

# MINUTES OF THE METRO COUNCIL MEETING

November 29, 2001

Metro Council Chamber

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

Councilors Absent: Rod Park (excused)

Presiding Officer Bragdon convened the Regular Council Meeting at 2:07 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 MPAC discussed regional significance and the exceptions and extensions ordinance being considered at council in the near future. **Councilor Hosticka** added that MPAC had not come to any conclusions, they had discussion on determination of what would be regional resources. They primarily focused on regional resources and he elaborated on the details. He noted December 13<sup>th</sup> Council meeting would consider final adoption of the resolution and MPAC would continue their discussion on December 12th.

## 6. CONSENT AGENDA

6.1 Consideration of minutes of the November 15, 2001 Regular Council Meeting.

**Motion:** **Councilor Burkholder** moved to adopt the meeting minutes of the November 15, 2001, Regular Council meeting.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Park absent from the vote.

## 7. ORDINANCES - FIRST READING

7.1 **Ordinance No. 01-922**, For the Purpose of Enacting the Community Preservation

Act and Establishing a Periodic Popular Vote that Sets Metro Fiscal Policy Relating to the Paying for the Cost Impacts of Growth.

**Presiding Officer Bragdon** assigned Ordinance No. 01-922 to the Community Planning Committee.

- 7.2 **Ordinance No. 01-926**, Amending the FY 2001-02 Budget and Appropriations Schedule for the purpose of Transferring \$43,500 From the Planning Fund Contingency to Operating Expenses to Augment the Regional Goal 5/Fish and Wildlife Habitat Protection Program; and Declaring an Emergency.

**Presiding Officer Bragdon** assigned Ordinance No. 01-926 to Council.

- 7.3 **Ordinance No. 01-928**, For the Purpose of Amending the Future Vision and the Regional Framework Plan to Fulfill the Charter Requirement to Describe a Process for "Carrying Capacity" in the Region.

**Presiding Officer Bragdon** assigned Ordinance No. 01-928 to the Community Planning Committee.

- 7.4 **Ordinance No. 01-930**, Amending the FY 2001-02 Budget and Appropriations Schedule for the Purpose of Recognizing \$75,000 in Grant Funds from Tri-Met; Increasing the Planning Fund Appropriations by \$75,000; Authorizing the Addition of 1.20 FTE; and Declaring an Emergency.

**Presiding Officer Bragdon** assigned Ordinance No. 01-930 to Council.

- 7.5 **Ordinance No. 01-931**, Amending the FY 2001-02 Budget and Appropriations Schedule Transferring \$316,000 from the Planning Fund Contingency to Capital Outlay and Interfund Transfers to Provide for the Purchase of Computer Equipment Under the Transportation Model Improvement Program; Authorizing an Interfund Loan not to Exceed \$300,000; Amending the FY 2001-02 Capital Improvement Plan; and Declaring an Emergency.

**Presiding Officer Bragdon** assigned Ordinance No. 01-931 to Council.

## 8. ORDINANCES - SECOND READING

- 8.1 **Ordinance No. 01-927**, For the Purpose of Amending the Urban Growth Boundary for Major Amendment Case 01-3: City of Wilsonville.

**Motion:** **Councilor Hosticka** moved to adopt Ordinance No. 01-927.

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

**Councilor Hosticka** said this ordinance had been reviewed previously and explained the detail of the ordinance.

**Motion to**

**Amend:** **Councilor Monroe** moved to amend the ordinance to add an emergency clause and explained the urgency for the amendment.

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

**Presiding Officer Bragdon** said this was a technical amendment, he was supporting the amendment to help the city of Wilsonville proceed with planning.

**Vote to Amend:**                       The vote was 6 aye/ 0 nay/ 0 abstain, the amendment passed.

**Councilor Hosticka** urged support of the ordinance and explained why. There had been considerable discussion about adjacent lands but felt the adjacent land issue should be taken up when council discussed expansion of the Urban Growth Boundary in 2002.

**Councilor Atherton** noted that the city had requested that the additional adjacent lands not be brought in at this time.

**Vote on the Main Motion as amended:**                       The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

## 9. RESOLUTIONS

9.1    **Resolution No. 01-3116**, For the Purpose of Creating a New Classification of Records and Information Analyst.

**Motion:**           **Councilor Burkholder** moved to adopt Resolution No. 01-3116

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

**Councilor Burkholder** explained the reason for the new classification. This was supported by both the Regional Facilities/Metro Operations Committee and the Human Resources Department.

**Vote:**             The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

9.2    **Resolution No. 01-3120A**, For the Purpose of Adopting the Capital Improvement Plan for Fiscal Year 2002-03 through 2006-07.

**Motion:**           **Councilor McLain** moved to adopt Resolution No. 01-3120A.

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

**Councilor McLain** said this had been reviewed at Budget and Finance Committee and explained the resolution. She noted the two amendments included in the resolution. The resolution as amended was passed out of committee unanimously.

**Vote:**             The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

9.3    **Resolution No. 01-3121**, For the Purpose of Adding a New Job Classification of Lead Cash Office Clerk at the Oregon Zoo.

**Motion:**           **Councilor Burkholder** moved to adopt Resolution No. 01-3121.

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

**Councilor Burkholder** spoke to the resolution indicating that this position had to do with the increased attendance and workload at the Oregon Zoo.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

9.4 **Resolution No. 01-3124**, For the Purpose of Authorizing the Executive Officer to Purchase with "As-Is, Where-Is" Conditions property in the Gresham Civic Neighborhood for a Transit-Oriented Development Project.

**Motion:** **Councilor McLain** moved to adopt Resolution No. 01-3124.

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

**Councilor McLain** reviewed the resolution and spoke specifically to the As-Is, Where-Is clause. The resolution had been reviewed and supported by Transit Oriented Development Committee and the Community Planning Committee. It was part of the purchases being made at the Gresham Transit Station. She commended staff on their due diligence. This purchase was truly of regional benefit.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

9.5 **Resolution No. 01-3125**, For the Purpose of Authorizing the Executive Officer to Replace the Dam at Smith and Bybee Lakes with a Water Control Structure.

**Motion:** **Councilor Hosticka** moved to adopt Resolution No. 01-3125.

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

**Councilor Hosticka** said this resolution allowed for the construction of a water control structure to replace the dam at the Smith and Bybee Lakes. It was recommended by the Smith and Bybee Lakes Management Committee and supported by the City of Portland. He noted questions raised by the Natural Resources Committee. He asked General Counsel to review this issue (and handed out a response to the questions, a copy of which is found in this record). He concluded that this was a good project.

**Councilor Burkholder** said, as a user of these lakes, he supported the project. He noted a letter for the record. He spoke to bass, canary grass, and drowned willow forest issues. He said it would restore the environment.

**Councilor Hosticka** added that this would be at no cost to Metro, it would be paid by Ducks Unlimited.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

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

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Time began: 2:32 p.m.

Members Present: Charles Ciecko, Jim Desmond, Jenny Stein, Laura Oppenheimer, Alexis Dow, Dan Cooper, William Eadie, Joel Morton, council staff.

Time Ended: 2:39 p.m.

10.1 **Resolution No. 01-3128**, For the Purpose of Authorizing the Executive Officer to Purchase the Swan Property in Fanno Creek Greenway Target Area.

**Motion:** **Councilor Hosticka** moved to adopt Resolution No. 01-3128.

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

**Councilor Hosticka** reviewed the staff report and the resolution. He noted this authorized the purchase of 2 ½ acres and explained the special circumstances that had to do with life estates.

**Jim Desmond, Senior Manager Open Spaces Acquisitions**, said this was another closing in Washington County.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed.

## 11. COUNCILOR COMMUNICATION

**Presiding Officer Bragdon** said there would be an additional Council meeting on Tuesday December 11, 2001 at 2:00 p.m.

**Councilor Monroe** briefed the council on the Bi-State Committee and their discussion on the I-5 Corridor Study.

**Presiding Officer Bragdon** said there would be an additional work session on Goal 5 at the next council meeting, December 6th.

## 12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 2:46 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER 29, 2001**

<b>TOPIC</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT NUMBER</b>
<b>ORDINANCE No 01-927A</b>	<b>11/29/01</b>	<b>A VERSION OF ORDINANCE INCLUDING EMERGENCY CLAUSE</b>	<b>112901c-01</b>
<b>RESOLUTION No. 01-3120A</b>	<b>11/27/01</b>	<b>RESPONSE TO QUESTION ON CIP</b>	<b>112901c-02</b>
<b>RESOLUTION No. 01-3124</b>	<b>11/26/01</b>	<b>COMMITTEE REPORT BY MICHAEL MORRISSEY</b>	<b>112901c-03</b>
<b>RESOLUTION No. 01-3125</b>	<b>11/29/01</b>	<b>COMMITTEE REPORT BY MICHAEL MORRISSEY</b>	<b>112901c-04</b>
<b>RESOLUTION No. 01-3125</b>	<b>11/20/01</b>	<b>LETTER FROM AL SMITH TO NATURAL RESOURCES COMMITTEE CONCERNING RESOLUTION</b>	<b>112901c-05</b>
<b>RESOLUTION No. 01-3125</b>	<b>11/28/01</b>	<b>MEMO FROM DAN COOPER TO NATURAL RESOURCES COMMITTEE CONCERNING RESOLUTION</b>	<b>112901c-06</b>