

## MINUTES OF THE METRO COUNCIL MEETING

January 18, 2001

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain (Deputy Presiding Officer), Rex Burkholder, Rod Park, Bill Atherton, Rod Monroe, Carl Hosticka

Councilors Absent: None

Deputy Presiding Officer McLain convened the regular council meeting at 2:07 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. NATURAL RESOURCES REPORT

The Natural Resources Report was rescheduled for February 1, 2001.

### 4. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

### 5. AUDITOR COMMUNICATIONS

- **CAFR**

**Alexis Dow, Metro Auditor**, presented Metro's Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2000. A copy of the CAFR is included in the meeting record. She introduced Don Riggs, from Deloitte and Touche, and Don Cox and Karla Lenox, from Metro's Accounting Services Division. She said Deloitte and Touche issued Metro a clean opinion, which meant there were no significant exceptions to the information presented in the audited financial statements.

**Don Riggs, Deloitte and Touche**, reviewed the independent auditors' report of Metro's general purpose financial statements. A copy of the report by Deloitte and Touche is included in the meeting record. He said it was a very clean audit, and he complimented Jennifer Sims, Administrative Services Department Director, Mr. Cox and Ms. Lenox for their excellent work.

**Councilor Atherton** asked if the analysis of Metro's landfill closure fund included the orphan site contributions made by Metro in the past.

**Don Cox, Manager, Accounting Services Division**, said the fees charged during the time the landfill was open were set aside to fund post-closure care costs. In effect, Metro had a funded liability because there were assets in place to fund the remaining estimated post-closure care.

**Councilor Atherton** said the orphan site fund could be added to the landfill closure fund, as well.

**Mr. Cox** said there was a specific Department of Environmental Quality (DEQ) requirement that entities should have financial assurance programs in place to fund post-closure care of landfills.

**Councilor Atherton** noted that completing the CAFR was a state requirement. He asked if the State of Oregon had ever offered to provide financial assistance.

**Deputy Presiding Officer McLain** said no one from the state was present to answer Councilor Atherton's question. She noted that state staff worked diligently with Metro on the CAFR.

**Mr. Cox** acknowledged Karla Lenox, Financial Reporting and Control Section Supervisor, and the rest of the accounting staff, for their work on the CAFR. He noted the transmittal letter for the CAFR (pages vii through xxviii). He said there was one budgetary over-expenditure of \$288,501 during fiscal year 2000 in the General Revenue Bond Fund, related to an Expo Center project (page 26). He said they were not able to attain the actuarial information from the State of Oregon Public Employee Retirement System (PERS) in time for the report.

**Councilor Park** noted Mr. Riggs's statement that the audit was very clean for a government of Metro's size. He asked if by size, Mr. Riggs was referring to dollar value, volume, or population size?

**Mr. Riggs** said he was referring to dollar value – the size of the accounting entries.

## 7. LEGISLATIVE UPDATE

**Jeff Stone, Council Chief of Staff**, said the Oregon Legislature was now in session. He noted that the Oregon Plan had been assigned a senate bill number, and said he would keep the council informed about the bill's progression. He said Doug Riggs and the PacWest Communication Team began interviews with House and Senate members during the first week, and were well received.

**Councilor Monroe** noted that Dan Cooper, General Counsel, was currently in a meeting with Oregonians in Action and the Association of Oregon Counties and Cities in Salem concerning Measure 7. The goal of the meeting was to reach agreement on how to address the real problems that Measure 7 attempted to address, without destroying Oregon's land use system.

**Councilor Hosticka** said he spoke with State Representative Bruce Starr that morning. Rep. Starr indicated interest in work done by Metro on alternative ways to fund transportation. Metro may be asked to send someone to Salem to summarize the results of the task force on tolling and peak period pricing. He asked Mr. Stone to distribute to the council a list of the legislative bills that may affect Metro, with a brief summary, each week.

**Deputy Presiding Officer McLain** agreed.

**Councilor Burkholder** said Mr. Doug Riggs's report mentioned a regional transportation authority. He asked for more information.

**Mike Burton, Executive Officer**, said the idea of a regional transportation authority came from a transportation summit which he, Councilor Monroe and Councilor Bragdon attended. There was interest in Area Commissions on Transportation (ACTs), to let regions create taxing districts to allow new

funding mechanisms that could be applied to alternative transportation. Proposals were being drafted and would be presented to the council.

**Councilor Bragdon** asked Mr. Stone to give each councilor a copy of the bill concerning buildable lands inventory and planning period, as Councilor Hosticka suggested.

**Councilor Atherton** said in his opinion, buildable land supply set an outer limit of 20 years. This was opposed to current law, which allowed a supply of more than 20 years. He said many communities would support this effort, and it could be useful to Metro.

## 6. MPAC COMMUNICATIONS

**Deputy Presiding Officer McLain** said the Metro Policy Advisory Committee (MPAC) did not meet this week. She invited Councilor Monroe to update the council on the Joint Policy Advisory Committee on Transportation (JPACT).

**Councilor Monroe** said the main topic at JPACT that morning was the process and priorities for the Metropolitan Transportation Improvement Program (MTIP) decision making. He felt the overall tenor of the meeting was very positive. He briefly reviewed the process for MTIP funding. The council would vote next week on the process, which was approved by JPACT today.

**Councilor Burkholder** noted that JPACT voted to lengthen the MTIP process to allow local jurisdictions more time to prepare their lists of projects.

**Councilor Monroe** added that JPACT also said farewell to Grace Crunican, Director, Oregon Department of Transportation, who had resigned, and Jon Kvistad, former Metro Councilor and chair of JPACT.

## 8. CONSENT AGENDA

### 8.1 Consideration of Minutes of the January 11, 2001, Regular Council Meeting

**Motion:** **Councilor Bragdon** moved to adopt the minutes of the January 11, 2001, regular council meeting.

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

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

### 8.2 Consideration of Minutes the November 30, 2000, State and Federal Legislative Agenda Committee Meeting

**Motion:** **Councilor Bragdon** moved to adopt the minutes of the November 30, 2000, State and Federal Legislative Agenda Committee meeting.

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

**Vote:** The vote was 5 aye/ 0 nay/ 2 abstain. The motion passed with Councilors Burkholder and Hosticka abstaining from the vote.

## 9. ORDINANCES

9.1 **Ordinance No. 00-882C**, 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 Titles 7 and 8, Ordinance No. 96-647C

**Motion:** **Councilor Bragdon** moved to adopt Ordinance No. 00-882C.

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

**Councilor Bragdon** yielded his time to Deputy Presiding Officer McLain.

**Deputy Presiding Officer McLain** called for amendments to the ordinance.

**Motion to Amend Main Motion:** **Councilor Bragdon** moved MPAC Amendment #24, a copy of which is included in the meeting record.

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

**Councilor Bragdon** said the intent of MPAC Amendment #24 was to modify the description of realistic production goals in the region, by adding the word "more" to the Regional Framework Plan, Section 1.3.5, Affordable Housing Production Goals. The amendment was proposed by Mayor Charles Becker, City of Gresham, and unanimously approved at MPAC last week.

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

**Motion to Amend #2:** **Councilor Bragdon** moved MPAC Amendment #25, a copy of which is included in the meeting record.

**Second:** **Councilor Burkholder** seconded the motion.

**Councilor Bragdon** said the intent of MPAC Amendment #25 was to provide more specifics about the magnitude of the issue, by including estimated amounts. The amendment was proposed by Mayor Becker and unanimously approved at MPAC last week.

**Vote on Motion to Amend #2:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

**Motion to Amend #3:** **Councilor Bragdon** moved MPAC Amendment #26, a copy of which is included in the meeting record.

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

**Councilor Bragdon** said the intent of MPAC Amendment #26 was to clarify the definition of "considering." The amendment was proposed by Mayor Lou Ogden, City of Tualatin, and unanimously approved at MPAC last week.

**Councilor Burkholder** noted that the plan did not include actual production requirements. Instead, there were goals and consideration of adoption of certain strategies. MPAC Amendment #26 simply reiterated that Metro was not asking for actual results. It was important to look at this again in two years to see if progress had been made toward the region's housing goals, and consider stronger language if it had not.

**Councilor Hosticka** asked about the requirement in the Urban Growth Management Functional Plan (Functional Plan), Section 3.07.730(C), to report what actions were taken. He asked if that requirement was still in effect, and local jurisdictions were not fully complied until after they had reported?

**Councilor Bragdon** said yes, he believed that was correct.

**Deputy Presiding Officer McLain** noted that Section 3.07.730 of the Functional Plan talked about the actions of local jurisdictions, not about Metro action. The council would have full opportunity to review the local jurisdictions' reports and then decide whether or not they had adequately attempted to meet the region's goals.

**Vote on Motion to Amend #3:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

All amendments to Ordinance No. 00-882C were minor and technical in nature.

**Deputy Presiding Officer McLain** opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-882C. Deputy Presiding Officer McLain closed the public hearing. She noted that the public had the opportunity to testify on affordable housing over the past five years.

**Councilor Monroe** said this had been a lengthy process. Affordable housing was a difficult issue, and he thanked Deputy Presiding Officer McLain and former Councilor Ed Washington for their efforts.

**Councilor Park** noted that the issue of affordable housing had been very contentious. He recognized Councilor Burkholder's concerns, but said it was a question of local control. The ordinance before the council was consistent with State Planning Goal 10, and provided performance measures by which to evaluate the region's progress. He thanked former Councilor Washington, Councilor Monroe and Deputy Presiding Officer McLain for their work on the prior Metro Council.

**Councilor Bragdon** said Ordinance No. 00-882C respected local control, but it was also about shared interest and shared responsibilities. The region came together and recognized that affordable housing across the region, not concentrated in certain geographic areas, was essential for economic vitality.

**Deputy Presiding Officer McLain** recognized Gerry Uba, Program Supervisor, Malu Wilkinson, Assistant Regional Planner, and Mark Turpel, Long-Range Planning Manager, for their work on affordable housing. She thanked Multnomah County Commissioner Diane Linn, chair of the Affordable Housing Technical Advisory Committee (H-TAC), H-TAC subcommittee chairs Jeff Condit, Tasha Harmon, and David Bell. She also recognized the work of Beaverton Mayor Rob Drake; Portland City Commissioner Erik Sten; David Lawrence, Hillsboro Deputy City Manager; Diane Luther, Northwest Housing Alternatives; Doug McClain, Clackamas County Planning Section Manager; and Andree Tremoulet, City of Gresham. She acknowledged former Councilor Washington for his instrumental work on affordable housing.

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

## 10. COUNCILOR COMMUNICATIONS

**Councilor Bragdon** noted an article in *The Oregonian* today about an abandoned landfill off Northeast Killingsworth Street in Portland. The article mentioned that Portland City Commissioner Jim Francesconi was working to convert the land into a Portland city park. The last paragraph mentioned that Metro was involved in the effort, and he explained that Executive Officer Burton was negotiating an exchange of services in the decommissioning of the landfill. In exchange, Metro would receive considerations near the St. Johns landfill.

**Councilor Park** asked councilors to let him know if they would like any items placed on the Community Planning Committee agenda. Secondly, he noted a letter he received from Rick Gustafson, Executive Director of the Oregon Garden, to Karl Schulz, Senior Project Manager of the Oregon Convention Center expansion, concerning the donation of some mature trees to the Oregon Garden in Silverton. Mr. Gustafson thanked the council on behalf of the Oregon Garden. A copy of Mr. Gustafson's letter is included in the meeting record.

**Councilor Atherton** reported on a conference he attended before Christmas at the Oregon Garden, sponsored by the Oregon Department of Agriculture and the Department of Land Conservation and Development, concerning waste water treatment for small communities. Waste water treatment would become important for Metro as it considered whether to grow along the urban edge, or create small communities surrounded by open space. He noted that the latest technological advances in waste water treatment were not yet included in text books, and as a result, Metro's view of growth on the edge may be skewed.

**Deputy Presiding Officer McLain** asked Councilor Atherton to give copies of the conference materials to Growth Management staff.

## ADJOURN

There being no further business to come before the Metro Council, Deputy Presiding Officer McLain adjourned the meeting at 3:00 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 18, 2001**

<b>DOCUMENT NUMBER</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>AGENDA ITEM</b>
011801c-01	11/22/2000	Comprehensive Annual Financial Report for the year ending June 30, 2000	Auditor Communications
011801c-02	11/22/2000	Independent Auditors' Report and Schedule of Expenditures of Federal Awards for the Year Ended June 30, 2000, in Accordance with Office of Management and Budget Circular A-133, performed by Deloitte & Touche LLP	Auditor Communications
011801c-03	01/18/2001	71 <sup>st</sup> Oregon Legislative Assembly -- 2001 Regular Session, House Bill 2499	Legislative Update
011801c-04	01/11/2001	Minutes of the Metro Council Meeting	Consent Agenda
011801c-05	01/11/2001	Letter to David Bragdon from Cathy Kirchner RE: Ordinance No. 00-882C	Ord. No. 00-882C
011801c-06	01/08/2001	Letter to Karl Schulz, Oregon Convention Center Expansion, from Rick Gustafson, Oregon Garden, RE: Donation of Trees to the Oregon Garden	Councilor Communications