

MINUTES OF THE METRO COUNCIL MEETING

February 3, 2000

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, Jon Kvistad

Councilors Absent: Rod Monroe (due to illness)

Presiding Officer Bragdon convened the Regular Council Meeting at 2:00 pm and then turned the meeting over to Deputy Presiding Officer Washington.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS

Mary Manseau, 5230 NW 137th Avenue, Portland, Oregon resides in the Bethany area. She said she was a long-standing citizen of the region and expressed her concerns about information Metro had provided regarding quasi-judicial proceedings, such as the one being held today. She requested that a more predictable pattern for hearings be established and that staff provided clearer written guidelines for giving oral/written testimony. Her written testimony is attached in its entirety to the permanent record of these proceedings.

Councilor Park asked her if she was referencing the Jenkins/Kim quasi-judicial hearing because it had been on-going for several months.

Ms. Manseau said she had originally testified before the hearings officer, and recently received a notice in the mail about today's hearing.

Councilor Park asked Larry Shaw, Senior Assistant Counsel, about the current status of this procedure.

Mr. Shaw responded that this was an unusual procedure because it was a locational adjustment and they are infrequent. They are heard by a hearings officer who takes evidence and summarizes the information for the Council. Evidence to the record occurs at the hearings officer level. There has been a hearings officer report, exceptions to that report from parties who participated in that hearing, and this is the third opportunity for the parties to argue on the existing record, and argue the new ordinance being proposed with its findings. The time for testimony has passed. There is an opportunity for comment at the first reading of the ordinance, prior to Council vote at the second reading. Today is the first reading, a comment opportunity primarily for the parties to discuss evidence already in the record. It would not be proper for the parties or new individuals to present new evidence, only argue the issues in the record.

Deputy Presiding Officer Washington asked that Michael Morrissey speak with Ms. Manseau to make sure her concerns have been addressed.

Councilor Atherton asked if Ms. Manseau had participated in the Bethany, Urban Reserve 65 discussion.

Ms. Manseau said only on the fringes of it.

Councilor Atherton asked if being on the fringes was her decision, or if Metro did not provide her opportunity.

Ms. Manseau responded that it was probably by her choice, but she had an interest in this issue.

Councilor Atherton asked that when issues of this sort, urban growth boundary or locational adjustments, that Metro at least offer to have a meeting in that immediate area.

Deputy Presiding Officer Washington repeated that issues such as this were infrequent. He apologized to Ms. Manseau and thanked her for coming.

Councilor McLain acknowledged Ms. Manseau's concern and noted that changes to the locational adjustment process have been considered, and some changes already made. There are specific rules governing public hearings at the hearings officer level, as well as the Council level. The rules appear to be unfriendly, as verified by Ms. Manseau's comments. Either clarity, or more friendly guidelines need to be addressed. She thanked Ms. Manseau.

Presiding Officer Bragdon explained that this meeting today was being held under strict guidelines mandated by the procedure itself.

Deputy Presiding Officer Washington, again, thanked Ms. Manseau.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, presented two recently issued reports: InfoLink Review Update, and Benchmarks and Opportunities for Information Technology Update.

Ms. Dow said she was concurrently presenting two work-related reports. The InfoLink Review Update is an update of the independent review of Metro's InfoLink project implementation and its internal controls done by Pacific Consulting Group, a little more than a year ago. She said that the Council had provided additional funding for this review. She reviewed Pacific Consulting Group's findings and recommendations and a copy of Ms. Dow's remarks may be found in the permanent record of this meeting.

Councilor Atherton asked Ms. Dow what the new recommendations to conduct a strategic planning session and develop a detailed project plan meant?

Ms. Dow said that it had to do with the four modules that had not been implemented. There were originally eleven modules, seven of which had been implemented. It was originally suggested that there be a session to look at the approach and implementation of the remaining four modules. The Executive Officer said there is no immediate plan to implement those modules. She was

suggesting that a group review what was to be accomplished by implementing those four modules and make sure that it is being addressed by some other means.

Councilor Atherton said that we purchased the four modules but are not going to fully use them, was that correct?

Ms. Dow responded yes, that was correct, and for a variety of reasons, such as availability of manpower, difficulty of installation, and possible redetermination that they may not meet our needs. Nonetheless, these areas need to be addressed either through InfoLink or some other means.

Ms. Dow then reviewed the Information Technology Benchmarks and Opportunities audit, a copy of which may be found in the permanent record of this meeting.

Councilor Kvistad asked about the recommendations concerning staff increases. Did she see the possibility of shifting existing staff or was there a need to increase FTE's.

Ms. Dow responded that Pacific Consulting Group's sense is that the staff is pretty thin right now, without specifically mentioning staff numbers, they recommended an internal study. Then to staff at that level once it has been defined.

Councilor Kvistad asked about hardware. Have recommendations or changes in our existing hardware been made, or did they say that it would be part of the evaluation?

Ms. Dow said they made no recommendations specifically toward hardware. She thought they recognized, specifically with InfoLink, a significant investment was recently made in new hardware and software. That is part of the direction for the on-going evaluation of new technology.

Councilor McLain said that Ms. Dow commented on how important it was for Metro to make decisions on whether or not it was economically sound to continue with the four models, and to actually go forward with the current approach. Did they do any analysis on whether the modules would be outdated before the staff was trained on using them? That type of analysis is valuable.

Ms. Dow responded that actually the InfoLink is software, with hardware purchases relative to that. Their primary emphasis was on the software implementation. A year ago, they made specific recommendations regarding the four remaining modules. The purpose of their update was to come in and look at their recommendations and report on the status of them. They did not go back into evaluating the four modules. They were not encouraging the modules be implemented, but that they be looked at by current staff.

Councilor McLain indicated that her understanding was that this was what staff was currently doing. She did not see the difference.

Ms. Dow said that staff had made the decision at some point that it was not practical to implement at this time. She did not know whether or not staff had gone back and looked at it again. What is recommended is that staff review it with respect to implementation or not, and how to address those issues. There were problems with the time accumulation module, but if its not to be implemented, it needs to be looked at. Also, we probably don't need as sophisticated a module as the fixed asset module. Each item needs to be addressed and a firm decision made in each case.

Councilor Park said the essence of the report suggests that Metro was understaffed. Did they find anyone adequately staffed?

Ms. Dow said she did not think they were looking at staffing at maximum levels, but maintenance at a satisfactory level for operations to continue.

Ms. Dow said that in benchmarking, they were looking at the average. The benchmarking, as well as Pacific Consulting, and in a future report to be released by Deloitte Touche all indicated that Metro's staffing was low.

Councilor Park commented on the use of "average."

Ms. Dow said when she was talking about average she meant the middle of what people are doing. We are down at the bottom according to outside consultants.

Councilor Atherton asked about the systems cost per end user. The report shows Metro below the average. What is the explanation for that?

Ms. Dow felt one cause of the higher amount was the significant investment made in InfoLink. This report shows the cost of one fiscal year.

Councilor Atherton said that the report showed that we do almost three times as much equipment, and twice as much software maintenance as average.

Ms. Dow responded that those figures were not in absolute terms, but in percentages relative. We're staffed to the point of keeping things going, not assessing if there is a better way of doing it.

Councilor Atherton asked if the system was adequate, was it serving our needs?

Ms. Dow said she did not believe that our needs were being served adequately.

Councilor McLain asked about resources for review, technology and studies. She asked what were the benchmark assumptions? What are our needs that are not being met?

Ms. Dow said that until recently, members of our staff were not trained. There have been and continue to be aspects of InfoLink that are not being used. They are aspects of things that are being duplicated. When approved, InfoLink was supposed to eliminate duplicate recordkeeping. Departments still keep duplicate records because they have not been trained to use InfoLink. PeopleSoft has constant upgrades. They need to be done timely. The IT Department needs sufficient staff to implement the upgrades in a timely manner or the system will lose its value.

Councilor McLain said there are elements of Ms. Dow's assumptions, and what we need to do to maintain trained staff.

Ms. Dow said in duplication she was not referring to a "hard copy" or an electronic copy, but an electronic copy on PeopleSoft as well as Excel or a like system.

Deputy Presiding Officer Washington suggested that this issue be placed on one of the Informal agendas for further discussion.

5. MPAC COMMUNICATIONS

None.

6. MAKING CLIMATIC CHANGES A LOCAL ISSUE VIDEO

Kurt Nichols, City of Portland and **Sam Sadler, the Oregon Office of Energy** presented a video on Greenhouse Gases and CO₂ emissions.

Mr. Sadler summarized by saying they agreed Greenhouse Gases were a serious issue, but that there were also opportunities to save energy and save money to help make our communities more livable. The transportation and land use decisions made by Metro will have a great effect on the region's CO₂ emissions. Driving cars and trucks was one of the major sources of carbon dioxide emission in the region. For every mile driven one pound of carbon dioxide is emitted. As Metro has shown one of the most effective tools was compact, integrated transportation and land use systems that give people options on how to get around. The RTP and various documents associated with the 2040 Plan, Framework and guidance documents all demonstrate the kinds of policies needed to address the threat of planet change. Metro also helped when computing capabilities were added to its Traffic Relief Options Study on CO₂ emissions per vehicle mile traveled. In addition its promotion of recycling was important; City of Portland had produced a calculation in 1997 that regional recycling efforts had reduced CO₂ by about .5 million tons.

Mr. Nichols added that energy and CO₂ emissions might also be reduced in Metro-owned buildings and facilities operations. City of Portland adopted a community-wide effort to look at reducing CO₂ emissions in 1993. A 1997 update found that a per capita reduction of 3% had been realized in the Metro area. At the same time there was a 15% population growth that added to an increase in CO₂ emissions. Details were provided in their handouts, which are included in the public record. The second document showed the bottom-line benefits to doing this effort. The City of Portland's energy bills were \$1.7 million/year lower than they would otherwise be. He thought that Metro could enjoy the same sort of savings.

He said that the Convention Center expansion provided an opportunity to both build a model facility and reduce operating costs for that facility. He understood that Pittsburgh was building a "green" center and that issue might be the tiebreaker for an organization like the Sierra Club as to which facility they would bring a convention to. He offered the help of his office to work with the design team on efficient and cost-effective measures that would make the regions citizens proud. Senate Bill 11-49, the electric utility deregulation legislation, would create a sizable fund for public-purpose investment in energy efficiency. He invited Metro to join in a collaborative effort to work on community directed funding with this money.

Mr. Sadler offered the expertise of the Oregon Office of Energy to help continue the leadership Metro had provided to date on recycling and reduction of vehicle emissions.

Councilor Atherton asked about the 15% regional population growth - how were we going to connect the dots so that people understood that their personal behavior related to these problems.

Mr. Nichols responded that it was a process of education as to what individual contributions meant to the global as well as regional problem. They have talked about producing buttons and road signs that would say, "I lost 6,000 pounds, ask me how". A typical family could reduce their CO₂ emissions by 6,000 pounds through some really easy and cost effective actions.

Councilor Atherton asked if the State had thought about changing the pro-growth policy to more growth-neutral. He had prepared a number of documents for Metro on the concept of carrying capacity that is clearly in Metro's charter. It relies on the cost of this type of activity.

Mr. Sadler responded that they had not considered the population growth directly, but in relation to what could be done individually. He did not think that the State had a policy on dealing with population growth directly.

Councilor Park mentioned the craving of emerging third-world countries for the American life-style and the energy costs that this life-style entails. Councilor Atherton brought up immigrations polices - have you considered how these might be integrated into your studies.

Mr. Sadler responded that Federal immigration policies are beyond the purview of the State. International discussions under the United Nations Climate Change Convention the Kyoto Protocol called for developed countries to significantly reduce their emissions, but did not address the developing countries. China, for instance, which in effect subsidized its energy costs, had reduced its growth rate in CO₂ emissions. On the incentive side, a new Portland-based organization will help developing countries acquire more renewable, more energy efficient technologies. He said that often American companies sold older, less efficient systems to these developing countries. This organization would promote the most advanced technologies to them instead.

Deputy Presiding Officer Washington provided the names of Miss Berit Stevenson at Metro, or Mr. Jeff Blosser, at the Convention Center, as contact people for energy efficiency discussions of the new construction.

7. CONSENT AGENDA

7.1 Consideration of minutes of the January 27, 2000 Regular Council Meeting.

Motion: **Councilor Bragdon** moved to adopt the meeting minutes of January 27, 2000 Regular Council meeting.

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

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed with Councilor Monroe absent from the vote.

Presiding Officer Bragdon indicated that on page 5 the St. Anthony's Village location was on SE Rhone.

8. ORDINANCES – FIRST READING-QUASI-JUDICIAL PROCEEDINGS

Larry Shaw, Senior Assistant Counsel, reviewed the rules of the quasi-judicial proceedings.

Deputy Presiding Officer Washington called Mr. Cox, attorney for the applicant and Ms. Cook, attorney for Malinowski Farms, to the testimony tables. Mr. Greg Malinowski of Malinowski farms had also asked to testify. He asked Mr. Malinowski if his testimony was applicable to the rules as stated by Mr. Shaw about new testimony.

(**Mr. Malinowski's** was not at a microphone and his words were not understandable on the tape.)

Mr. Shaw said testimony meant evidence; Mr. Malinowski could be allowed to comment on the evidence.

Deputy Presiding Officer Washington said Mr. Malinowski could comment after both attorneys had testified if he still wished to do so. He called a brief recess to before continuing the testimony.

8.1 **Ordinance No. 00-843**, For the Purpose of Approving Urban Growth Boundary Locational Adjustment 98-7; and adopting the findings, conclusions and final order.

Christine Cook, 1207 SW 6th Ave., Portland OR read her comments into the record (a copy of which may be found in the permanent record of this meeting).

Councilor McLain asked about Mr. Malinowski - she understood that he had given Ms. Cook two of his 3-minute time for comments.

Ms. Cook indicated that she would like to use that time for rebuttal.

William C. Cox, 0244 SW California St., Portland, OR objected to the opportunity to allow Mr. Malinowski to speak as Ms. Cook was representing the Malinowski Farms and it was inappropriate for their group to get extra time. He indicated that he was the urban environmental nightmare as the third child of a family who moved here looking for a job. He said that Ms. Cook had presented nothing new that had not been previously presented. The first half of her memorandum was irrelevant as it was an "or" test. His client proceeded with the alternative test of retention of agricultural land: that it would make the provision of urban services impractical. Several hearings have been held on this and Mr. Malinowski has appeared on numerous occasions.

He stated that the decision that this Board made after hearing all that was that indeed this was the most practicable solution as to hold otherwise would make the development of the adjacent area inside the Urban Growth Boundary (UGB) impractical. There was testimony that the Unified Sewer Agency (USA) would not accept pump stations and that the availability of Sewer was impractical. As to the issue of timeliness, the question is not relevant because of the previous determination of need for additional urban property in the metropolitan area. He believed that the other issues Ms. Cook raised are inappropriate at this point. Mr. Eric Eiseman, who worked with the planning group on assembling the evidence, was also available to answer any questions from the Council.

Deputy Presiding Officer Washington asked Mr. Shaw for clarification regarding Mr. Cox's objection to the sharing of information of the two attorneys and the witness, Mr. Malinowski.

Mr. Shaw responded that the word in the ruling was "parties" and it was the Chair's option as to how he interpreted that. It would expand the scope of the hearing and could be done, but it would be done at the Chair's discretion.

Deputy Presiding Officer Washington said that the testimony was to be 5-minutes from each side and he would hold to that understanding. He gave Ms. Cook the previously mentioned 2-minutes to respond at this time.

Ms. Cook responded that she represented Malinowski Farm, not the individual Malinowskis. They are different entities. The findings before Council stated that development of the Malinowski property was precluded. She disagreed with Mr. Cox as to what was before Council. She said that it would be impractical to develop the Malinowski property due to the sewer, but the findings do not respond to Mr. Malinowski's presentation of an alternative, flat, treeless sewer route. She did not believe that the evidence supported the notion that his route was less practicable than going through the Malinowski property. She agreed that the matter of pump stations were irrelevant.

Deputy Presiding Officer Washington called for questions.

Councilor Park asked Mr. Shaw about the alternate route - was it in the original testimony.

Mr. Shaw responded that he was not present at the original testimony and could not remember.

Councilor McLain said it was verbalized in previous testimony.

Councilor Atherton asked if there was anything in the record about USA using pump stations in any of their service areas.

Ms. Cook could not respond to that question, but it was not contested.

Councilor Atherton asked if there was anything in the record regarding the change in State law providing for agricultural use inside a UGB for removal from the UGB. He believed that a statute had passed and signed into law that agricultural uses inside the UGB could demand to be removed from the UGB - the Malinowski property might fit this category.

Councilor Park said SB 586 was passed after the beginning of this particular process and that precluded it from application to this matter at this point.

Mr. Shaw said he thought Councilor Park was correct, based on the effective date of the statute.

Deputy Presiding Officer Washington asked if the council was going beyond the record.

Mr. Shaw responded yes.

Deputy Presiding Officer Washington asked Mr. Shaw to notify the Council if it happened in the future.

Mr. Cox agreed.

Councilor Atherton (tape unintelligible) said he had asked to see if the Council could vote to open the hearing record to add that information to the record.

Mr. Shaw said the Council always has the option on locational adjustments to send it back to the hearings officer or reopen the record.

Councilor Park said he did not think any discussion of 586 would be relevant until the actual application is made to remove the property from the UGB and until the Council decides to send it back. On the other hand, the question of agricultural activity is relevant. He said he understood why the location of the UGB is so important. Once an area is brought inside, all the laws and

regulations that apply to area inside the UGB come into play. Obviously, agricultural activity occurs inside the UGB, but you are farming inside the UGB. That battle is over. If 586 and other things come to bear, those factors might be different. He said the current Metro Code is ambiguous, which is the reason Metro staff is rewriting it. But State law is specific in this.

Councilor McLain said she had voted against this ordinance originally because it did not meet the criteria for agricultural use and similarly situated land. She was not convinced that a county or city boundary constituted a significant difference in geography, soil quality, or landscape. As to the Metro Code, she knew of no place in the Code that allows decisions to be made “on balance.” She said she felt obligated to vote according to how the Code reads now, not how it might read after some ambiguities have been cleared up. She said that even if one were evaluating the situation “on balance,” it would not apply to either agricultural uses or similarly situated land. She said in her view locational adjustments should be unusual circumstances, when it would provide an opportunity for providing services that would allow urbanization of land already inside the UGB. The case for that has not been made here.

Deputy Presiding Officer Washington reminded the Council that the ordinance was only being first-read today; no action would be taken.

Councilor Atherton said he thought the question of “balancing” versus strict criteria had been settled in the legal precedent of League of Women Voters of West Clackamas County vs. Metropolitan Service District, 1989. The key point was that UGB adjustments do not relate to need, but rather to meeting strict criteria. In his view, Ms. Cook’s letter confirms that. He asked if there were arguments against that critical point.

Mr. Cox said he thought Ms. Cook’s letter had confused the issues. The standards are as announced in the Code. The Code uses words in many places that require balance. For example, the word “net” requires balancing. He said in his view Ms. Cook had combined standards in ways they were not intended to be combined, and they did not represent an appropriate reading of the law.

Mr. Shaw said Mr. Cox, Ms. Cook, and Councilor Atherton were all correct. The whole process of locational adjustment is one that is unusual and it has been upheld by the courts with the understanding that the standards in the Code would be followed. Those standards do not include the question of need, because the size of the parcels are so small as to be within the “thickness of the line” of the UGB. To that extent, all the parties agree. The disagreement lies in whether the provisions in the Code have been followed. Inside that disagreement some of the criteria are balancing and others are not.

Councilor Atherton asked which criteria do not require balance.

Mr. Shaw said the ones that do not have words like “net” in them.

Mr. Cox gave examples of terms that imply balancing. On page 18 of the findings there is the term “clearly outweighs.” That is a balancing test. There is the term “superiority” on page 20, and on page 17, the word “positive.” They all require balancing. As counsel has emphasized, locational adjustments are unusual.

Deputy Presiding Officer Washington opened a public hearing on Ordinance No. 00-843.

Councilor Kvistad questioned the propriety of opening a public hearing to allow the Malinowskis to testify. He thought their counsel had already used up the time allotted for quasi-judicial proceedings.

Mr. Shaw said the Council could hear comments as long as no new evidence was presented.

Councilor Kvistad asked whether the Malinowski's comments would be in addition to those made by their legal counsel.

Mr. Shaw said counsel had represented the Malinowskis as a corporation rather than the Malinowskis as individuals. The comments would come from the Malinowskis as individuals.

Mr. Cox said he understood Ms. Cook to say she represented Malinowski Farms without indicating whether that referred to the farm as a separate public entity or private entity. If the brothers were each allowed three additional minutes, then his client should also be given an opportunity to respond. That said, he said he thought that allowing more testimony would be violating due process.

Mr. Shaw said the Council had the discretion to allow comment beyond that allowed for each party and to decide whether Ms. Cook represented corporate counsel or individual counsel. The Council also had the discretion to allow the opposing interests to comment as private citizens as well.

Presiding Officer Bragdon disclosed an ex parte contact. He said he had received a telephone call from Greg Malinowski. He had asked Mr. Malinowski to stop speaking at that point and hung up. He had asked Mr. Cooper if would be permissible to listen. Mr. Cooper advised him not to. He asked why he had been advised against taking that phone call but was allowed to hear his comments today.

Mr. Shaw responded that the concept of ex-parte contact applies only to quasi-judicial hearings, where all the information presented must be while you are sitting quasi-judicially. In legislative situations you may receive information and be lobbied outside this room. The purpose of the ex-parte rule is to ensure that the substance of what you heard gets heard by everyone else making the decision. If you had heard something of substance before you stopped the conversation, you would need to repeat the substance of that so the rest of the decision-makers could hear it.

Ms. Cook said she had not claimed to represent a corporation, rather the Malinowski Farm. The farm is not equivalent to Greg and Richard Malinowski. Second, Greg and Richard Malinowski have said they would waive any comments today.

Councilor Kvistad said that if general testimony were to be allowed, then all parties should be allowed to participate. The other option would be to not allow any further public testimony.

Councilor Park asked if there would be a public hearing at the second reading.

Mr. Shaw said a public hearing could be offered, but it must not present new evidence.

Councilor Kvistad said that in the past when the Council had been in quasi-judicial hearings, comments had not been allowed beyond the five minutes allotted to each party.

Deputy Presiding Officer Washington elected not to hold the public hearing.

Mr. Cox said both attorneys agreed not to request the opportunity for more testimony. He said he was surprised the Metro Code allowed for it in quasi-judicial proceedings.

9. COUNCILOR COMMUNICATIONS

Councilor McLain thanked Charlie Ciecko and Jim Desmond and the park staff for their work to correct the misconceptions presented by a story that had recently been published by the *Willamette Week*. She praised the open space bond-measure acquisition program for preserving open space for the future. She praised the structure of the program, which includes willing seller requirements with appropriate assessments and appraisals. She noted that the staff had always asked for Council consideration of special circumstances. She congratulated staff on the way it had handled this controversy. She noted that Metro had bought from willing sellers, paid fair-market value, and added to the public inventory of open space throughout the region. She thanked the staff for spending public money wisely.

Presiding Officer Bragdon expressed his high level of confidence in the information that the Parks and Greenspaces had provided to the Council. He said the department's service to the public had been first-class. He thought the article in the *Willamette Week* was completely irresponsible, clearly guided by some type of vendetta.

Councilor Park spoke about a Multnomah County meeting regarding the new transit lodging tax. He said 15 people testified in favor of certain portions of it and no one testified in opposition. He had testified on behalf of those who had negotiated an east county solution. He thanked the mayors and city councils of Gresham, Fairview, and Wood Village and Mayor Paul Thalhoffer and Councilor Daust of Troutdale for working with him to devise a win-win situation. He said he hope it would be expanded in terms of the transit lodging tax to other parts of the Metro region. He applauded members of the hotel/motel industry for being willing to tax themselves to expand the Convention Center, the Center for the Performing Arts, certain areas served by transit, and—what has been most controversial—fixing civic stadium.

Councilor Park also addressed the openspaces controversy. He said he had voted for the bond measure as a citizen. He said after having served on the Council and seen it work from behind the scenes, he was an even greater supporter. He said he understood how confusing it might be to an outsider to see a dollar figure offered to Metro that was less than what a private party might have offered. He said he knew individuals who did that on purpose, as a public gesture and to see good land preserved. He read into the record a letter the editor of *Willamette Week* from Gussie McRobert (attached to the public record) explaining one situation that had been misinterpreted in the article.

Councilor Park said he understood a second article would be coming out on this issue. He said he hoped the reporter would contact former mayor McRobert and obtain all the facts in a coherent fashion. He expressed his confidence in the staff.

Councilor Kvistad said that the Executive Officer would be announcing some good news regarding transportation to the staff on Monday. Councilor Kvistad said he would make that announcement public after that.

Regarding the article on greenspaces, he said in the beginning of the program there were some rough spots. But he did not believe those early rough spots deserved the article the *Willamette*

Metro Council Meeting

02/03/00

Page 12

Week just published. He expressed his support for the greenspaces program and the staff that has implemented it.

Presiding Officer Bragdon addressed what some people have perceived to be differences between the Council and Executive's policies regarding the Marine Fisheries Service for D Rule. He said that was a misstatement and that Metro would have a unified policy. He said that the Marine Fisheries would be coming before the Growth Management Committee next Tuesday at 3:30 to talk about the rule, and any policy statements on it would come from the Council.

Deputy Presiding Officer Washington closed by adding his confidence in and support for the greenspaces department.

He announced that final action on Ordinance No. 00-843 would take place at the Council meeting on February 24, 2000.

Councilor McLain announced that Goal 5 workshops would be taking place at different locations throughout the region in the next two weeks, beginning February 8.

10. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 4:22 PM.

Prepared by

Chris Billington
Clerk of the Council