

A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: April 20, 2000  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. EXECUTIVE OFFICER COMMUNICATIONS
4. AUDITOR COMMUNICATIONS
5. BUDGET/FINANCE COMMUNICATIONS
6. MPAC COMMUNICATIONS
7. CONSENT AGENDA
- 7.1 Consideration of Minutes for the April 13, 2000 Metro Council Regular Meeting.
8. ORDINANCES – FIRST READING
- 8.1 **Ordinance No.00-859**, Amending the FY 1999-00 Budget and Appropriations Schedule for the purpose of Adopting a Supplemental Budget for the Fiscal Year beginning July 1, 1999 and ending June 30, 2000; and Declaring an Emergency.
9. EXECUTIVE SESSION, HELD PURSUANT TO ORS 192.660(1)(h), TO CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION. Fjordbeck
10. COUNCILOR COMMUNICATION

ADJOURN

**Cable Schedule for April 20, 2000 Metro Council Meeting**

	Sunday (4/23)	Monday (4/24)	Tuesday (4/25)	Wednesday (4/26)	Thursday (4/20)	Friday (4/21)	Saturday (4/22)
<b>CHANNEL 11</b> (Community Access Network) (most of Portland area)						2:00 P.M. *	
<b>CHANNEL 21</b> (TVCA) (Washington Co., Lake Oswego, Wilsonville)	7:00 P.M. *	1:00 A.M. *		7:00 P.M. *			
<b>CHANNEL 30</b> (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)	7:00 P.M. *			7:00 P.M.*			
<b>CHANNEL 30</b> (CityNet 30) (most of Portland area)		POSSIBLE 2:00 P.M. (previous meeting)					
<b>CHANNEL 30</b> (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)	8:00 A.M. (previous meeting)	9:00 A.M. (previous meeting)	10:00 A.M. (previous meeting)	2:00 P.M. (previous meeting)		8:00 P.M. (previous meeting)	12:00 P.M. (previous meeting)
<b>CHANNEL 33</b> (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

***PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES.***

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Consideration of the April 13, 2000 Regular Metro Council Meeting minutes.

Metro Council Meeting  
Thursday, April 20, 2000  
Metro Council Chamber

## MINUTES OF THE METRO COUNCIL MEETING

April 13, 2000

St. Anthony's Parish Hall

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

Councilors Absent: Rod Monroe

Presiding Officer Bragdon convened the Regular Council Meeting at 2:00 p.m.

### 1. INTRODUCTIONS

None.

### 2. CITIZEN COMMUNICATIONS

None.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

### 4. AUDITOR COMMUNICATIONS

None.

### 6. H-TAC PRESENTATION

**Diane Linn**, Multnomah County Commissioner and Chair, Affordable Housing Technical Advisory Committee (H-TAC), gave an update on H-TAC and the H-TAC Proposed FY 2000/2001 Housing Program Elements. A memo and attached proposal from Commissioner Linn includes information presented by her, and are included in the meeting record..

**Councilor Washington** thanked Commissioner Linn for her presentation. He asked how much money H-TAC needed from Metro, best and worst scenarios.

**Commissioner Linn** said H-TAC believed \$100,000 was the bottom-line figure, through either Option A (1.0 FTE) or Option B (.5 FTE plus \$50,000 in materials and services). She added that H-TAC would be happy to work with the Council to evaluate Metro staff assignments and hopefully keep the same staff involved in affordable housing, in order to continue the committee's momentum.

**Councilor Washington** thanked the members of H-TAC. Based on his conversations with citizens, it was clear that affordable housing was a very large and critical issue to the region. Metro was barely scratching the surface. He knew that H-TAC was doing excellent work on limited funding. He said Metro could not address the issue of growth in the region without honestly addressing the issue of affordable housing or transportation. He said the Council would do its best to assist H-TAC.

**Commissioner Linn** introduced Jeff Condit, David Bell and Tasha Harmon. She thanked them for their hard work on H-TAC.

**Ms. Harmon** said she hoped the Council would see affordable housing as a crucial issue to the region.

**Councilor Atherton** asked Commissioner Linn about the statement in the H-TAC report that land within the urban growth boundary (UGB) tended to be harder and more expensive to develop.

**Commissioner Linn** said each H-TAC subcommittee took its work to a wider group of people with a range of expertise, and one of the focus groups asserted that the UGB affected the affordability of housing. She noted that the assertion was controversial within H-TAC.

**Councilor Atherton** said the opposite argument could be made: a single-room occupancy or small apartment, built to code, within walking distance to reliable public transportation, was the least costly housing option available.

**Ms. Harmon** said there was an ongoing debate over the definition of "cost" in terms of housing development: should the cost just include the cost to the developer, or should it also include public costs and the expenses of the resident over time.

**David Bell** introduced himself as a developer, and said this was the big question of regional land planning. The basic notion was that economically, aside from the philosophy of saving farm and forest lands, the theory of building up not out was that in the long run, building on existing infrastructure was more efficient. It had not been proven, however, whether that theory was true or not. His experience developing infill in the Portland River District suggested that it was so simple: The existence of infrastructure did not necessarily mean that the infrastructure could handle additional burdens with upgrading. It was true that the supply of land, in the face of constant or escalating demand, affected price. When considering the costs and benefits of regional growth boundary based development, it was not helpful to pretend that restricting the supply of land did not affect its price. Instead, the region needed to honestly debate the costs and benefits of regional growth boundary based development.

**Commissioner Linn** said the Council needed to be aware that there were difficult questions that were impossible to answer, but H-TAC's goal was to help the Council understand the factors affecting the affordability of housing, in terms of the regulatory issues and strategic options available. For H-TAC to continue supplying the Council with information, however, it needed Metro's financial support.

**Councilor Atherton** said in coming to St. Anthony's Parish, he saw that the value was in the vision and not in the bare land. Charging the full cost of growth was one of the most efficient ways to answer Mr. Bell's question of cow pastures versus existing.

**Mr. Condit** said H-TAC has discovered that there are a number of tradeoffs in any approach to affordable housing. He reiterated Councilor Washington's assertion that affordable housing needed to be considered when determining how the region should grow.

**Councilor Washington** thanked the members of H-TAC for their time and for coming to the Council to share its findings. He said affordable housing reminded him of when he worked for the phone company, and every household received enough cable for one phone line. Now, with the advent of fax lines and modems, more cable was required, and people's phone bills increased.

**Councilor Atherton** said if the full public costs of growth, the full service development costs (SDCs), were covered by the cost of land, it drove down the value of the land. The result was cooperation, and the possibility of developments like Fairview Village and St. Anthony's Village. He argued that charging the full cost of growth created an incentive for more affordable housing. He cited Mountain Park as an example.

**Ms. Harmon** said she did not disagree in principle, but the region was already in a situation in which a whole segment of the population could not afford to pay the market rate for housing, and was forced to decide between housing, feeding their children, turning on heat, or buying necessary medicine. If the region was going to charge the full cost of growth as a way to create efficiencies, it was still essential to find a way to fill the gap for the people for whom that would create an impossible situation.

**Presiding Officer Bragdon** thanked all the members of H-TAC for their hours of work.

## **5. PRESENTATION ON AFFORDABLE HOUSING**

**Father Michael Maslowsky**, St. Anthony Parish, welcomed the Council to St. Anthony's Parish and St. Anthony's Village, and described St. Anthony Village Enterprise and the Village's philosophy about communities. A packet of information is included in the meeting record, and includes information presented by Father Maslowsky. He urged Metro and other local governments to help faith communities provide housing and care facilities by assisting them in the pre-development process, through a funding pool and technical assistance.

**Councilor Atherton** said there was nothing more powerful than a good example, and St. Anthony's Village did everyone a great service. Metro was a regional government that tried to find economies of scale and which had resources it could bring to bear on a regional basis that an individual city would not have. He asked if Father Maslowsky could give any advice as to project scale, were Metro to have in-house construction management expertise.

**Father Maslowsky** noted the assisted living facility in St. Anthony's Village, and said on average, assisted living facilities needed 60 to 85 units to take advantage of economies of scale. St. Anthony's Village included 17 one- and two-bedroom apartments for seniors, with 40 people on a waiting list. Had money been available to purchase an adjacent parcel of land, St. Anthony's could have built twice as many apartments and rented them. Of the 127 units, all were rented before St. Anthony's Village opened, and there was a waiting list for every unit. Need was not the question, the question was to appreciate that normally, people were reluctant to move more than two miles into a facility. This was not the case for St. Anthony's Village. He believed people moved here because of the village, the faith component, the intergenerational feel, and because it did not feel like an institution.

**Councilor Atherton** followed up by noting that, based on the success of St. Anthony's Village, it was clear that 5 acres worked and provided economies of scale. He asked at what point a village would become "institutionalized" and be too big for either an attractive vision or to be manageable.

**Father Maslowsky** said he did not believe St. Anthony's Village was the upper limit of size. There were ways to de-institutionalized a larger population base, such as design. He noted that design options were directed affected by zoning, and he cited a potential village development in North Portland by Roosevelt High School that may not occur solely due to the cost of rezoning the land.

**Councilor Washington** said the grounds at St. Anthony's Village were beautifully laid out. He noted the previous discussion about scarcity of land, and asked if was possible to a project such as the village to build up more? He asked if that would institutionalize the village?

**Father Maslowsky** said not necessarily, and in some instances, the economies would require more stories. They chose not to build up St. Anthony's Village in part not to overwhelm the neighborhood, which was composed of small, cottage bungalow style homes. There were sites where one could build up, such as the Assumption site in North Portland, because the existing church and tower was quite large, and it would be near Roosevelt High School. He said the landscaping at St. Anthony's Village was designed to bring the surrounding neighborhood into the Village, and avoid the feeling of a gated community.

**Councilor McLain** said she hoped Father Maslowsky had kept a five-year journal and could share his insights with others, particularly in identifying regulatory barriers that local governments can address. She said his insights would be particularly helpful to H-TAC, as the committee worked to identify barriers to affordable housing. She thanked Father Maslowsky for his presentation.

**Presiding Officer Bragdon** asked what was on the site five years ago, before it was redeveloped.

**Father Maslowsky** said the site was just under 5 acres, and 5 years ago there was an old school that had been relocated from the Laurelhurst area in the 1950s, which closed in the early 1970s. The upper stories were abandoned, and the basement was used as a worship space. There was a covered playground that served as a meeting hall, which was in very poor shape, and there was a very small one-story frame structure which had been a convent, also in disuse. The rest of the site was covered in weeds, and abandoned tires and mattresses.

**Councilor Atherton** said he asked about the range of sizes because if an upper and lower range could be established, he thought Metro had a process for a planned unit development overlay which could address Father Maslowsky's zoning problem. He did not know if Metro's legal counsel had advice on how that could fit in a regional framework, but the planning rubric existed.

**Father Maslowsky** said that would certainly be helpful because every neighborhood had one or more faith communities. If those communities could be brought into the housing and care facility process, there would be an immediate pool of real estate. There were over 40 parishes in the Portland area, and he suspected at least half of them were potential sites for housing, if the pre-development process and zoning issues could be addressed.

## **7. MPAC COMMUNICATIONS**

**Councilor Park** said there was a rousing discussion of Goal 5 issues at MPAC last night. Dan Cooper, General Counsel, gave a presentation on periodic review, which the Council would also

discuss further at the end of its meeting. The next MPAC meeting would be on April 26, and would address accessory dwelling units and jobs research.

**Councilor McLain** said Goal 5 would probably be the main theme at MPAC for three more months. She felt MPAC reaffirmed the Goal 5 goals last night, and the debate focused on the process and product.

## **8. CONSENT AGENDA**

### **8.1 Consideration of minutes of the April 6, 2000, Regular Council Meeting.**

**Motion:** **Councilor Park** moved to adopt the meeting minutes of April 6, 2000 Regular Council meeting.

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

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

## **9. ORDINANCES – FIRST READING**

**9.1 Ordinance No. 00-854, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting Cost of Living Adjustments and Health and Welfare increases, and Declaring an Emergency.**

**Presiding Officer Bragdon** assigned Ordinance No. 00-854 to the Metro Operations Committee.

**9.2 Ordinance No. 00-855, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting an authorized interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund, and Declaring an Emergency.**

**Presiding Officer Bragdon** assigned Ordinance No. 00-855 to the Metro Operations Committee.

## **10. ORDINANCES –SECOND READING**

**10.1 Ordinance No. 00-853, For the Purpose of Amending the FY 1999-00 Budget to Increase the Full-time Equivalent in the Solid Waste Revenue Fund by 2.50 FTE for the Purpose of Increasing Staffing in the Hazardous Waste Program; and Declaring an Emergency.**

**Motion:** **Councilor McLain** moved to adopt Ordinance No. 00-853.

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

**Councilor McLain** presented Ordinance No. 00-853. A staff report to the ordinance includes information presented by Councilor McLain and is included in the meeting record.

**Councilor Kvistad** said from his understanding, the people currently hired for these positions, who received fairly modest wages, would lose their jobs to a full-time person, because they did not qualify for the new position. He asked about the people who would lose their jobs due to this change.



**Terry Petersen, Director of Regional Environmental Services**, said the ordinance would replace the Metro temporary employees with permanent employees. Those people currently employed in the temporary positions were eligible to apply for the permanent positions, therefore they may not lose their positions.

**Councilor Kvistad** asked about the budget impact.

**Councilor McLain** said the budget impact would be \$9,000 for the remainder of this year. The new FTEs would result in an increase of \$28,000 for wages and benefits, coupled with a decrease of \$19,000 from elimination of the temporary positions.

**Presiding Officer Bragdon** opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-853. **Presiding Officer Bragdon** closed the public hearing.

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

## 11. RESOLUTIONS

11.1 **Resolution No. 00-2922**, For the Purpose of Appointing Michael Carlson and Hilary Abraham to the Water Resources Policy Advisory Committee.

**Motion:** Councilor McLain moved to adopt Resolution No. 00-2922.

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

**Councilor McLain** presented the resolution. A staff report to the resolution includes information presented by Councilor McLain and is included in the meeting record.

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

11.2 **Resolution No. 00-2923**, For the Purpose of Issuing a Solid Waste Facility License to Tire Disposal and Recycling, Inc.

**Motion:** Councilor Washington moved to adopt Resolution No. 00-2923.

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

**Councilor Washington** presented the resolution. A staff report to the resolution includes information presented by Councilor Washington and is included in the meeting record.

**Presiding Officer Bragdon** noted that the playground mats at the St. Anthony's day care facility were made of recycled tires, and may have come from this tire disposal and recycling company.

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

**11.3 Resolution No. 00-2924, For the Purpose of Replacing a Solid Waste Franchise Issued to Waste Recovery with a Solid Waste Facility License to be Issued to RB Recycling.**

**Motion:** Councilor Park moved to adopt Resolution No. 00-2924.

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

Councilor Park presented the resolution. A staff report to the resolution includes information presented by Councilor Park and is included in the meeting record.

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

**11.4 Resolution No. 00-2933-A, For the Purpose of Authorizing Amendments to the Intergovernmental Agreement with the City of Portland for the Consolidation of Regional Facilities to Transfer Civic Stadium.**

**Motion:** Councilor Washington moved to adopt Resolution No. 00-2933-A.

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

Councilor Washington presented the resolution. A staff report to the resolution includes information presented by Councilor Washington and is included in the meeting record. He asked Mr. Cooper to fill in any additional information.

Mr. Cooper said there were still two outstanding issues between Metro and the City of Portland. He believed the issues had been resolved conceptually, however, and there was no reason to believe the Portland City Council would not approve the proposal when it convened again. He said he strongly believed that within two weeks, he would be back before the Council with the final amendments to the intergovernmental agreement (IGA) that would split the Civic Stadium away and give it to the City of Portland, and would leave Metro as manager of the Portland Center for the Performing Arts.

Presiding Officer Bragdon said the longer the negotiations continued, the worse off Metro was financially, in terms of booking the Stadium for events.

Mr. Cooper said that was part of the negotiations between Metro and City staff. The agreement was structured in such a way that if the City was unable to take back the Civic Stadium on July 1, it would accept the financial risk.

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

**11.5 Resolution No. 00-2934, For the Purpose of Requesting Periodic Review of the Regional Urban Growth Boundary.**

**Motion:** Councilor Park moved to adopt Resolution No. 00-2934.

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

**Councilor Park** said at the April 4, 2000, Growth Management Committee meeting, the committee voted to move the draft version of Resolution No. 00-2934 without recommendation for adoption, based on further work by Mr. Cooper. He said state law currently required that every jurisdiction go through periodic review within a 5 to 10 year window. Metro last completed periodic review in 1992. Now that Metro was in the legislative growth process, it was believed to be advantageous to enter into periodic review. The committee held several informal discussions and spoke with MPAC. According to an earlier memo from Mr. Cooper, by entering into periodic review, Metro would be directed to carry out the expansion and the work program in concert with the Land Conservation and Development Commission (LCDC or Commission). The advantages were several fold. One advantage was the certainty provided to the region's citizens that any appeal would go to the Court of Appeals, not the Land Use Board of Appeals (LUBA). The timing would begin with Resolution No. 00-2934, which would be forwarded to LCDC Director, who would then make a recommendation to the Commission. The Commission would then decide whether to add Metro into the work plan. At some point after that date, Metro would hold a public hearing within 21 days to gather comments on the proposed plan. At some future date, the Commission would enter Metro into periodic review. He asked Mr. Cooper to elaborate and make corrections if necessary.

**Mr. Cooper** said Councilor Park was correct until the end. Resolution No. 00-2934 did two things and then referred to a third document. First, it requested that Metro be placed into periodic review for the purpose of determining the need to expand the UGB and approving the UGB amendments. Second, it adopted a citizen involvement component and requested Commission approval of that component. Third, it contained a draft outline of what the work program would be, in order to begin the citizen comment process. He anticipated that in two weeks, at the Commission's next meeting, the Commission would place Metro formally into periodic review. That began the time period for the submission of a formal work plan by Metro to the state for the state to approve. That process required Metro to give a minimum of 21 days notice of the proposed work plan and hold hearings before the Council approved the work plan and sent it to the state for its approval. The Commission's approval could occur in one of two ways. One was an administrative approval by the Director, subject to appeal by the Commission. The second was direct Commission approval. He thought the state was anticipating that it would go straight to the Commission for direct approval, probably at the July meeting. He corrected Councilor Park's previous statement by clarifying that Metro would enter into periodic review in approximately two weeks, which would commence the time period by which Metro could give notice and start the public involvement and local government coordination process on the periodic review work plan.

**Mr. Cooper** added that Exhibit B was a suggested schedule for work tasks. It was a preliminary outline that would guide staff in preparing a formal work program, which would be submitted to the Council as a proposal that would be subject to public comment, review and final adoption by the Council and submission to LCDC. Staff worked very hard to make the work program as complete as possible, but it was a rough work in progress and not anywhere near done. The final work product would be much more detailed, thorough, and subject to much more staff work before being turned into a narrative. The important aspect of Exhibit B was that it outlined three separate phases for periodic review: first, the regional 20-year housing supply, as required by state statute; second, detailed sub-regional needs analysis and determination of whether to move the UGB; third, the 2002 time period for again looking for a 20-year land supply as required by law, because the law instructed Metro to determine its land supply in 1997 and no later than every 5 years thereafter. He noted for the record that Metro had already received a letter from the City.

of Hillsboro commenting while it had concerns about the current work plan, it recognized that further revisions would be made before it was approved by the Metro Council.

**Councilor McLain** asked what, if any, was the difference for citizens and for local partners, as far as their relationship to Metro and to LCDC.

**Mr. Cooper** said the difference for citizens between periodic review and a straight legislative amendment process by the Council was negligible. The Council was still required to do citizen involvement and hold public hearings. The work program anticipated for 2000 was not materially changed in that regard. What would be different was the next step. Citizens who wanted to address the body reviewing the decision would not need to go to the expense of hiring an attorney and filing a formal appeal to LUBA. Instead, there would be a second opportunity to testify in front of a state commission. Where the process would change for citizens was after the Commission took final action, to approve Metro's work plan, assuming it did. Anyone who was unhappy with LCDC's decision would then need to hire a lawyer and go straight to the Oregon Court of Appeals, rather than first going to LUBA. LUBA allowed non-lawyers to participate, with some success in the past. It was much harder for a non-lawyer to succeed at the Court of Appeals.

**Councilor McLain** thanked Mr. Cooper and said it was important to continue to remind everyone the similarities and differences between the two processes. As an example, if the City of Hillsboro came before Metro and gave its opinion about a UGB decision and lost, it would have a second opportunity to testify before a board or commission and possibly have that decision changed.

**Mr. Cooper** said yes, that was true.

**Councilor Atherton** asked Mr. Cooper if the purpose of periodic review was not to review strategy and process rather than the actual decision.

**Mr. Cooper** said the purpose of periodic review was to determine whether or not a local government, Metro in this case, was still in compliance with state goals and related law changes since the last periodic review or the initial acknowledgement. It could be a very thorough examination to ensure that a local government's comprehensive plan provisions and land use regulations. He said procedures for administering the Urban Growth Boundary (UGB) were initially acknowledged by LCDC. A determination was made by this Council in 1990 that there was no need to move the UGB to maintain the long-term land supply. That was the determination in 1992. He said a periodic review had to happen at least every 10 years and it had been 8 years since the last review.

**Councilor Kvistad** felt they had the legal authority to make the decisions, they just did not have the willingness. He said LCDC was quasi-government. He said they tell you one thing, then another, for example, putting in place urban reserves. We spent 6 years developing urban reserves. Whether people liked it or not, we have had probably the most extensive citizen involvement program in the history of Senate Bill 100. Then, we got to the end of that long process, and they say, oh, by the way, we are going to throw out your urban reserve thing. No big deal, sorry you had to waste millions of dollars and 6 years of your time. He said if the Metro Council was not willing, or not able to complete the land use job that was a chartered responsibility, then we should not be in the land use business. He said the first goal in state land use policy was citizen involvement and that goal was consistently violated by LCDC who made

their decisions in the box and were political appointees by the Governor. He said, quite frankly, that this related to the Council's lack of spine to finish the job they started and that was their authority to do. He said he did not support going into periodic review because they were handing off something to another non-elected, quasi-agency to make sure the Council was doing it right. He said Metro put the rules and regulations in place, and had done a great job whether one agreed with all of the decisions or not. He said they should finish the process and let the chips fall where they may. He felt giving someone else the authority was flying in the face of everything Metro was supposed to do by charter.

**Councilor McLain** said she understood Councilor Kvistad's frustration with the urban reserve decision, as well as with trying to deal with the fact that after 6 years of work they did not have urban reserves. She said going back to meet the standards now was not worth the public dollars. She believed that Councilor Park, the Growth Committee and Mr. Cooper had come to a point in the process where they were trying to look for more tools and strategies on how to protect Metro's authority on the UGB. One of the new tools they were trying to put to use was learning from this periodic review what the state wanted. She said they would not give up their rights of producing, building or voting on the UGB amendments or the process that governed it, but would get more direct answers on what they were supposed to be doing. Because she believed the information they got back from the state indicated they were willing to work with the Council up front, she would support the resolution. She agreed that it had been a frustrating process and they had spent a lot of good faith and effort. She believed they could stay in charge of the process and carry out their mandates, both by charter and state law. She felt they could get a better product because the state had agreed to continue an open dialog until they were both satisfied with the process and the product.

**Councilor Atherton** asked if a growth report had been finalized. He understood they had accepted some numbers previously for the purposes of doing computer modeling as a base for analysis, but not as a final determination of what the growth forecast would be.

**Councilor Park** responded that they were in the process of updating the report. He said they were still doing Goal 5 work and reviewing the accessory dwelling work. He said the environmentally constrained lands issue was still moving ahead in conjunction with the Goal 5 work and work was continuing to get to the final outcome of adopting the '97 report.

**Mr. Cooper** added that when the Council adopted the resolution requesting the extension, they accepted the update growth report status as of last December and asked for further refinements to be made, and put the placeholder in for the Goal 5 work. Until that work was done a determination about whether there was a need to move the UGB could not be made. In response to another question from Councilor Atherton, he said under state law and the request the Council made to LCDC, the decision had to be made by October 31 whether they were in periodic review or not. He said the Council had asked for additional work to be done on some other elements, which was outlined by Councilor Park. He said they had to conduct a public process, in periodic review or not, and consider all relevant evidence submitted to the record.

**Councilor Washington** said he could understand the sense of frustration in dealing with this issue. He said he was willing to continue working on it. He said they needed to resolve the issue for the region. He said he would support the resolution.

**Councilor Kvistad** said they had to exercise Metro's authority if they wanted to keep it. They had to guard their charter mandates and act upon them. He said it was a legitimate philosophical

difference that Councilor McLain felt they needed to know what the state wanted. He believed that the last thing they needed to do was to ask the state what they should do because they knew what that was already. He said it was the state that had been making the changes and he felt it was completely inappropriate when Mr. Benner came sending personal notes on his department stationery lobbying the Council on issues during their process. He said you can't go to a state appointed board that had no direct elected accountability and expect those people to make the decisions. He said for good or ill it was the Council's authority and to abrogate that authority was a complete lack of focus. He felt they should exercise their authority fully as a Council and whatever the response was, then was the time for the review. He said he understood that Councilor Park meant it in a very proactive way but he felt it was very bad for this government. He urged the Councilors to think of it through as part of a bigger context.

**Councilor McLain** clarified when she wanted to know the state's thinking about certain elements of the work plan, or their interpretation of Goal 14, it was because she believed in order to exercise their authority appropriately, the Council had to be sure they had clear understandings of state law. She said she was trying for clarity on state law that she did not think they got from the Court of Appeals or LUBA. She said she was constantly working for a dialog that was not necessarily a compromise or giving them a power that was the Council's responsibility, she was trying to refine the tools they had to do a good job. She felt it was important to continue that.

**Councilor Kvistad** said his comments were not necessarily directed toward Councilor McLain, but her comments crystallized a general philosophical point with him about state interference. He said it seemed like every time they finally got all their tools in the toolbox, the state goes metric and the tools don't work.

**Presiding Officer Bragdon** offered a public hearing on the resolution. No one came forward.

**Councilor Atherton** said he had listened very carefully to Councilor McLain's desire for clarity but he was unclear how this process would bring them to that clarity. He said they were in a very confused state of affairs as far as land use planning and community building and he wanted to see this as an opportunity to get some issues clarified so they could do it right. He said he would prefer to put this off for another week.

**Councilor Kvistad** said that while he understood these debates could be frustrating, this was the public dialogue that needed to be on record and the differences between them that they needed to air. He said he would like to reconsider the call for the question.

**Councilor Atherton** moved to table Resolution No. 00-2934 for a week as indicated in the previous paragraph. There was no second and the motion failed.

**Councilor Park** closed by saying it was a matter of interpretations. He said LUBA first threw out a portion of Metro's prior decision on urban reserves and the Court of Appeals finished it off. Out of that, they got some clarity for Metro in terms of guidelines and how they were interpreting the regulations and laws that were put in place. He could understand the frustrations because it was a state law they were required to do every so many years in order to maintain the land supply. He said the clarity they were seeking was how to best proceed to a final decision. He added that the final decision was in fact theirs. He said if they could not get to their decision after going through all of the steps, he would have to agree with some of their colleagues in the region that there is something seriously wrong with the land use program.

**Vote:** The vote was 4 aye/ 2 nay/ 0 abstain. The motion carried with Councilors Atherton and Kvistad voting nay. Councilor Monroe was absent from the vote.

**11.6 Resolution No. 00-2935, For the Purpose of Amending the Year 2000 Growth Management Committee Work Plan.**

**Motion:** Councilor Washington moved to adopt Resolution No. 00-2935.

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

Councilor Washington said this resolution was a companion to the previous resolution and added some additional things to the work plan. He noted the work plan was Exhibit A of the resolution and the staff report noted the additions.

Councilor Kvistad repeated his objections and said he would not support this resolution either.

Mark Turpel, Growth Management Department, in response to questions from Councilor Atherton, said there were a number of changes being proposed to clarify the Council's intent regarding whether to use Table 1 or the Urban Growth Report for the need number.

Councilor Washington urged an aye vote on this resolution.

**Vote:** The vote was 5 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting nay. Councilor Monroe was absent from the vote.

## **12. COUNCILOR COMMUNICATIONS**

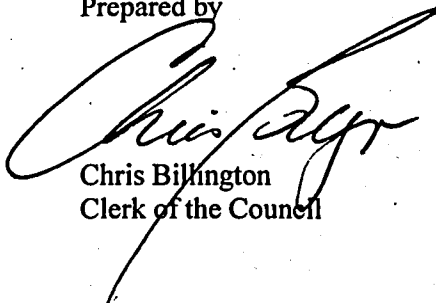
Councilor Park said he received a letter from the Government Standards and Practices Commission in response to a letter he had sent requesting clarification on a conflict of interest issue regarding a piece of property he owned. He said the commission has concluded that there was not a conflict so he would be able to resume his full duties as Growth Management Chair at this time.

Presiding Officer Bragdon thanked St. Anthony's Village for having the Council meeting and for the example they were setting for the community.

## **13. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 2:00pm.

Prepared by



Chris Billington  
Clerk of the Council

Metro Council Meeting

4/13/00

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Document Number	Document Date	Document Title	TO/FROM	RES/ORD
041300c-01	04/12/2000	Memo RE: H-TAC Work Update	Metro Council/Diane Linn Chair H-TAC	Agenda Item #6
041300c-02		Folder of information RE: St. Anthony's Village	Metro Council/Father Maslowsky	Agenda Item #5
041300c-03	04/06/2000	Minutes of Aprill 6, 2000 Metro Council Meeting	Metro Council/Chris Billington	Agenda Item #8
041300c-04	04/11/2000	Fax RE: Goal 5 Riparian Corridor Program; Revised Work Schedule	Metro Council et al /Ty Wyman, Stoel Rives	Res 00-2935
041300c-05	04/12/2000	Exhibit A Draft Proposed Urban Growth Boundary Periodic Review Work Program 2000, Citizen Involvement Element	Metro Council/Staff	Res 00-2935
041300c-06	04/13/2000	Letter RE: Metro Periodic Review Work Program	Dan Cooper/Timothy J. Sercombe, Preston Gates Ellis LLP	Res 00-2935
041300c-07	04/12/2000	Resolution No 00-2933-A		Res 00-2933
041300c-08	04/10/2000	Growth Management Committee Report to Res 00-2934		Res 00-2934
041300c-09	04/13/2000	Growth Management Committee Report to Res 00-2935		Res 00-2935



*Agenda Item Number 8.1*

**Ordinance No. 00-859, Amending the FY 1999-00 Budget and Appropriations Schedule for the purpose of Adopting a Supplemental Budget for the Fiscal year beginning July 1, 1999 and ending June 30, 2000; and Declaring an Emergency.**

***First Reading***

**Metro Council Meeting  
Thursday, April 20, 2000  
Metro Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1999-00 )	ORDINANCE NO. 00-859
BUDGET AND APPROPRIATIONS )	
SCHEDULE FOR THE PURPOSE OF )	
ADOPTING A SUPPLEMENTAL BUDGET FOR )	Introduced by Mike Burton,
THE FISCAL YEAR BEGINNING JULY 1, 1999 )	Executive Officer
AND ENDING JUNE 30, 2000; AND )	
DECLARING AN EMERGENCY )	

WHEREAS, Conditions exist which had not been ascertained at the time of the preparation of the FY 1999-00 budget and a change in financial planning is required; and

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the Supplemental Budget of Metro for the fiscal year beginning July 1, 1999, and ending on June 30, 2000; and

WHEREAS, Recommendations from the Tax Supervising and Conservation Commission have been received and acted upon as reflected in the Supplemental Budget and Schedule of Appropriations; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1999-00 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance.
2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

**Exhibit A**  
**FY 1999-00 Supplemental Budget**  
**Ordinance No. 00-859**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>MERG Pooled Capital Fund</b>							
<u>Resources</u>							
BEBAL	Beginning Fund Balance		\$4,063,340		\$0		\$4,063,340
LGSHRE	Local Gov't Shared Revenues						
4130	Hotel/Motel Tax		602,786		0		602,786
INTRST	Interest Earnings						
4700	Interest on Investments		223,484		6,016		229,500
DONAT	Contributions from Private Sources						
4750	Donations & Bequests		0		1,000,000		1,000,000
<b>TOTAL RESOURCES</b>			<b>\$4,889,610</b>		<b>\$1,006,016</b>		<b>\$5,895,626</b>
<u>Materials &amp; Services</u>							
GOODS	Goods						
5205	Operating Supplies		0		75,000		75,000
<b>Total Materials &amp; Services</b>			<b>\$0</b>		<b>\$75,000</b>		<b>\$75,000</b>
<u>Capital Outlay</u>							
CAPNON	Capital Outlay (Non-CIP Projects)						
5720	Buildings & Related (non-CIP)		0		40,000		40,000
5750	Office Furn & Equip (non-CIP)		0		75,000		75,000
CAPCIP	Capital Outlay (CIP Projects)						
5725	Buildings & Related (CIP)		0		231,500		231,500
5745	Equipment & Vehicles (CIP)		0		50,000		50,000
<b>Total Capital Outlay</b>			<b>\$0</b>		<b>\$396,500</b>		<b>\$396,500</b>
<u>Contingency and Ending Balance</u>							
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance		4,889,610		534,516		5,424,126
<b>Total Contingency and Ending Balance</b>			<b>\$4,889,610</b>		<b>\$534,516</b>		<b>\$5,424,126</b>
<b>TOTAL REQUIREMENTS</b>			<b>\$4,889,610</b>		<b>\$1,006,016</b>		<b>\$5,895,626</b>

**Exhibit A**  
**FY 1999-00 Supplemental Budget**  
**Ordinance No. 00-859**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>MERC Operating Fund</b>							
<b>Total MERC Operating Fund</b>							
<i>Resources</i>							
	<i>BEGBAL Beginning Fund Balance</i>		\$11,502,968		\$0		\$11,502,968
	<i>LGSHRE Local Gov't Share Revenues</i>						
4130	Hotel/Motel Tax		5,462,500		0		5,462,500
	<i>GVCNTB Contributions from Governments</i>						
4145	Government Contributions		600,000		0		600,000
	<i>CHGSVC Charges for Service</i>						
4500	Admission Fees		1,154,600		0		1,154,600
4510	Rentals		4,525,376		0		4,525,376
4550	Food Service Revenue		9,117,160		0		9,117,160
4560	Retail Sales		59,500		0		59,500
4570	Merchandising		116,900		0		116,900
4580	Utility Services		1,309,672		0		1,309,672
4590	Commissions		338,924		0		338,924
4600	Administrative Fees		123,400		0		123,400
4620	Parking Fees		2,144,391		0		2,144,391
4645	Reimbursed Services		2,179,209		0		2,179,209
4650	Miscellaneous Charges for Svc		658,094		0		658,094
	<i>INTRST Interest Earnings</i>						
4700	Interest on Investments		998,364		(360,000)		638,364
	<i>DONAT Contributions from Private Sources</i>						
4750	Donations and Bequests		1,025,000		0		1,025,000
	<i>DBTREV Bond and Loan Proceeds</i>						
4905	Bond Proceeds		15,800,000		(15,800,000)		0
<b>TOTAL RESOURCES</b>			<b>\$57,116,058</b>		<b>(\$16,160,000)</b>		<b>\$40,956,058</b>

**Exhibit A**  
**FY 1999-00 Supplemental Budget**  
**Ordinance No. 00-859**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>MERC Operating Fund</b>							
<b>Total MERC Operating Fund</b>							
<b>Total Personal Services</b>		<b>160.50</b>	<b>\$11,801,782</b>	<b>0.00</b>	<b>\$0</b>	<b>160.50</b>	<b>\$11,801,782</b>
<b>Total Materials &amp; Services</b>			<b>\$14,712,777</b>		<b>\$0</b>		<b>\$14,712,777</b>
<i><u>Debt Service</u></i>							
<i>CAPLSE Capital Lease Payments</i>							
5600	Capital Lease Pmts-Principal		188,076		0		188,076
5605	Capital Lease Pmts-Interest		17,878		0		17,878
<i>REVBND Revenue Bond Payments</i>							
5630	Revenue Bond Pmts-Principal		1,685,877		0		1,685,877
5635	Revenue Bond Payments-Interest		621,584		(531,214)		90,370
<b>Total Debt Service</b>			<b>\$2,513,415</b>		<b>(\$531,214)</b>		<b>\$1,982,201</b>
<i><u>Capital Outlay</u></i>							
<i>CAPNON Capital Outlay (Non-CIP Projects)</i>							
5710	Improve-Oth thn Bldg (non-CIP)		55,000		0		55,000
5720	Buildings & Related (non-CIP)		361,850		0		361,850
5740	Equipment & Vehicles (non-CIP)		224,100		0		224,100
5750	Office Furn & Equip (non-CIP)		38,000		0		38,000
<i>CAPCIP Capital Outlay (CIP Projects)</i>							
5715	Improve-Oth thn Bldg (CIP)		115,000		(50,000)		65,000
5725	Buildings & Related (CIP)		6,598,500		(5,000,000)		1,598,500
5745	Equipment & Vehicles (CIP)		250,000		0		250,000
<b>Total Capital Outlay</b>			<b>\$7,642,450</b>		<b>(\$5,050,000)</b>		<b>\$2,592,450</b>
<i><u>Contingency and Ending Balance</u></i>							
<i>CONT Contingency</i>							
5999	Contingency		1,054,682		0		1,054,682
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance		19,390,952		(10,578,786)		8,812,166
<b>Total Contingency and Ending Balance</b>			<b>\$20,445,634</b>		<b>(\$10,578,786)</b>		<b>\$9,866,848</b>
<b>TOTAL REQUIREMENTS</b>		<b>160.50</b>	<b>\$57,116,058</b>	<b>0.00</b>	<b>(\$16,160,000)</b>	<b>160.50</b>	<b>\$40,956,058</b>

**Exhibit A  
FY 1999-00 Supplemental Budget  
Ordinance No. 00-859**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Revenue Bond Fund</b>							
<b>Resources</b>							
<i>Resources</i>							
<b>METRO REGIONAL CENTER</b>							
<i>BEGBAL</i>	<i>Beginning Fund Balance</i>						
	* Construction Account		22,044		0		22,044
	* Debt Service Account		10,000		0		10,000
	* Debt Service Reserve Account		1,889,020		0		1,889,020
	* Renewal & Replacement Account		583,388		0		583,388
<i>INTRST</i>	<i>Interest on Investments</i>						
4700	Interest Earnings						
	* Construction Account		1,047		0		1,047
	* Debt Service Reserve Account		85,000		0		85,000
	* Renewal & Replacement Account		27,711		0		27,711
<i>EQTREV</i>	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from Building Management Fund		1,689,020		0		1,689,020
<b>WASHINGTON PARK PARKING LOT</b>							
<i>BEGBAL</i>	<i>Beginning Fund Balance</i>						
	* Project Account		125,000		0		125,000
<i>EQTREV</i>	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from Zoo Operating Fund		432,058		0		432,058
<b>EXPO CENTER HALL D RENOVATION</b>							
<i>DBTREV</i>	<i>Bond and Loan Proceeds</i>						
4910	State Bond Bank Proceeds		0		2,500,000		2,500,000
<b>TOTAL RESOURCES</b>			<b>\$4,864,288</b>		<b>\$2,500,000</b>		<b>\$7,364,288</b>

**Construction Account**

<i>Capital Outlay</i>							
<i>CAPNON Capital Outlay (Non-CIP Projects)</i>							
5750	Office Furn & Equip (non-CIP)		23,091		0		23,091
<b>Total Capital Outlay</b>			<b>\$23,091</b>		<b>\$0</b>		<b>\$23,091</b>
<b>TOTAL CONSTRUCTION ACCOUNT</b>			<b>\$23,091</b>		<b>\$0</b>		<b>\$23,091</b>

**Project Account**

<i>Capital Outlay</i>							
<b>WASHINGTON PARK PARKING LOT</b>							
<i>CAPCIP Capital Outlay (CIP Projects)</i>							
5715	Improve-Oth thn Bldg (CIP)		125,000		0		125,000
<b>EXPO CENTER HALL D RENOVATION</b>							
<i>CAPCIP Capital Outlay (CIP Projects)</i>							
5725	Buidling & Related (CIP)		0		2,500,000		2,500,000
<b>Total Capital Outlay</b>			<b>\$125,000</b>		<b>\$2,500,000</b>		<b>\$2,625,000</b>
<b>TOTAL PROJECT ACCOUNT</b>			<b>\$125,000</b>		<b>\$2,500,000</b>		<b>\$2,625,000</b>

**Exhibit A**  
**FY 1999-00 Supplemental Budget**  
**Ordinance No. 00-859**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Revenue Bond Fund</b>							
<b>Debt Service Account</b>							
<i>Debt Service</i>							
<b>METRO REGIONAL CENTER</b>							
<i>REVBND</i>	<i>Revenue Bond Payments</i>						
5630	Revenue Bond Pmts-Principal		570,000		0		570,000
5635	Revenue Bond Payments-Interest		1,224,020		0		1,224,020
<b>WASHINGTON PARK PARKING LOT</b>							
<i>LOAN</i>	<i>Loan Payments</i>						
5610	Loan Payments - Principal		177,788		0		177,788
5615	Loan Payments - Interest		254,270		0		254,270
<b>TOTAL DEBT SERVICE ACCOUNT</b>			<b>\$2,226,078</b>		<b>\$0</b>		<b>\$2,226,078</b>
<b>General Expenses</b>							
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* Renewal & Replacement Account		395,000		0		395,000
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Debt Reserve Account		1,879,020		0		1,879,020
	* Renewal & Replacement Account		216,099		0		216,099
<b>Total Contingency and Ending Balance</b>			<b>\$2,490,119</b>		<b>\$0</b>		<b>\$2,490,119</b>
<b>TOTAL FUND REQUIREMENTS</b>			<b>\$4,864,288</b>		<b>\$2,500,000</b>		<b>\$7,364,288</b>



**Exhibit B**  
**Schedule of Appropriations**  
**FY 1999-00 Supplemental Budget**  
**Ordinance No. 00-859**

	<u>Current Appropriations</u>	<u>Revision</u>	<u>Amended Appropriations</u>
<b>GENERAL REVENUE BOND FUND</b>			
<b>Construction Account</b>			
Capital Outlay	\$23,091	\$0	\$23,091
Subtotal	23,091	0	23,091
<b>Project Account</b>			
Capital Outlay	125,000	2,500,000	2,625,000
Subtotal	125,000	2,500,000	2,625,000
<b>Debt Service Account</b>			
Debt Service	2,226,078	0	2,226,078
Subtotal	2,226,078	0	2,226,078
<b>General Expenses</b>			
Contingency	395,000	0	395,000
Subtotal	395,000	0	395,000
Unappropriated Balance	2,095,119	0	2,095,119
<b>Total Fund Requirements</b>	<b>\$4,864,288</b>	<b>\$2,500,000</b>	<b>\$7,364,288</b>
<b>MERC OPERATING FUND</b>			
Operating Expenses (PS & M&S)	\$26,514,559	\$0	\$26,514,559
Debt Service	2,513,415	(531,214)	1,982,201
Capital Outlay	7,642,450	(5,050,000)	2,592,450
Contingency	1,054,682	0	1,054,682
Unappropriated Balance	19,390,952	(10,578,786)	8,812,166
<b>Total Fund Requirements</b>	<b>\$57,116,058</b>	<b>(\$16,160,000)</b>	<b>\$40,956,058</b>
<b>MERC POOLED CAPITAL FUND</b>			
Materials & Services	\$0	\$75,000	\$75,000
Capital Outlay	0	\$396,500	396,500
Unappropriated Balance	4,889,610	534,516	5,424,126
<b>Total Fund Requirements</b>	<b>\$4,889,610</b>	<b>\$1,006,016</b>	<b>\$5,895,626</b>

***All Other Appropriations Remain as Previously Adopted***

## STAFF REPORT

CONSIDERATION OF ORDINANCE 00-859 AMENDING THE FY 1999-00 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF ADOPTING A SUPPLEMENTAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 AND ENDING JUNE 30, 2000; AND DECLARING AN EMERGENCY.

---

Date: April 5, 2000

Presented by: Tony Mounts  
David Biedermann

## FACTUAL BACKGROUND AND ANALYSIS

A supplemental budget is necessary due to unforeseen circumstances that require adjusting the adopted budget. This action is the first step toward adopting a supplemental budget for FY 1999-2000. Ordinance No. 00-859 revises the FY 1999-00 budget and appropriations schedule for the MERC Operating Fund, the MERC Pooled Capital Fund, and the General Revenue Bond Fund.

This ordinance is presented at this time but will not be adopted until after the Tax Supervising and Conservation Commission (TSCC) conducts its public hearing, scheduled for June 8, 2000. TSCC review is required under Oregon Budget Law because total appropriations are being increased by more than ten percent of the value of the funds' adopted expenditures. Specific changes to the budget under this proposal are explained below.

### *MERC Concessions Contract*

The new MERC food and beverage contract with Aramark/Giacommetti required a \$1,000,000 contribution for capital acquisitions and improvement to the various MERC facilities. These funds were deposited into the MERC Pooled Capital Fund for expenditure in fiscal years 1999-00 and 2000-01. Over the two-year period, these funds will pay for the following projects:

- \$85,000 for computer upgrades in software and hardware related to the food concessionaire's computer system in all four facilities.
- \$345,000 for the renovation of the concession stand in the Oregon Convention Center Hall B into a full service Grill Works stand.
- \$120,000 for the construction of a coffee bar in the entrance lobby area of the Oregon Convention Center Hall B.
- \$325,000 to the Expo Center dedicated towards the outfitting of the kitchen in the reconstruction of Hall D.

- \$125,000 to the Portland Center for the Performing Arts to be used among all three PCPA buildings to modify and improve existing facilities as well as purchase equipment and smallwares to improve the catering capabilities.

This contribution was not anticipated during the preparation and review of the FY 1999-00 Adopted Budget. This action requests the recognition of the revenue contributed under the new MERC food and beverage contract and an increase in the fund's operation appropriation of \$471,500 with the balance placed in unappropriated fund balance.

### *Expo Center Hall D Construction Project*

The Expo Center Hall D construction project was initially intended to begin in the fall of 1999, funded through a Metro issued revenue bond backed solely with Expo Center revenues. As a result, the FY 1999-00 Adopted Budget included the revenue bonds and the construction project expenditures in the MERC Operating Fund. The project will now be funded by a loan from the Oregon Economic and Community Development Department (OECDD) with actual construction to begin in the Spring of 2000. Although the primary pledge of revenue for repayment of the loan is Expo Center revenue, there is an underlying secondary pledge of general agency revenues. In addition, loan proceeds funding the project will be received on a reimbursement basis only. To meet previous covenants related to general revenues and to provide better separation of operating versus capital project costs, this action moves the Expo Center Hall D Construction Project from the MERC Operating Fund to the General Revenue Bond Fund. Since the loan proceeds will be provided on a reimbursement basis, the ordinance seeks only to recognize the amount necessary to fund the anticipated expenditures for FY 1999-00.

### **EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends adoption of Ordinance 00-859, for the purposes of adopting a supplemental budget for the FY 1999-00.

KTR:

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*Friends of*  
**Kellogg & Mt. Scott Creeks**  
*Watershed*



METRO  
600 NE Grand Avenue  
Portland, OR 97232

April 20, 2000

Metro Councilors, MPAC, and MTAC:

The Friends of Kellogg & Mt. Scott Creeks Watershed represents over 240 families who reside on creek-frontage lots in urban north-Clackamas County. Obviously, Metro's Goal 5 and Streamside CPR program will have significant impacts on these property owners. However, like many groups representing thousands of Metro-area citizens, we support you going forward with these riparian-area protection programs, including the Regional Safe Harbor and Regulated Disturbance Area components.

In 1999 a joint ODF&W-Clackamas County urban stream fish study was completed and published. We are now certain that remnant populations of Steelhead, Cutthroat trout, and Coho salmon are still present and struggling to exist despite our impacts on these streams. Longtime residents can remember when these and other game-fish were abundant and available for fishing in our streams. For the first time in years, they harbor renewed hope that regulators and planners are paying attention to this issue and doing something toward restoring the habitat, and the fish runs in what has now become the Metro area.

It's clear that voters have shown they are willing to spend money and make sacrifices to preserve the hallmark features of our natural environment: open spaces for recreation, and healthy fish and wildlife habitats. It's the quality of these habitats which imbues high value to our natural areas. Were it not so, we would be satisfied with pretty settings that are devoid of wildlife diversity, and that mask polluted water, sterile of insect, fish, crustacean and amphibian life.

Metro's Streamside CPR Draft is heading in a direction which allows for use and development of lots near streams, while providing a real level of effective protection for wildlife and for water quality. This is consistent with our goals, and with area residents' high priority on quality natural areas **where we live**, not merely an automobile trip away, across the UGB in some undeveloped area.

Sincerely,  
Steve Berliner, Director

A handwritten signature in blue ink, appearing to read "Steve Berliner". The signature is fluid and cursive.

Friends of Kellogg & Mt. Scott Creeks Watershed