has been allotted for this program. This year, three people who have qualified, based on the criteria. Funding for them is recommended from the Regional Environmental Management Committee. The grants include RE-UZ-IT for \$37,500; Northwest EEEEEZZZ Lay Drain Pipe Company for \$24,000; RB Rubber Products Inc. for \$13,500. 6000 tons of recycling capacity are to be added to the region through the benefits of this resolution. The grantees will be contributing \$180,000 of their own funds to these projects. Deputy Presiding Officer Susan McLain urged passage of this resolution.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.3 **Resolution No. 96-2322**, For the Purpose of Authorizing an Intergovernmental Agreement with Multnomah County to Provide Landscape Maintenance Services.

Motion: Councilor Patricia McCaig moved the adoption of Resolution No. 96-2322.

Second: Councilor Washington seconded the motion.

Discussion: Metro South has an Intergovernmental Agreement (IGA) with Multnomah County to provide landscaping services through their Inmate Work Program. This program has proven to be very cost-effective and people have been much more satisfied with the work that has been done at South. The public is happier as is the staff. Councilor McCaig asked Metro Council for approval of this resolution which will carry the contract for another year.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.4 **Resolution No. 96-2314**, For the Purpose of Authorizing Change of Order No. 18 to Contract for Operating Metro Central Station.

Motion: Deputy Presiding Officer Susan McLain moved the adoption of Resolution No. 96-2314.

Second: Councilor Washington seconded the motion.

Discussion: Deputy Presiding Officer Susan McLain stated that at the May 8, 1996 meeting of the Regional Environmental Management group, this issue was passed by a 2:1 majority. At the central transfer station, approximately 300, 000 tons of dry waste are processed annually. About 50, 000 tons would be capable of being disposed at a limited-purpose facility. Metro would pick up \$20, 000 worth of remodeling at Metro Central to facilitate the processing of dry waste as per the equipment contract. The belief of Metro Staff is that a savings of approximately \$4000 per week during the pilot project. Deputy Presiding Officer McLain pointed out that project has had a thorough review by staff as well as by the Regional Environmental Management Committee. Deputy Presiding Officer McLain urged passage of this resolution.

Councilor McFarland stated that she was voting 'no' on this resolution. The following prepared statement was offered:

"I am voting no on this resolution for two reasons: Loss of good will of Oregonians who are our immediate neighbors but do not vote for us and bad environmental policy. I believe this resolution adds one more item to a list of several bad decisions by Metro pertaining to the way we dispose of solid waste. First, we have the matter of Metro trucking its solid waste through the scenic Columbia

River Gorge. None of you were here when this decision was made and, in fact, I had just started serving as Councilor when Metro made this decision.

The selection of trucks for the transportation of garbage was through a high bid process, not through a proposal process. Metro did receive several bids from companies representing various modes of transportation: train, barge and truck. Metro went with the lowest bidder rather than following a process that could have led to a better environmental decision for transportation. Since January 1, 1991, Metro has been responsible for several hundred truck trips a day, six days a week, up and down our scenic Columbia Gorge.

I still get upset when I think about the damage and cost to the environment in expended fuel for trucks and air pollution and exhaust fumes. When I try to go around them or when I try to drive with them going around me as I drive the gorge quite a bit.

In addition, I am bothered by the wear and tear on I-84, exposing Oregonians and people visiting our great state to serious injury from truck traffic and the potential for serious harm to the gorge from spillage of waste during transport. The anger and ill will toward Metro by members of the Columbia River Gorge Commission and other Oregonians living in the communities along the gorge continues today. This situation continues today.

This situation would be much worse were it not for the substantial efforts of the Jack Gray Trucking Company. The driving safety record of this company is impeccable. Representatives of the company constantly work with the people in the gorge to solve problems as they occur and satisfy, as much as possible, any concerns they may have about trucking. The better environmental choice would have been transportation by train or barge.

Metro, however, only wanted to obtain the lowest price for transportation.

Second, we have the matter of Metro disposing of part of its solid waste in the landfill in Yamhill County. This landfill borders residences, farms and the Yamhill River. We have been told this landfill is located on a flood plain. Most of you remember Ramsey McPhillips' comments. I believe Metro had been disposing of part of our solid waste in this landfill before I ever started serving on this Council.

There are a number of reasons for Metro to continue using the landfill in Yamhill County. The rainfall west of the crest of the Cascade mountains is about four times the volume that falls east of these mountains. I know. I used to live in Eastern Oregon and Washington when I started teaching. The water naturally collected with the solid waste plus the heavy rainfall produces what is called leachate or, in our good friend George Wood's words, 'oozate.' This garbage wastewater must be collected and disposed of carefully. Any run-off, leach or other problems resulting from handling the leachate can cause serious environmental problems. Since Metro delivers approximately one-third or more of the volume handled at this landfill, we are contributing significantly to the volume of leachate at this landfill site. As a consequence, we are needlessly exposing Oregonians who live near this landfill to serious environmental problems.

The citizens of Yamhill County have come to our public hearings on this subject to tell us about the problems we are creating. They have asked us several times to stop sending our solid waste to the landfill in Yamhill County. In addition to the leachate concern, the citizens want the littering of their community to stop. Have we listened? Well, maybe but we don't show them the proper level of interest and concern although we haven't done anything else.

Now, we are going to dump more of our solid waste in a landfill located in Hillsboro, also outside the Metro boundaries. This landfill sits in a wetland. All I can say is, 'Here we go again, needlessly disposing of solid waste west of the Cascades. The Hillsboro landfill is located in an environmentally sensitive location. We will start this disposal process, a pilot project sending 200 to 300 tons per day to the landfill. I understand that tonnage projections, if the pilot program is successful, call for an annual disposal of 150,000 to 190,000 tons. I can find no justification for doing this when measured against the environmental concerns I have regarding disposal west of the Cascade crest.

The stated purpose is to save money. I don't believe we will reduce our tip fee as a result of this effort. Frankly, we could reduce our tip fee right now without this project. Councilor Morissette's proposal a few weeks ago was right in line with a proposal our Rate Review Committee made two years ago. Remember also that the rate review committee this year has withheld making a rate reduction recommendation until fall. The committee does feel as significant rate reduction at the this is warranted.

I believe I will not be on the prevailing side of this issue. This was made very clear to me at the one hearing our committee had on this resolution. As a result, I tried to reduce some of the environmental risk by making certain that all of the solid waste Metro send to the Hillsboro landfill is disposed of over a liner. I am told the appropriate language is in the resolution to require this level of disposal and I believe it is.

We should not allow for disposal of any of Metro's solid waste in a landfill that does not have a liner and a leachate collection system. This is the best we can do under these circumstances. There is nothing I can see to do about all truck traffic that will be going in and out of the Hillsboro community.

In summary, I am not going to be voting for this proposal. We should know not to do this based on our experience with the landfill we use located east of the Cascade crest. Based on my professional credentials, I believe there are significant environmental risks from the disposal of solid waste in landfills west of the Cascade crest. Any perceived savings for rate payers that might result will not balance out the damage we will be doing to the environment now and for future Oregonians who will live in Washington County.

I am going to continue to support the Solid Waste Disposal System we started in 1988. It is a model of success that is the envy of many areas throughout the United States. I, like former governor Vic Atiyeh, believe that if it ain't broke, don't fix it."

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 5 aye / 1 nay. Presiding Officer Jon Kvistad declared that the motion. Councilor Ruth McFarland voted nay. Councilor Don Morissette was excused from this afternoon's meeting.

7.5 **Resolution No. 96-2328**, For the Purpose of Authorizing An Intergovernmental Agreement Between Metro, the Port of Portland, and Multnomah County Sheriff's Office for Boat Moorage at the M. James Gleason Boat Ramp.

Motion: Councilor McFarland moved the adoption of Resolution No. 96-2328

Second: Councilor Washington seconded the motion.

Discussion: Councilor McFarland stated this intergovernmental agreement will allow the Port of Portland to moor their river patrol boat at the M. James Gleason Boat Ramp in the event of necessity for law enforcement situations on the Columbia River. The Port of Portland has already paid a share of the dredging that has taken place to make this possible at the boat moorage. If the Sheriff's Office decides to relocate their boat houses at another location at the James Gleason boat ramp, the Port of Portland has agreed to pay for the cost of relocation of its boathouse or removal at their own expense. Councilor McFarland urged passage of this resolution.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.6 **Resolution No. 96-2324**, For Authority to Release A Request For Proposals for The Music by Blue Lake Food Services Contractor and to Execute a Contract.

Motion: Councilor Washington moved the adoption of Resolution No. 96-2324

Second: Councilor McCaig seconded the motion.

Discussion: Councilor Washington addressed the Music By Blue Lake series which has been hosted by Metro and Multnomah County Parks for past 11 years. This contract is a multi-year contract giving authority to release an RFP to secure a vendor to provide food and beverage service at these events. Councilor Washington asserted that a multi-year contract is more efficient in servicing these concerts.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.7 **Resolution No. 96-2269**, Amending the Intergovernmental Agreement of the Regional Emergency Management Group in Order to Add Clark County, Washington to the Group.

Motion: Councilor Washington moved the adoption of Resolution No. 96-2269

Second: Councilor Monroe seconded the motion.

Discussion: Councilor Washington stated that although Clark County is not part of Portland but both areas share some of the same emergencies. This resolution will give the ability to add Clark County to the Emergency Management Plan. Councilor Washington urged adoption of this resolution.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.8 **Resolution No. 96-2279**, For the Purpose of Authorizing an Intergovernmental Agreement with Tri-Met to Assist in Establishing a Transit-Oriented Development and Implementation Program at Metro.

Motion: Councilor Monroe moved the adoption of Resolution No. 96-2279

Second: Councilor McLain seconded the motion.

Discussion: Councilor Monroe informed the Council members that this resolution does three things with the intergovernmental agreement between Tri-Met and Metro: First, it provides that Tri-Met will authorize the use of some of their staff to assist Metro in securing a \$3 million federal grant for a Transit-Oriented Development (TOD) revolving fund; secondly, it transfers one FTE from Tri-Met to Metro for the purpose of establishing the TOD revolving fund once the grant is obtained; third, there will be coordination between Metro and Tri-Met in studying the effect of the TOD projects on Tri-Met's facilities and services on implementation of the 2040 plan. Councilor urged the other members of the Council to support this measure.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

7.9 **Resolution No. 96-2335**, For the Purpose of Modifying the Submission to the Voters of a General Obligation Bond Indebtedness in the Amount of \$28.8 Million for Capital Improvements at the Metro Washington Park Zoo.

Motion: Councilor Washington moved the adoption of Resolution No. 96-2335

Second: Councilor McLain seconded the motion.

Discussion: Councilor Washington summarized resolution 96-2335 as providing the voter's pamphlet information which will go out to voters. A focus group suggested that certain aspects of the language contained therein be altered.

Councilor McCaig then acquainted the members of the Council with the differences between the rhetoric of the first draft and the newly drawn up language.

Public Hearing: No members of the public came forward to offer testimony.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

PUBLIC HEARING

- Lucille Beck, representing Friends of Tryon Creek State Park, 1430 SW Englewood Dr, Lake Oswego OR 97034: *"I am here to testify on the Tryon Creek linkages item. The Friends of Tryon Creek consider the number one priority to be Site No. 9 which is on your appendix. See page 8. It is a property that lies between Marshall Park and Tryon Creek State Park. There are about 7.8 acres. That really would be the proper addition to the park. It crosses the creek, intersects the creek and if it were purchased, it would provide an opportunity for a trail all the way from upper Marshall Park clear down to State street in Lake Oswego and maybe further if we ever get to the river. It is a very important piece of land. It is undeveloped totally. It has not been logged for at least fifty years. It is lovely. It has lots of nice features to it. We would strongly recommend that as our number one priority. I think the Foley property is also a very nice addition to the park. It does not connect with anything but it is a nice property. I think that it is probably important to pursue the ones that are adjacent to the School District as well. I don't know those properties. My real pitch is for number one."*
- Doug Weir, representing Friends of Terwilliger, 342 SW Hamilton Ct, Portland OR 97201 testified: *"This day has been in the making for 93 years. In 1903, the Olmsteads came to Portland and Portland passed the comprehensive park plan for Portland. This is what created Terwilliger Parkway. I have a copy of it here. It was opened in 1912. In 1928, the City of Portland restricted development along the boulevard. In 1939, there was a bond levy passed. Unfortunately Terwilliger was always on the wish list but it didn't quite make it. By 1959, when they realized that they didn't have enough money. They created the city's first design zone to protect Terwilliger. In the late 1970s, community involvement became very active. Many of the people who were involved in that are here today. That resulted in the Terwilliger Parkway corridor plan and design guidelines. In 1991, the Friends of Terwilliger also became active once again and one of our really long-term goals was to permanently protect these properties and to finish the work that was started in 1903. Transfer of public lands began by negotiating with property owners in 1991 before the failed bond measure in 1992. They kept the faith for several years, working with property owners. In 1995, through the diligent work of Metro and numerous volunteers. Then, in 1995, through the diligent work of Metro and numerous volunteers, especially Councilor McCaig, and I would also like to make mention of Councilor Wyers and her work in this regard, the voters overwhelmingly passed the open spaces bond measure. In the Terwilliger area, this bond measure passed by over 80% margin. This community really cares about this item. Since that time, the Trust For Public Lands has really worked tirelessly with the property owners and Metro staff to secure this property. I urge you to go ahead and acquire this property. In closing, I would just like to give you a little quote from that 1903 report. It refers to a south hillside parkway: 'If it should prove possible to secure with the cooperation of landowners, the needed right of way and sufficient land below it to ensure command of the views, this parkway would have great value, both to the people using it and to the owners of residential properties which it would make agreeably accessible. This parkway would be a feature of which the city would just proud.'"*
- Bowen Blair, representing Trust for Public Lands, 1211 SW 6th Ave, Portland OR 97204 testified: *"This is a great day for us. As Doug said, we were involved with this project since September of 1991 so we have been negotiating for five long years. We were approached, as Doug also said, by Friends of Terwilliger to try to secure this property. We looked at it and saw the great park potential only five minutes from downtown Portland, the opportunity to protect a historic boulevard (Terwilliger Boulevard), and just as important, the ability to show the constituents in the Metro area the advantage of passing a bond measure. We could show them what sort of properties would be lost if the bond measure to secure open space was not passed so we went forward blindly in some cases and were able to secure this property, work with people to get the bond measure passed and here we are today. After five years, this Council, as*

Councilor Washington said, "has a wonderful opportunity to protect historic Terwilliger Boulevard, to secure a tremendous park located minutes from downtown Portland, to fulfill the wishes and expectations of the voters in the metropolitan area and to prevent what likely would be further litigation in the future. Thank you for this opportunity to testify."

- *Barbara Alberty, 307 SW Hamilton St, Portland OR 97209 testified: "As Doug said, he is the current President of Friends of Terwilliger Parkway. I was the first one. I see a number of friends that we have worked with for years here today. I think I got to be President because I missed a meeting. I wanted to impress upon you how important it was, not only to the people who lived up there, but the people who drove as well as biked and jogged across the bridge to the west side and looked at that beautiful green hillside with trees. We did several things. We made T-shirts and sold them, we had a street fair one year and I remember it was right after Mt. St. Helens exploded but we had it anyway. We had people who came by, stopped and gave us money. We were having bake sales. We did everything we could to support ourselves while we were convincing the public and the political process to help us save Terwilliger Parkway. It was a lot of fun and I enjoyed it immensely. It has been a wonderful experience. A lot of wonderful people have worked on it. I am so pleased that Metro is finally going to do something that will bring this area into public ownership. We can then all enjoy it whether we are driving across the bridge from the east side or whether we are running along there. Thank you."*
- *Barbara Walker, 14001 SE 38th ST, Vancouver WA 98683 testified: "I would like to add that it has been a long time over which many, many people have worked hard on this project because of the value they saw in protecting this. This area not only adds to the parkway, it also adds to the essence of what makes the parkway. It also provides a fabulous view and those views will one day be gone if we don't protect these places. I would like to commend Metro and the staff that has worked so long and hard on the open spaces and the trails plans. You have really come out with something that does indeed reflect the wishes of your constituents. We who have worked with you on this thank you for the many, many, many years of hard work that have gone into this and I just trust this will be a real gemstone in our crown to prove what we have all been about."*
- *Judy Henderson representing Tryon Creek Corridor Committee, 9845 SW 25th Ave, Portland OR 97219 testified: "I represent a group of citizens who call themselves the Tryon Creek Corridor Committee. We are especially interested in linkages between Tryon Creek State Park and the Marshall Park area. I would like to reiterate what Ms. Beck said. There is a lot of interest in this area and we want it all. We are particularly partial to Site No. 4 which is in the Marshall Park neighborhood. Not only is it a potentially good habitat area right along Tryon Creek and several tributaries, we think it also has the advantages of having an owner willing to sell and very negotiable. It also provides a lot opportunity for people in the neighborhood to restore an area that has been an open space historically. It has been used for many years as a horse back riding facility. Part of the area is pretty well degraded and I would like to see some of the neighborhood children, especially, get to work on cleaning this out. I would also like to commend the Metro staff and Council for the job they have done in the refinement process. I am fairly new in this process but I have been really impressed with the way they have taken a lot of information from a lot of people and put it together. I think they have done a really good job of listening to us."*
- *Tom Gurney, 4240 SW Dogwood Lane, Portland OR 97225 testified: "I'd like to offer my support to the Fanno Creek Refinement Plan and commend the staff on its development. It has a pretty innovative piece in its challenge grant approach. It encourages partnerships and encourages leveraging for additional funds and I think it looks at the watershed as a whole. It takes into consideration the tributaries as an important part of the watershed. Thank you."*

- Liz Callison testified: *“I wanted to thank you all and Metro staff for doing a great job on this. I would also like to recognize the campaign work of Councilor Patricia McCaig. I would also like to remember a former Presiding Officer, Judy Wyers. If not for her, we wouldn’t be talking about Tryon Creek purchases. I represent Friends of West Hills Streams and we have been involved in promoting purchases in Fanno, Terwilliger and in the Tryon Creek areas. I would just like to make on remark about the use of parklands. I would like the Council to ensure that there will be no utilities use of the open space parks and stream lands purchased with Metro bond measure money. These lands were intended to be protected refuges for fish and wildlife as well as for limited types of recreational uses. Such lands should not be traded to or be used by public or private utilities to create water or sewer pipelines or similar uses. Besides destroying natural resource values, such uses may even result in nuisances or hazards for humans and wildlife. I do hope you will give this some consideration. Thank you.”*
- Jay Mower representing Friends of Terwilliger, 777 SW Chestnut St, Portland OR 97219 testified: *“I will add my praise to this great achievement of getting this piece of beautiful forested corridor on Terwilliger purchased. A few weeks ago, I met a woman on Terwilliger whose grandmother grow upon Hamilton Street. She said there was a big photograph in the aunt’s house which was some sort of grand opening of Terwilliger. She brought it down last week and it a 55 inch long picture, about eight inches tall. It was a large group of people, the BPOE, the Elks, dated 1912. It is a panoramic shot about where the Chart House is now, looking to the north. You can see all the property that has been recently acquired like the Olmstead Ridge and now the Marquam Woods. You can see the other things like the Eagle Point Hilltop and other things. There was a marching band in white clothing and fancy hats and on the edges were little kids with their caps on. So it was sort of exciting to find that thing and it just goes to show me and I think to us how long many people have worked on making Terwilliger such a tremendous thing for our city and this event today is just another addition to this long history we have in this legacy. I am very proud to have participated in the bond measure and appreciate the vote. Thank you.”*

8. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1)(E). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

9. RESOLUTIONS — CONTINUED

9.1 Resolution No. 96-2334, For the Purpose of Authorizing the Executive Officer to Purchase Property in Terwilliger-Marquam Natural Area in Southwest Portland.

Motion: Councilor McCaig moved the adoption of Resolution No. 96-2334.

Second: Councilor Washington seconded the motion.

Discussion: Councilor McCaig asked for unanimous approval from Metro Council for purchasing 18 acres in Terwilliger.

Public Hearing: No members of the public came forward to offer testimony at this time.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from

this afternoon's meeting. Tumultuous applause from the audience followed the Presiding Officer's declaration of the unanimous approval from the Metro Councilors.

8.2 **Resolution No. 96-2230**, For the Purpose of Approving a Refinement Plan for the Tryon Creek Linkages Target Area as Outlined in the Open Space Implementation Work Plan.

Motion: Councilor McCaig moved the adoption of Resolution No. 96-2230.

Second: Councilor McFarland seconded the motion.

Discussion: Councilor McCaig stated, "Good things should pass."

Public Hearing: No members of the public came forward to offer testimony at this time.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

8.3 **Resolution No. 96-2231**, For the Purpose of Approving a Refinement Plan for the Fanno Creek Greenway Target Area as Outlined in the Open Space Implementation Work Plan.

Presiding Officer Jon Kvistad turned the gavel over to Deputy Presiding Officer Susan McLain in order that he might make this motion.

Motion: Presiding Officer Jon Kvistad moved the adoption of Resolution No. 96-2231

Second: Councilor Washington seconded the motion.

Discussion: Presiding Officer Jon Kvistad asked for approval for this refinement plan from the fellow Metro Councilors.

Public Hearing: No members of the public came forward to offer testimony at this time.

Vote: The vote was 6 aye / 0 nay. Presiding Officer Jon Kvistad declared that the motion passed unanimously. Councilor Don Morissette was excused from this afternoon's meeting.

9. COUNCILOR COMMUNICATIONS

Presiding Officer Jon Kvistad announced that Green City Data Project met here at Metro over the weekend. Councilor Washington introduced the project and was here to greet them when they came. Presiding Officer Jon Kvistad was here to hand out gifts at the end of the project. The young people who were here want to make a presentation to Metro Council of Douglas Fir tree planting kits and these kits were distributed to members of Metro Council.

Presiding Officer Jon Kvistad stated that that the memorial service for Councilor Judy Wyers will be held on Monday, May 20, 1996 at 4 pm. The location will be at First United Methodist Church, 18th at Jefferson, Portland.

10. ADJOURN

With no further business to come before Metro Council on this date, the meeting was adjourned by Presiding Officer Jon Kvistad at 4:05 PM.

Prepared by

David Aeschliman
Acting as Clerk of the Council

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