

MINUTES OF THE METRO COUNCIL MEETING

June 14, 2001

Metro Council Chamber

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

Councilors Absent: None.

Presiding Officer Bragdon convened the Regular Council Meeting at 5:35 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

4. AUDITOR COMMUNICATIONS

Ms. Alexis Dow, Metro Auditor, reported the results of the external quality control review, informally known as the peer review. Last week an audit team assigned by NALGA looked at the auditor's system control. They issued an unqualified report which indicated the auditor's office complied with government standards. They complimented the auditor on the excellent job her department was doing.

5. MPAC COMMUNICATIONS

Presiding Officer Bragdon said MPAC had a discussion concerning 1) the criteria for regional significance with regard to fish and wildlife habit as well as mapping 2) Phase 2 with regard to alternatives analysis, and 3) parks issues which Heather Nelson Kent presented and storm water management issues which Tom Kloster presented. The next MPAC meeting will be Wednesday, June 27th.

6. LEGISLATIVE UPDATE

Mr. Dan Cooper, General Counsel, reviewed the current status of bills in the Oregon Legislature which were of concern to Metro. Agreement on the school siting bill was reached 1) Metro can incorporate the issue of the need for school land into the urban growth boundary periodic review process, and 2) Metro can introduce a different bill that would direct local government, cities, and counties to work with school districts to find and use properly zoned land inside of urban growth boundaries.

Councilor McLain felt that the school siting meeting was very successful. She will brief the Community Planning Committee concerning that meeting.

7. COMMITTEE CHAIR REPORTS

Councilor Monroe, JPACT Chair, said at the June 5th JPACT/South Corridor Policy Group meeting decisions were made in terms of what will go forward into the EIS including light rail from Gateway to the Clackamas Town Center and south to Milwaukie. Current studies include a busway from Clackamas Town Center to downtown Portland, a bus rapid transit through the whole region, and a no-build study as well. Discussion also took place on the MTIP process on how to allocate \$38 million of federal dollars when proposals are twice as much as money available. Project rankings were distributed and are available. Metro was waiting on approval of RTP by DLCD.

Mr. Cooper said Metro would appear before the commission on June 15th.

Councilor Monroe added that he would be representing the Council at the Cascadia Conference in Canada on June 28th.

Councilor Atherton, Solid Waste and Recycling Committee, said they will be discussing a draft of the Strategic Plan at next week's meeting. He added that the June 27th Rate Review Committee would discuss the regional system fee.

Councilor Hosticka, Natural Resources Committee, said their committee was reviewing proposed criteria for significant riparian and wild life areas, a draft set of criteria was considered at the June 6th meeting and there will be a June 20th public hearing on this criteria. The goal was to have the committee determine their final recommendations at their July 18th committee meeting with full Council considering the criteria at the July 26th Council meeting. At the committee's July 11th meeting, they will consider an action plan to implement the Park's report, and what action would be required by Metro in order to fulfill the recommendations.

Councilor McLain, Budget and Finance Committee, noted the public testimony period on the FY 2001-2002 budget. She expressed her appreciation of all the hard work the staff, the Council, and the Executive Officer had done. She indicated that at the next budget committee meeting the Council would have the opportunity to vote on amendments with final consideration of the budget scheduled for the Council's June 21st meeting.

Councilor Burkholder, Regional Facilities and Metro Operations Committee, said the committee met at Metro Oregon Zoo this morning. They viewed a presentation on the Zoo which will be continued. The committee will continue its ongoing review of the operations of the Metro government, its facilities and operations within the departments. Oregon Convention Center Advisory Committee had met twice. They were clarifying the purpose of the committee and setting priorities for the next several years.

Councilor Park, Community Planning Committee, said Mr. Andy Cotugno, Planning Director, reported to the committee that they were on target as far as periodic review. The committee was reviewing the Metroscope modeling, phase 2 alternatives analysis, and at JPACT had discussed the 2040 fundamentals and performance measures. LCDC would be having a discussion on the Regional Transportation Plan on June 15th. The committee would also be considering a major amendment which was a quasi-judicial. He noted contact limitations with the parties involved.

8. CONSENT AGENDA

8.1 Consideration of minutes of the May 31, 2001 Regular Council Meeting.

Motion: **Councilor Park** moved to adopt the meeting minutes of the May 31, 2001, Regular Council meeting.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9. ORDINANCES - SECOND READINGS

9.1 **Ordinance No. 01-891A**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2001-02, making appropriations, and levying ad valorem taxes, and Declaring an Emergency. (*Public Hearing*)

Councilor McLain briefed the Council on the budget and the public hearing process.

Councilor Monroe suggested that there should be a motion on the floor prior to discussion and the public hearing.

Mr. Cooper said a motion had already been made, however, another could be made, action on amendments would be considered next week with a final public hearing and adoption on June 21st.

Motion: **Councilor McLain** moved adoption of Ordinance No. 01-891A.

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

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-891A. No one came forward to testify. Presiding Officer Bragdon closed the public hearing and announced the continuance of this ordinance.

9.2 **Ordinance No. 01-908**, Amending the FY 2000-01 Budget and Appropriations Schedule by Transferring Appropriations from Operating Expenses to Capital Outlay in the Administrative Services Department within the Support Services Fund, and Declaring an Emergency.

Motion: **Councilor Monroe** moved to adopt Ordinance No. 01-908.

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

Councilor Monroe said this was a budget adjustment which provided money for a check printer and folder, he urged Council support.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-908. No one came forward to testify. Presiding Officer Bragdon closed the public hearing.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.3 **Ordinance No. 01-909A**, For the Purpose of Adopting the Council District Reapportionment Plan; and declaring an emergency.

Presiding Officer Bragdon said this item would be considered after all of the budget ordinances were considered.

9.4 **Ordinance No. 01-910**, Amending the FY 2000-01 Budget and Appropriations Schedule by Transferring Appropriations from Contingency to Interfund Transfers in the MERC Pooled Capital Fund, and Declaring an Emergency.

Motion: **Councilor Atherton** moved to adopt Ordinance No. 01-910.

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

Councilor Atherton said this was a housekeeping measure in MERC transferring \$350,000 funds from contingency to construction of the Convention Center. Approval was recommended by the Executive Officer. There were still sufficient funds for appropriations.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-910. No one came forward to testify. Presiding Officer Bragdon closed the public hearing.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.5 **Ordinance No. 01-911**, Amending the FY 2000-01 Budget and Appropriations Schedule by Transferring Appropriations from Operating Expenses to Capital Outlay and from Debt Services to Interfund Transfers in the Convention Center Project Capital Fund; and Declaring an Emergency.

Motion: **Councilor Burkholder** moved to adopt Ordinance No. 01-911.

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

Councilor Burkholder said this was another rearrangement of funds to provide funding for the Oregon Convention Center. The funds have been allocated into three pieces: \$6.5 million allocated from the solid waste revenue fund for the capital project fund, to pay for 24 hour security during construction, and approximately \$135,000 for indirect charges for services.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-911. No one came forward to testify. Presiding Officer Bragdon closed the public hearing.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.5 **Ordinance No. 01-912**, Recognizing and Accepting Intergovernmental Revenue from the City of Portland and Increasing Appropriations in the MERC Pooled Capital Fund for FY 2000-01; and Declaring an Emergency.

Motion: **Councilor Park** moved to adopt Ordinance No. 01-912.

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

Councilor Park reviewed the committee report and said this was an ongoing Convention Center expansion project to increase funding for PCPA. It allowed Metro to accept the money from the anticipated bond sales and to be reimbursed for expenditures made back to May 20, 1999. It also increased revenue to \$2 million in the MERC Pooled Capital Fund. He urged an aye vote.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-912. No one came forward to testify. Presiding Officer Bragdon closed the public hearing.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.3 **Ordinance No. 01-909A**, For the Purpose of Adopting the Council District Reapportionment Plan; and declaring an emergency.

Motion: **Councilor Monroe** moved to adopt Ordinance No. 01-909A.

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

Mr. John Houser, Council Analyst, reviewed the chronology background and process of Ordinance No. 01-909A.

Background

- Metro Charter as amended in 2000 establishes a framework for the redistricting of Councilor districts to be completed after each census
- During the current redistricting process the number of Councilor districts must be reduced from seven to six
- Charter requires that the Council complete its redistricting process within three months after the receipt of the necessary census population data
- If the process is not completed within three months, then the Executive Officer has the option of establishing the district boundaries or allowing the Council to continue working to develop its own plan
- The census population data were received on March 15 and therefore the Council redistricting process must be completed by June 15

Ordinance No. 01-895

- On March 15, the Council adopted Ordinance No. 01-895 to establish a process and timeline for completion of the redistricting process and the criteria to be used in the drawing of district boundaries
- The criteria include:
 - equal population
 - contiguous and geographically compact
 - population not to vary by more than five percent from the average district population
 - “every effort” to create population variances of zero percent
 - maintain certain community of interest including cities with less than 15,000 population, regional and town centers, watershed boundaries and neighborhood associations
- The ordinance created a Council Reapportionment Task Force. The Task Force consists of those Councilors whose term of office does not expire until 2005—Councilors Monroe, Burkholder, and Hosticka. The Task Force was charged with preparing and recommending a redistricting plan to the Council by June 1. The Task Force also was required to hold at least five hearings during its consideration of various proposals.

- The ordinance also created a 16-member citizen review committee to provide information, advice, and assistance to the Task Force. Each Councilor appointed two members and two were appointed by the Executive Officer. The committee was required to make its recommendations by May 11.

The process

- Following the adoption of Ordinance No. 01-895, the redistricting process was initiated by the development of a proposed plan by a staff workgroup. This plan was presented at the initial meetings of the Task Force and citizens committee. It has been identified as Alternative A.
- Task Force Chair also introduced a proposed plan at the initial Task Force meeting. This proposal modified the boundary between Districts 1 and 6 as proposed in Alternative A and placed the city of Happy Valley in District 1 instead of District 2. This proposal is identified as Alternative B.
- At its second meeting, the citizen committee focused on giving input to the by prioritizing the factors that should be considered when the district lines were redrawn. It recommended that special emphasis be given to placing small cities in a single district, not dividing regional centers, and keeping neighborhood associations whole.
- At a joint Task Force and citizen committee meeting, the committee chair and vice-chair proposed a new plan that was significantly different than Alternatives A or B. The proposed plan blurred county lines and provided for urban and suburban elements for most districts. The committee requested that the proposed plan be drafted as a new alternative. The Task Force concurred, and the citizen committee plan is now called Alternative C.
- During the Task Force hearing process Councilor Burkholder proposed a modification of Alternative B that changed the boundary between Districts 5 and 6. It moved several NE Portland neighborhoods into District 5 from District 6 and moved several SW Portland neighborhoods from District 6 to District 5. This plan was identified as Alternative D.
- Following the final public hearing, the Task Force recommended that the Council adopt Alternative D. The ordinance proposing the adoption of this alternative was considered by the Council at its June 1 meeting. Councilor Atherton proposed an amendment to the boundary between District 2 and District 3 that was adopted by the Council.
- The proposed plan addresses the criteria in both the charter and Ordinance No. 01-895. Population deviations are within the limitations set forth in the ordinance and are generally based on the need to base cities within a single district or the preservation of neighborhood association boundaries.
- Only five neighborhood association boundaries are split by the proposed plan.

Mr. Houser noted the Technical Amendments in Exhibit A

First—Changes that resulted from a final staff review of the document

-Designed to address minor grammatical changes, provide greater clarity to the description, and make minor corrections

-Examples: bottom of page 1 top of page 2—Happy Valley

-Page 9—SE 44th

Second—Atherton amendment

-Bottom half of page 4, page 5, and bottom of page 6

Third—Change re Multnomah County

Mr. John Donovan, Council Outreach Coordinator, gave an overview of the public outreach efforts for this ordinance (a copy of which may be found in the meeting record).

Motion to

Amend: **Councilor Monroe** moved to amend Ordinance No. 01-909A with an amendment to Exhibit A (a copy of which may be found in the meeting record).

Seconded: **Councilor Hosticka** seconded the amendment.

Vote to

Amend: The vote was 7 aye/ 0 nay/ 0 abstain. The motion to amend passed.

Councilor Monroe reviewed the amendment and said these were technical amendments.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-909A. No one came forward to testify. Presiding Officer Bragdon closed the public hearing.

Councilor Burkholder recognized the work of the staff both in DRC and Council Office. It was a difficult process but a lot of work was done to reach out to the public to ensure public comments. Going from seven districts to six districts really made the outreach efforts difficult, but this was well handled.

Councilor Atherton recognized the chair of the Task Force, Councilor Monroe, for his good work. He felt the work product was very workable.

Councilor McLain added her thank you to the Task Force. She agreed with Councilor Burkholder that moving from seven to six districts was particularly challenging. She pointed out that there were still seven Councilors but with six districts one of the Councilors will be elected President of the Council by the whole region thereby not affecting representation.

Councilor Park noted an email from the Mayor of Happy Valley and his concerns. Mayor Grant's comments were contained in an email to the Council, dated June 14, 2001, a copy of which is included as part of the meeting record.

Presiding Officer Bragdon spoke to Ray Phelps' testimony. Mr. Phelps reminded all that this was a process that not everyone will be happy of the outcome. Metro Council had worked to keep the community of interest together. Broadly speaking, this was the only regionally elected government in the country, and he urged people to pause and remember the significance and uniqueness of this. He personally enjoyed serving here, because the attitude was of a regional perspective. He was supportive of the ordinance and all the work that went into it.

Councilor Burkholder thanked Presiding Officer Bragdon for his comments, new districts take effect in January 2003, and will have the current Councilor representatives until then.

Councilor Atherton responded to the email by Mayor Eugene Grant of Happy Valley which claimed Councilor Atherton supported Mr. Hammons' effort to keep Happy Valley from annexing any further to the east in the future. Mr. Hammons had never contacted Councilor Atherton but Councilor Atherton wanted the record to reflect that he supported self-determination and the opportunity to create their own complete community for Mr. Hammons and the citizens

of Damascus. We have addressed the concerns of keeping communities of interest together and the district boundaries that have been aligned did that.

Councilor Park appreciated work of staff already acknowledged as well as Mr. Marv Fjordbeck, Senior Assistant Counsel.

Councilor Monroe said this process had taken more than a year. Draft of the charter proposal last year made Metro more responsive to citizens and therefore voters overwhelmingly approved that redistricting. Metro has held together all small cities, almost all neighborhood associations, and other communities of interest. We have a map that accurately reflects the balance of jurisdictions within our region. The redistricting has reflected the wishes of citizens, and we have adjusted the map to reflect their concerns. He urged the Councilors to support this plan.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

10. RESOLUTIONS

10.1 **Resolution No. 01-3077**, For the Purpose of Authorizing the Executive Officer to Execute an Intergovernmental Agreement Between Metro and Clean Water Services, a County Service District in Washington County, for Coordination of Planning and Authorizing the Payment of up to \$11,452 for Healthy Streams Data.

Motion: **Councilor Hosticka** moved to adopt Resolution No. 01-3077.

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

Councilor Hosticka reviewed the resolution. He noted pages 2 and 3 which talked about obligations of both entities. He said this was a good example of two agencies working together.

Presiding Officer Bragdon noted Councilor McLain's support. He said that a business person from the Beaverton area spoke highly of the cooperative effort of the two agencies.

Councilor Burkholder asked who would be assigned as the elected official?

Presiding Officer Bragdon said he would designate a Councilor.

Councilor McLain said she was familiar with this Intergovernmental Agreement. She appreciated Mr. Hosticka's work on this IGA.

Councilor Hosticka urged support.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

11. COUNCILOR COMMUNICATION

Councilor Park announced survey input on the 2040 plan, Where Do We Grow From Here? To participate on the Internet go to metro-region.org/survey, or by phone 1-888-920-2040. This survey was to determine if Metro was making the right choices on land use, transportation, parks for wildlife, and people and their homes. He suggested sharing thoughts anytime before 5 PM June 29th.

He also gave a presentation to Washington State County elected officials in Yakima on the Regional Transportation Plan. He noted that our plan doesn't make sense without our land use component. We were unique in planning where we want to develop first and then planning the infrastructure for those areas next.

Presiding Officer Bragdon attended the June 13th workshop in Wilsonville with regard to reuse of the Dammasch site on market for redevelopment as an urban village. There were four redevelopment groups proposing for this site. The design the public was asking for entailed where people could walk to the store, schools were nearby, access to jobs was nearby, various forms of transportation were available, all of which made an ideal showcase for 2040 planning.

Councilor Hosticka agreed with the Presiding Officer's observations that this was a good example of the public/private partnership and how it can produce livable communities.

Councilor Atherton said the Wilsonville project was a large enough land area, a unit large enough to have vision to create this kind of environment. We hoped to facilitate these large area cooperative-planning sites in the future as well.

12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 6:57 PM.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF June 14, 2001

TOPIC	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NUMBER
9.3 ORDINANCE No. 01-909A	JUNE 13, 2001	LETTER FROM WESTSIDE ECONOMIC ALLIANCE EXPRESSING SUPPORT OF ALTERNATIVE D REDISTRICTING MAP AMENDMENTS MADE TO DISTRICTS 2 & 3	061401c-01
9.3 ORDINANCE No. 01-909A	MAY 31, 2001	METRO REDISTRICTING PLAN AMENDED ALTERNATIVE DRAFT D MAP	061401c-02
9.3 ORDINANCE No. 01-909A	JUNE 14, 2001	PUBLIC INVOLVEMENT OUTLINE FOR REAPPORTIONMENT EFFORT	061401c-03
9.3 ORDINANCE No. 01-909A	JUNE 14, 2001	EMAIL LETTER FROM MAYOR GRANT REGARDING REDISTRICTING HAPPY VALLEY	061401c-04
9.3 ORDINANCE No. 01-909A	JUNE 13, 2001	EXHIBIT A METRO COUNCIL REAPPORTIONMENT PLAN	061401c-05
10.1 ORDINANCE No. 01-3077	JUNE 11, 2001	REPORT ON HEALTHY STREAMS PLAN	061401c-06