

## MINUTES OF THE METRO COUNCIL MEETING

December 14, 2000

Metro Council Chamber

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

Presiding Officer Bragdon convened the regular council meeting at 2:00 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

**Katie Dowdall, Program Supervisor/Community Enhancement Coordinator**, presented a certificate to Councilor Washington for dedicated service as the chair of both the Metro Central Enhancement Committee and the North Portland Enhancement Committee, from February 1992 to December 2000. She presented Councilor Washington with a pen and ink picture of St. Johns Bridge.

**Joe Beeler, Metro Central Enhancement Committee**, congratulated Councilor Washington and said it was a privilege to serve with him on the Central Enhancement Committee.

**Gary Boehm, North Portland Enhancement Committee**, thanked Councilor Washington for his words of wisdom and integrity over the years, and said it was a pleasure to work with him on the committee.

**Councilor Washington** thanked the committee for its thoughtfulness, integrity and hard work.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

### 4. AUDITOR COMMUNICATIONS

There were none.

### 5. MPAC COMMUNICATIONS

**Presiding Officer Bragdon** said he had received two communications from the Metro Policy Advisory Committee (MPAC), which were relevant to item 7.1. He said the chair of MPAC was coming to today's council meeting, but had been delayed by the weather. He would suspend the meeting to allow the chair to speak once he arrived. He added that MPAC did not meet on December 6, 2000, due to weather. The next MPAC meeting was scheduled for January 10, 2001.

**6. CONSENT AGENDA**

6.1 Consideration of Minutes of the December 7, 2000, and December 12, 2000, Regular Council Meetings

**Motion:** **Councilor Atherton** moved to adopt the meeting minutes of December 12, 2000, and December 7, 2000, regular council meetings.

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

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

**7. ORDINANCES –SECOND READING**

7.1 **Ordinance No. 00-882B**, For the Purpose of Amending the Regional Framework Plan, Ordinance No. 97-715B, Regarding Housing and Affordable Housing including Policy Section 1.3 and Amendments to the Urban Growth Management Functional Plan Title 7 and 8, Ordinance No. 96-647C

**Motion:** **Councilor Washington** moved to adopt Ordinance No. 00-882B.

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

**Presiding Officer Bragdon** said Lou Ogden, Mayor of the City of Tualatin and Chair of the MPAC, would join the meeting shortly.

**Councilor Washington** asked Dan Cooper, General Counsel, to explain Amendment #1 to Ordinance No. 00-882B, a copy of which is included in the meeting record.

**Mr. Cooper** reviewed Councilor Washington Amendment #1 to Ordinance No. 00-882B. He said the amendment was technical in nature, and would reconcile the language in the Regional Affordable Housing Strategy, accepted by the council last spring, with the language in the Regional Framework Plan and the Urban Growth Management Functional Plan (Functional Plan). A copy of the amendment contains information presented by Mr. Cooper and is included in the meeting record.

**Presiding Officer Bragdon** explained that the council had intended to take final action on the ordinance today. However, the council was technically required to have MPAC review the ordinance first. Because MPAC's meeting last night was cancelled due to weather, that review had not yet occurred. He said the council would hold a public hearing today, and discuss the proposed amendment.

**Motion to Amend Main Motion:** **Councilor Washington** moved Councilor Washington Amendment #1 to Ordinance No. 00-882B.

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

**Councilor Washington** urged the council to adopt the amendment.

**Presiding Officer Bragdon** said he supported the amendment, and believed it was consistent with the recommendation accepted by the council and MPAC last June.

**Vote on**                The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.  
**Motion to**  
**Amend Main**  
**Motion:**

**Presiding Officer Bragdon** opened a public hearing.

**Diane Linn, Multnomah County Commissioner and Chair of the Affordable Housing Technical Advisory Committee (H-TAC)**, said this was an important step in the long process of developing a regional affordable housing strategy. She thanked the council for adopting Councilor Washington Amendment #1. The amendment defined the spirit and letter of the strategy. It was critically important for those words to be in the Functional Plan and Regional Framework Plan. She introduced Diane Luther, H-TAC member, and said they were happy to answer any questions. She noted one outstanding issue: the question of an ongoing committee to monitor the progress on affordable housing.

**Presiding Officer Bragdon** noted that Growth Management Services staff was currently developing performance measures for the 2040 Growth Concept. He said housing affordability needed to be included in those performance measures.

**Councilor Washington** urged the council to consider a continuing committee to address the issues of affordable housing.

**Commissioner Linn** added that H-TAC respected Metro's process and appreciated that MPAC had not yet had the opportunity to review the ordinance a final time. She said MPAC may also mention that a small amount of Metro staff assistance could leverage a lot of volunteer assistance in monitoring the region's progress on affordable housing.

**Mike Burton, Executive Officer**, said when the idea of a regional affordable housing strategy began, it was embroiled in a lot of controversy. He thanked Councilor Washington, Mr. Cooper, Commissioner Linn and H-TAC, Mark Turpel, Manager of Long-Range Planning, and Gerry Uba, Program Supervisor, for their work and their success at finding broad support for the strategy.

**Presiding Officer Bragdon** noted two letters in the record: one from Mayor Ogden, and one from Lisa Naito, Multnomah County Commissioner and next year's chair of MPAC. Copies of the letters are included in the meeting record. He closed the public hearing and said final consideration of the ordinance would be held over until January 2001. He said he would reconvene the public hearing when Mayor Ogden appeared.

**Motion:**                **Councilor Washington** moved to tentatively approve Ordinance No. 00-882B, pending MPAC's review on January 10, 2001, with final council consideration on January 18, 2001.

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

**Councilor Kvistad** said he would vote for the motion, out of deference to Councilor Washington. He noted that he had not voted for any of the affordable housing measures before.

**Presiding Officer Bragdon** noted that Councilor Kvistad also voted to accept the H-TAC report in June.

**Councilor McLain** spoke to the motion. She said it was important to allow MPAC the opportunity to review the ordinance. However, it was also important for the council to vote on the ordinance today, because today's ordinance was the result of Councilor Washington's persistence and vision.

**Councilor Washington** closed by thanking Councilor Kvistad for his support on this issue, and other in the past. He thanked Metro staff, Mr. Uba, Mr. Turpel, H-TAC, and Elaine Wilkerson, former Director of Growth Management Services. He thanked Commissioner Linn for her efforts as chair of H-TAC. He thanked Michael Morrissey, Senior Council Analyst, Mr. Stone and Mr. Cooper for their hard work. He urged an aye vote.

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

7.2 **Ordinance No. 00-883**, Amending the FY 2000-01 Budget and Appropriations Schedule for the Purpose of Transferring \$19,425 from the Zoo Operating to Personal Services and Authorizing an Additional Program Assistant 2 Position at the Oregon Zoo

**Motion:** **Councilor McLain** moved to adopt Ordinance No. 00-883.

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

**Councilor McLain** presented Ordinance No. 00-883. A staff report to the ordinance contains information presented by Councilor McLain and is included in the meeting record.

**Presiding Officer Bragdon** opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-883. Presiding Officer Bragdon closed the public hearing.

**Councilor McLain** closed by urging an aye vote.

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

## 8. RESOLUTIONS

8.1 **Resolution No. 00-3011**, For the Purpose of Approving an Intergovernmental Agreement with Multnomah County and the City of Portland Regarding Expansion of the Oregon Convention Center

**Motion:** **Councilor Monroe** moved to adopt Resolution No. 00-3011A.

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

**Councilor Monroe** presented Resolution No. 00-3011. He asked Mr. Cooper to explain the details of the intergovernmental agreement (IGA).

**Mr. Cooper** noted that the council was considering Resolution No. 00-3001A, a copy of which is included in the meeting record. He reviewed the history of the resolution, which began with Metro's approval of a Memorandum of Understanding in September 1999. A staff report to Resolution No. 00-3001 contains information presented by Mr. Cooper and is included in the meeting record. He added that this was an incredibly complicated arrangement.

**Presiding Officer Bragdon** opened a public hearing.

**Pat LaCrosse, Chair, Portland Oregon Visitors Association (POVA)**, encouraged the council to approve Resolution No. 00-3011A. On behalf of POVA, he commended the council staff and executive staff at Metro and the Metro Councilors for their efforts on the agreement.

**Joe D'Alessandro, President and CEO, POVA**, encouraged the council to pass the resolution. He said it was a big day for the region, POVA, Metro, the City of Portland, Multnomah County, the car rental and lodging industries, and the citizens of the region. He thanked the Metro Council and Metro staff for their work and support.

**Presiding Officer Bragdon** closed the public hearing.

**Councilor Kvistad** thanked the many people who helped pull together the agreement. He said voting on the agreement today was a great way to end his time at Metro.

**Councilor McLain** thanked the industry for voluntarily taxing itself to improve the Convention Center, and becoming true partners with local government. She spoke to the benefits of creating an advisory committee, and said she looked forward to working closely with the hospitality industry.

**Councilor Washington** thanked Larry Harvey, Larry Harvey Public Relations, Mr. D'Alessandro, Mr. LaCrosse, and Mr. Cooper.

**Councilor Park** thanked Metro's partners in the IGA, Mr. D'Alessandro, Mr. Cooper, Mr. Stone, Peggy Coats, Council Analyst, Jeff Blosser, Oregon Convention Center Director, and Mark Williams, Metropolitan Exposition Recreation Commission (MERC) General Manager.

**Councilor Washington** applauded the creation of an advisory committee.

**Presiding Officer Bragdon** saluted Councilor Washington for his continued support of the project. He commended the partners in the agreement for working together to find a solution, particularly the hospitality industry. He noted that Resolution No. 00-3011A built on the past ten year's success of the Oregon Convention Center. He commended the management of the convention center for its excellent work.

**Councilor Monroe** reviewed the history of the agreement, and urged an aye vote.

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

8.2 **Resolution No. 00-3012**, For the Purpose of Approving an Intergovernmental Agreement with Multnomah County Regarding Disbursement of Transient Lodging Tax Proceeds

**Motion:** **Councilor Monroe** moved to adopt Resolution No. 00-3012A.

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

**Councilor Monroe** said Resolution No. 00-3012A was a companion measure to Resolution No. 00-3011A. A copy of the resolution is included in the meeting record.

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

8.3 **Resolution No. 00-3013**, For the Purpose of Approving an Agreement with Multnomah County, City of Portland, and Visitor Development Fund, Inc., Regarding Administration of a Visitor Development Fund

**Motion:** **Councilor Monroe** moved to adopt Resolution No. 00-3013A.

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

**Councilor Monroe** said Resolution No. 00-3013A was another companion measure to Resolution No. 00-3011A. A copy of the resolution is included in the meeting record.

**Mr. Cooper** said there was still an outstanding issue between the Metro Auditor, the Multnomah County Auditor, and the City of Portland Auditor regarding how best to audit the Visitor Development Fund Board. The resolution before the council would authorize the Executive Officer to enter into an agreement "in a form substantially similar to" Exhibit A. He anticipated that the three auditors would resolve this issue before final approval of the agreement by the City of Portland and Multnomah County. He said it was not a substantive issue.

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

7.1 **Ordinance No. 00-882B**, For the Purpose of Amending the Regional Framework Plan, Ordinance No. 97-715B, Regarding Housing and Affordable Housing including Policy Section 1.3 and Amendments to the Urban Growth Management Functional Plan Title 7 and 8, Ordinance No. 96-647C (Continued)

**Presiding Officer Bragdon** reopened a public hearing on Ordinance No. 00-882B.

**Lou Ogden, Mayor, City of Tualatin, and MPAC Chair**, said Ordinance No. 00-882B had been under development for a long time. He thanked H-TAC for its work to address this dire issue amongst many varying points of view and conflicting ideas. The problem was so large, and the funding was so improbable, that solving the problem in the short term was not the objective. Instead, discussion focused on how to approach the problem. He said the effort would not have been possible without Councilor Washington's support. While MPAC did not have the opportunity to vote on Ordinance No. 00-882B, due to the weather, he knew from past discussions that there was general consensus and strong support that the principles outlined in the ordinance were imperative to the region, and need to be embraced by each jurisdiction. There were some concerns about how affordable housing was addressed through land-use regulations, specifically comprehensive plans, and also a concern about potential legal repercussions. He said MPAC was working through those issues, and believed that minor language changes could be brought forward in the form of an amendment, if necessary, through MPAC at its first meeting in January. He urged the council to pass the ordinance, even though MPAC had not officially voted in support of it. Any necessary corrections on the wording, as it addressed local jurisdictions' comprehensive planning process, could be adjusted with an amendment after the first of the year. He thanked Councilor Washington for his leadership in moving the issue forward and keeping the region focused.

**Councilor Washington** thanked Mayor Ogden for his comments and noted that the council had tentatively approved the ordinance earlier in the meeting. The ordinance was scheduled to return to MPAC on January 10, 2001, for review and comment, and then return to council for final consideration on January 18, 2001.

**Presiding Officer Bragdon** noted that last night was to be Mayor Ogden's last night as chair of MPAC. He thanked him for his time and effort for the region.

**Mayor Ogden** said regional planning was not simple, but he believed that everyone at MPAC and on the Metro Council have worked to bring local governments and Metro closer together.

**Presiding Officer Bragdon** closed on the public hearing.

## 2. CITIZEN COMMUNICATIONS (Continued)

**Presiding Officer Bragdon** turned over the gavel to Deputy Presiding Officer Washington, in order to recognize Councilor Kvistad for his work on the Joint Policy Advisory Committee on Transportation (JPACT). The presentation was originally scheduled for that morning's JPACT meeting, which was cancelled due to weather.

**Cassandra Griffin, Chair of the Board of Directors, Bicycle Transportation Alliance**, expressed her fond regards for the good work done by Councilor Kvistad during his term of service. She presented him with a certificate of recognition, which she read into the record.

**Deputy Presiding Officer Washington** returned the gavel to Presiding Officer Bragdon.

**Presiding Officer Bragdon** added that regardless of ideology or modal choice, anybody involved in transportation public policy appreciated Councilor Kvistad's evenhanded leadership at JPACT.

**Councilor Kvistad** thanked everyone on JPACT.

## 9. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e), DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS

**Presiding Officer Bragdon** opened an Executive Session pursuant to ORS 192.660(1)(e) to discuss a potential open space acquisition.

Present: Mr. Cooper, Jim Desmond, Senior Manager of Open Spaces Acquisition, Executive Officer Burton, members of the media, and members of council staff

**Presiding Officer Bragdon** closed the Executive Session.

### 8.4 Resolution No. 00-3000, For the Purpose of Recognizing the Achievements of Metro Councilors Jon Kvistad and Ed Washington

**Presiding Officer Bragdon** added Resolution No. 00-3000 to the agenda without objection. He turned over the gavel to Deputy Presiding Officer Washington.

**Motion:** **Presiding Officer Bragdon** moved to adopt Resolution No. 00-3000.

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

**Deputy Presiding Officer Washington** returned the gavel to Presiding Officer Bragdon.

**Christina Billington, Clerk of the Council**, read Resolution No. 00-3000 in full. A copy of the resolution is included in the meeting record.

**Presiding Officer Bragdon** opened a public hearing.

**Executive Officer Burton** spoke in support of the resolution and noted Councilor Washington and Kvistad's contributions to the region. He presented to Councilor Washington a photograph of his receiving a memento at the Minority Enterprise Development Luncheon, and gave Councilor Kvistad a "Former Metro Officials Emergency Kit."

**Councilor Kvistad** said his criticisms and feelings over the past years were always political, never personal. He said he had a great deal of respect for Executive Officer Burton as a person.

**Alexis Dow, Metro Auditor**, recognized Councilor Washington's contributions to Metro and the working relationships between the council and the Auditor. She recognized Councilor Kvistad for his role as Presiding Officer for three years, and for his skills as organizer and facilitator.

**Presiding Officer Bragdon** closed the public hearing. He yielded the time for his closing statement to Councilors Kvistad and Washington.

**Councilor McLain** said she would vote in favor of the resolution. She said both Councilors Washington and Kvistad had done an outstanding job for the public and for their districts. She noted Councilor Kvistad's work on the west-side bypass, and said she appreciated their interaction over the years. She recognized Councilor Washington for his commitment to the Greenspace Master Plan.

**Councilor Monroe** said Councilors Washington and Kvistad exemplified an important lesson: life is not fair. While Councilor Washington's district included everything important: the zoo, the Oregon Convention Center, the Expo Center, Smith and Bybee Lakes, and a new light rail line, Councilor Kvistad's district included the I-5/Hwy 217 intersection and the Beaverton Round. However, his mother taught him that there was always a reckoning, and he assured Councilor Kvistad that one day, he would get his.

**Councilor Park** noted that Councilor Washington would soon travel to Hawaii to explain the benefits of urban growth boundaries to the people there, and he presented him with beach towel/carrying case for his trip. He also presented Councilor Kvistad with a tee shirt that read, "Pave the Planet: One World, One People, One Slab of Asphalt." He thanked Councilors Washington and Kvistad for their help, insight, and willingness to debate the issues over the past two years.

**Councilor Atherton** said he learned a great deal from both Councilors Washington and Kvistad, and he thanked them.

**Presiding Officer Bragdon** thanked Councilors Kvistad and Washington for their help and inspiration over the past two years. From them he learned that public service is an ethic, regardless of ideology or the agenda of the day.

**Councilor Washington** closed by thanking Councilor McLain for her vote that appointed him to the Metro Council nine years ago. He thanked the council for renaming the Smith and Bybee Interlakes Trail the Jean Washington Interlakes Trail, in his wife's memory. He said this was one of the toughest jobs he ever did, and he made it through the past nine years at Metro due to the unbelievable group of people with whom he worked. He would miss everyone a great deal.



**Councilor Kvistad** closed by thanking his parents for their support. He thanked a number of former Metro Councilors for their support and friendship: Judy Wyers, Ruth McFarland, and George VanBergen. He thanked the mayors from his district for their help and support. He thanked John Fregonese, former director of Metro Growth Management Services, Sherry Sheng, former zoo director, Lois Kaplan, former administrative assistant in the Transportation Department, and Mr. Stone. He said he would miss Metro's staff, who were dedicated to public service and did spectacular work every day. He said there were only two areas in which he had unfinished business: the Expo Center and arts and cultural funding. He encouraged the council to complete the Expo renovation, and find ways to increase arts funding. He thanked everyone who voted for him for the opportunity to serve.

**Councilor Washington** introduced his mother, Virgie Washington, and sister, Robbie Bagley.

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

**Presiding Officer Bragdon** presented Councilors Washington and Kvistad with copies of Resolution No. 00-3000, and replicas of their name plates.

#### **10. COUNCILOR COMMUNICATIONS**

There were none.

#### **11. ADJOURN**

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

Prepared by,

Chris Billington  
Clerk of the Council

The following documents were submitted to the record at this meeting:

<b>Document Number</b>	<b>Document Date</b>	<b>Document Title</b>	<b>TO/FROM</b>	<b>RES/ORD</b>
121400c-01	12-7-200	Minutes of the Metro Council Meeting, December 7, 2000	TO Metro Council/ FROM Chris Billington	Consent Agenda
121400c-02	12-12-200	Minutes of the Metro Council Meeting, December 12, 2000	TO Metro Council/ FROM Chris Billington	Consent Agenda
121400c-03	12-11-2000	Exhibit "C" of Ordinance No. 00-882B, Findings of Fact and Conclusions of Law		Ord. No. 00-882
121400c-04	11-15-2000	Staff Report to Ordinance No. 00-882	TO Metro Council/ FROM Ed Washington	Ord. No. 00-882
121400c-05	12-11-2000	Growth Management Committee Report to Ordinance No. 00-882B	TO Metro Council/ FROM Ed Washington	Ord. No. 00-882
121400c-06	12-14-2000	Councilor Washington Amendment #1 to Ordinance No. 00-882B	TO Metro Council/ FROM Ed Washington	Ord. No. 00-882
121400c-07	12-14-2000	Letter RE: MPAC review of Ordinance No. 00-882B	TO David Bragdon/ FROM Lou Ogden	Ord. No. 00-882
121400c-08	12-13-2000	Letter RE: MPAC review of Ordinance No. 00-882B	TO David Bragdon/ FROM Lisa Naito	Ord. No. 00-882
121400c-09	12-14-2000	Resolution No. 00-3011A		Res. No. 00-3011
121400c-10	12-14-2000	Exhibit A to Resolution No. 00-3011A, Visitor Facilities Intergovernmental Agreement		Res. No. 00-3011
121400c-11	12-14-2000	Resolution No. 00-3012A		Res. No. 00-3012
121400c-12	12-14-2000	Resolution No. 00-3013A		Res. No. 00-3013
121400c-13	12-14-2000	Exhibit A to Resolution No. 00-3013A, Visitor Development Fund Services Agreement		Res. No. 00-3013
121400c-14	12-14-2000	Resolution No. 00-3000		Res. No. 00-3000