

# MINUTES OF THE METRO COUNCIL MEETING

April 26, 2001

Metro Council Chamber

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

Councilors Absent: None

Presiding Officer Bragdon convened the regular council meeting at 2:03 p.m.

## 1. INTRODUCTIONS

There were none.

## 2. CITIZEN COMMUNICATIONS

There were none.

## 3. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

## 4. AUDITOR COMMUNICATIONS

There were none.

## 5. MPAC COMMUNICATIONS

Presiding Officer Bragdon said the Metro Policy Advisory Committee (MPAC) met last night and approved the Zehren subcommittee parks report, which will be sent to the Metro Council.

## 6. LEGISLATIVE UPDATE

Jeff Stone, Chief of Staff, said Dan Cooper, General Counsel, was in Salem working on the Measure 7 issue. House Bill (HB) 3716, one of the parks bills, would likely be folded into HB 2502. The zoo parking lot bill had passed out of committee, and he would keep the council apprised. Councilor McLain planned to testify on the riparian tax zone credit bill on Friday. Executive Officer Mike Burton would attend a work session on the tire recycling bill.

## 7. CONSENT AGENDA

### 7.1 Consideration of Minutes of the April 12, 2001, Regular Council Meeting

**Motion:** Councilor Atherton moved to adopt the minutes of the April 12, 2001, regular council meeting.

**Vote:** The vote was 5 aye/0 nay/0 abstain. Councilors Park and Hosticka were absent. The motion passed.

## **8. ORDINANCES - FIRST READING**

- 8.1 **Ordinance No. 01-901**, For the Purpose of Amending Metro Code Title X, Metro Regional Parks and Greenspaces, to Increase Day Use Fees at Blue Lake Regional Park

Presiding Officer Bragdon referred Ordinance No. 01-901 to the Natural Resources Committee.

- 8.2 **Ordinance No. 01-902**, For the Purpose of Amending Metro Code 3.01 to Avoid Urban Growth Boundary Map Errors

Presiding Officer Bragdon referred Ordinance No. 01-902 to the Community Planning Committee.

- 8.3 **Ordinance No. 01-903**, Amending the FY 2000-01 Budget and Appropriations Schedule by Transferring Appropriations from Contingency to Operating Expenses in the Information Technology Department within the Support Services Fund; and Declaring an Emergency

Presiding Officer Bragdon referred Ordinance No. 01-903 to the Budget and Finance Committee.

- 8.4 **Ordinance No. 01-904**, For the Purpose of Dedicating a Metro Open Spaces Program Acquisition in the Tryon Creek Linkages Target Area

Presiding Officer Bragdon referred Ordinance No. 01-904 to full council.

## **9. ORDINANCES - SECOND READING**

- 9.1 **Ordinance No. 01-891**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2001-02, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency

Presiding Officer Bragdon said Ordinance No. 01-891 was continued from an earlier meeting, and did not need a motion.

Councilor McLain reviewed the ordinance. The Budget Committee Recommendations Report FY 2001-02 and the FY 2001-02 Proposed Budget chart contain information presented by Councilor McLain and are included in the meeting record.

Presiding Officer Bragdon opened a public hearing.

David C. Hudson, Executive Director, Regional Arts and Culture Council (RACC), expressed disappointment that the council did not allocate funding for RACC in fiscal year 2001-02. The arts were a valuable regional asset and essential to livable communities. He pledged RACC's support to work with Metro to find a regional funding solution.

Mike Verbout, Principal, James John School, 7439 North Charleston, Portland, spoke in support of arts funding. He submitted into the record a letter signed by the staff of James John School, urging Metro's continued funding of RACC.

Councilor Burkholder encouraged Mr. Verbout to submit an application for a North Portland Enhancement Grant.

Mr. Verbout said the James John School submitted grant proposals on a regular basis. He acknowledged the good work of the North Portland Enhancement Grant program, but said the grant amounts available were not sufficient without RACC.

Presiding Officer Bragdon closed the public hearing.

Councilor McLain thanked Mr. Hudson and Mr. Verbout for their testimony. She said the council has struggled to find a way to continue to support RACC. She noted that Metro supported regional arts in a variety of ways.

Presiding Officer Bragdon continued Ordinance No. 01-891 to the next council meeting.

9.2 **Ordinance No. 01-896**, Amending the FY 2000-01 Budget and Appropriations Schedule for the Purpose of Transferring \$20,000 from the General Fund Contingency to Interfund Transfers to Fund Costs Related to Council Redistricting; and Declaring an Emergency

**Motion:** Councilor Monroe moved, seconded by Council McLain, to adopt Ordinance No. 01-896.

Councilor Monroe presented Ordinance No. 01-896. The committee report to the ordinance contains information presented by Councilor Monroe and is included in the meeting record. He urged the council's support.

Presiding Officer Bragdon opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-896. Presiding Officer Bragdon closed the public hearing.

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

## 10. RESOLUTIONS

10.1 **Resolution No. 01-3055**, For the Purpose of Approving Metro's Entry into the Local Agency PERS Pool for Purposes of Determining Contribution Rates

**Motion:** Councilor Hosticka moved, seconded by Councilor McLain, to adopt Resolution No. 01-3055.

Councilor Hosticka presented Resolution No. 01-3055. The committee report to the resolution contains information presented by Councilor Hosticka and is included in the meeting record. He urged the council's support.

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

10.2 **Resolution No. 01-3056**, For the Purpose of Approving the FY 2001-02 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission

**Motion:** Councilor McLain moved, seconded by Councilor Monroe, to adopt Resolution No. 01-3056.

Councilor McLain presented Resolution No. 01-3056. The staff report to the resolution contains information presented by Councilor McLain and is included in the meeting record.

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

10.3 **Resolution No. 01-3058**, For the Purpose of Approving the Year 12 Partnership Plan for Waste Reduction (Fiscal Year 2001-02)

**Motion:** Councilor McLain moved, seconded by Councilor Monroe, to adopt Resolution No. 01-3058.

Councilor McLain presented Resolution No. 01-3058. The committee report to the resolution contains information presented by Councilor McLain and is included in the meeting record. She urged the council's support.

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

10.4 **Resolution No. 01-3060A**, For the Purpose of Authorizing Receipt of a \$2.0 Million Congressional Appropriation for Preliminary Engineering of North and Southbound Improvements of I-5 from Delta Park to Lombard

**Motion:** Councilor Monroe moved, seconded by Councilor Atherton, to adopt Resolution No. 01-3060A.

Councilor Monroe presented Resolution No. 01-3060A. The committee report to the resolution contains information presented by Councilor Monroe and is included in the meeting record.

Councilor Burkholder said his amendment, which was adopted in committee, clarified that the project was part of the I-5 Trade Corridor Study. He fully supported the resolution as amended.

Presiding Officer Bragdon said he also supported the resolution as amended.

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

10.5 **Resolution No. 01-3061**, For the Purpose of Increasing Tri-Met's FY 01 and 02 Preventative Rail Maintenance Program by \$5.4345 Million to Accommodate Tri-Met/ODOT Fund Exchanges

**Motion:** Councilor Monroe moved, seconded by Councilor Atherton, to adopt Resolution No. 01-3061.

Councilor Monroe presented Resolution No. 01-3061. The committee report to the resolution contains information presented by Councilor Monroe and is included in the meeting record.

Councilor McLain said the resolution demonstrated cooperation between transportation partners.

Councilor Monroe said in all likelihood, without this program Oregon would receive even fewer federal transportation dollars. He urged the council's support.

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

10.6 **Resolution No. 01-3063**, To Waive the Metro Urban Growth Boundary Annual Filing Deadline for Keith Taylor and Jean Taylor Major Amendment Petition in Washington and Clackamas Counties

**Motion:** Councilor Hosticka moved, seconded by Councilor McLain, to adopt Resolution No. 01-3063.

Councilor Hosticka presented Resolution No. 01-3063. A staff report to the resolution contains information presented by Councilor Hosticka and is included in the meeting record.

William Cox, Attorney, 0244 Southwest California Street, Portland, represented the petitioners, Keith and Jean Taylor. He noted that prior to filing the petition with Metro, his office was told by Metro staff that a statement from the county planning directors would be sufficient. He was not informed until later that a written statement from the Board of County Commissioners was required.

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

10.7 **Resolution No. 01-3064**, For the Purpose of Endorsing the South Corridor Policy Group Recommendations Regarding Options for the Environmental Impact Statement

**Motion:** Councilor Monroe moved, seconded by Councilor Park, to adopt Resolution No. 01-3064.

Councilor Monroe presented Resolution No. 01-3064. A staff report to the resolution contains information presented by Councilor Monroe and is included in the meeting record. He urged the council's support.

Councilor Burkholder asked Andy Cotugno, Planning Director, to contact U.S. Congresswoman Darlene Hooley and assure her that Metro was aware of the federal deadline to receive funding in October 2003, and believed the project would be completed in time for proper consideration.

**Motion to Amend Main Motion:** Councilor Monroe moved, seconded by Councilor Park, to add "and the Metro Council" following each occurrence of "Metro Planning Committee" in the resolution.

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

Presiding Officer Bragdon said this resolution simply endorsed the participation of all the jurisdictions and the process by which the decisions were made. It did not determine the outcome of the decision. He noted the positive, construction work being done by the new Milwaukie mayor and the citizens of Milwaukie.

Councilor Monroe urged an aye vote on Resolution No. 01-3064A.

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

Presiding Officer Bragdon recessed the Metro Council and convened the Metro Contract Review Board.

## 11. CONTRACT REVIEW BOARD

### 11.1 Resolution No. 01-3048A, For the Purpose of Authorizing the Executive Officer to Execute a Multi-year Contract for Concert Coordinator at the Oregon Zoo

**Motion:** Councilor Burkholder moved, seconded by Councilor Park, to adopt Resolution No. 01-3048A.

Councilor Burkholder presented Resolution No. 01-3048A. A committee report to the resolution contains information presented by Councilor Burkholder and is included in the meeting record. He noted that due to an oversight by zoo staff, the request for proposals (RFP) was not brought before the council for review. He said the council would have an opportunity to speak with the zoo director next week about its concerns over process. He recommended adoption of the resolution, however, because the concert promoter had, on good faith, made financial commitments to major music acts.

Councilor McLain noted that similar process errors had happened before, and it was important to determine why there was not a proper double-check of the process.

Presiding Officer Bragdon said the summer concerts were a great program. He noted that the process may not have been followed as rigorously as it should have been.

Councilor Burkholder said the Regional Facilities and Metro Operations Committee was looking at how to improve Metro's processes and contract administration.

Councilor Monroe recommended approving Resolution No. 01-3048A. He said, however, that the council should stress to the zoo director the importance of receiving prior council approval of major RFPs.

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

Presiding Officer Bragdon adjourned the Metro Contract Review Board and reconvened the Metro Council.

## 12. COUNCILOR COMMUNICATION

Councilor Park briefed the council on the Willamette Valley Livability Forum, which he attended that morning with Councilor Hosticka.

Councilor Hosticka noted that Metro was already working on many of the issues and ideas that had been discussed at the conference.

Councilor Park said on May 3, there would be a tour of the new Gresham Station project and historic downtown Gresham. After lunch, the council would hold its regular meeting and a reapportionment public hearing at the Gresham City Hall.

Councilor Monroe gave a brief report on the Reapportionment Task Force and Citizen Advisory Committee. Two members of the Citizens Advisory Committee had proposed a radically different

reapportionment design. Their design, and two other designs, would be considered at the public hearings. There would be a total of four public hearings on reapportionment. Following the public hearings, the Task Force would make its recommendation, and the council would vote in June.

Councilor Burkholder noted that the three maps were posted on Metro's web site. He announced that the next meeting of the Regional Facilities and Metro Operations Committee had been cancelled due to lack of a quorum. The meeting had been rescheduled for May 31, at the Oregon Convention Center.

### 13. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 3:12 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

#### Attachments to the Public Record for the Meeting of April 26, 2001

The following have been included as part of the official public record:

<b>Document Number</b>	<b>Document Date</b>	<b>Document Title</b>	<b>TO/FROM</b>	<b>RES/ORD</b>
042601c-01	4/26/2001	Budget Committee Recommendations Report, FY 2001-02		Ord. No. 01-891
042601c-02	4/18/2001	FY 201-02 Proposed Budget, includes actions through April 18, 2001		Ord. No. 01-891
042601c-03	4/24/2001	Letter RE: Support of Continued Metro Funding of RACC	TO Metro Council/ FROM Clayton Warburton, et al., James John School	Ord. No. 01-891
042601c-04	4/26/2001	Staff Report, Resolution No. 01-3056	TO Metro Council/ FROM Peggy Coats	Res. No. 01-3056
042601c-05	4/24/2001	Solid Waste and Recycling Committee Report, Resolution No. 01-3058	TO Metro Council/ FROM Susan McLain	Res. No. 01-3058
042601c-06	4/24/2001	Community Planning Committee Report, Resolution No. 01-3060A	TO Metro Council/ FROM Rod Monroe	Res. No. 01-3060A
042601c-07	4/24/2001	Community Planning Committee Report, Resolution No. 01-3061	TO Metro Council/ FROM Rod Monroe	Res. No. 01-3061