

MINUTES OF THE METRO COUNCIL MEETING

March 21, 2002

Metro Council Chamber

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

Councilors Absent: Susan McLain, (excused) Rod Monroe (excused)

Presiding Officer Hosticka convened the Regular Council Meeting at 2:05 p.m.

1. INTRODUCTIONS

Councilor Bragdon introduced Professor Ethan Seltzer, Director of the Institute of Portland Metropolitan Studies, who gave an overview of the Institute's mission, current offerings, project list, goals and objectives (a copy of which may be found in the meeting record).

Councilor Bragdon mentioned the Benchmark Project and noted how academia and real world experience were brought together.

Councilor Atherton discussed the concept of community. He added that he had recently been asked to speak at Portland State University (PSU) regarding carrying capacity. He asked Mr. Seltzer about community and the carrying capacity connection.

Mr. Seltzer replied that PSU was involved in Metro's Future Vision. He spoke to the vision, performance scenarios and carrying capacity. He said the notion of carrying capacity being a useful way of describing a metropolitan area was a big leap. He felt there was an important concept with carrying capacity about living within your means.

Councilor Atherton appreciated Mr. Seltzer's perspective of carrying capacity. He saw the system as an organic system; he further explained the importance of utilizing the concept of carrying capacity.

Mr. Seltzer said it came down to clarity of goals. He felt the rest would fall into place.

Councilor Park asked about other cities that had something comparable to our data information system.

Mr. Seltzer said there weren't a lot of metropolitan areas that had data at the parcel base that our region had. He said the results of models and forecasts were not destiny. There were other ways of testing assumptions. Ultimately the Council would need to make a series of decisions. The models merely informed them but did not necessarily provide all of the answers. He reiterated that it was a tool not a decision.

Councilor Park followed-up explaining that the fact that we had the ability to measure told them if they were on the right track whether they thought what was happening in the market place was actually happening.

Mr. Seltzer said it gave them the opportunity to test their assumptions and to test them in a way that couldn't be done in many metropolitan areas in America. He noted the challenges that went along with those assumptions. He felt that Metro's use of models was the way to go.

Councilor Burkholder spoke to a challenge in creating a shared understanding of the metropolitan area. He said people don't understand how the region became a great place. There were challenges in informing people of the region about the choices that had been made and were continuing to be made. How was the Institute working on this issue and how could Metro participate in helping broaden that education effort?

Mr. Seltzer responded that Metroscape magazine had been a way for the Institute to show people the region in different kinds of frames. He felt it had been an effective tool for the region. They were trying to create a language about the region that everyone could relate to. He said events on the web page had also been good tool, it was part of the community building task creating a place where these issues could be aired. The Institute was not an implementer as a University based group, this enabled them to bring issues to the table that others couldn't or wouldn't bring to the table. He felt that there was a continual community building task at our regional scale. He spoke to the possible partnership between the Institute and Metro as people become engaged in community activities.

Presiding Officer Hosticka thanked Mr. Seltzer.

Councilor Atherton asked why Association of Bay Area Governments (ABAG) in the San Francisco Bay area had become a stagnant group?

Mr. Seltzer said ABAG was a voluntary association of governments. One of the things that distinguished Metro was that it was a directly elected council. He felt there was a need to develop formal approaches to being accountable for regional outcomes, he felt ABAG was an example of one of the organizations that had not developed these outcomes. He acknowledged Mayor Judie Hammerstad and her contribution to the Institute.

2. CITIZEN COMMUNICATIONS

There were none.

3. METRO TRANSITION ADVISORY TASK FORCE REPORT AND RECOMMENDATIONS

Presiding Officer Hosticka announced that a full discussion of this report would be held at the next Council/Executive Officer Informal to be held Tuesday, March 26, 2002 at 2:00 p.m.

Jeff Condit, Attorney, Miller Nash LLP and Chair of the Transition Advisory Task Force overviewed the Transition Advisory Task Force recommendations (a copy of which may be found in the meeting packet). He thanked the committee members and provided a brief highlight of the information. Two other members of the committee were introduced, Mayor Judie Hammerstad and Larry Hilderbrand.

Mayor Hammerstad added that the committee had expressed concern about how an individual councilor's who had a different point of view from the majority got their point of view supported. They had suggested budgeting for outside staff. She said the council had an opportunity to set the course for Metro into the future to become a mature and professional organization that could be

respected throughout the region. The Task Force was very thoughtful and concerned about giving the Council the tools to make that happen. She thanked the Council for providing the opportunity to serve.

Mr. Condit especially thanked Ms. Coats, Ms. Billington, Mr. Cooper and Mr. Sandrock for their complete, expeditious support.

Councilor Park asked about the relationship and linkage between the Council, Metropolitan Exposition Recreation Commission (MERC) and its Commission?

Mr. Condit said their recommendation was that all council policy committees continue to report directly to the Council. He noted MERC's uniqueness.

Dan Cooper, General Counsel, clarified the legal position of the MERC Commission, the relationship would continue as it is currently.

Councilor Park said the reason he brought it up was the political sensitivities of whether those on MERC would prefer to report to the Council versus to the Chief Operating Officer (COO).

Mr. Cooper explained further indicating that the charter said the Commission reported to the Council and not to the COO. Unless the Council wanted to change that structure they did not have to act. The Council President would take on the appointing authority presently possessed by the Executive Officer subject to Council confirmation. This was the present structure.

Councilor Park asked about what they felt the difference was between administrative and policy. He asked how they saw staffing of the council who was trying to create policy decision, did they see them as administrative or policy?

Mr. Condit said the boundary line between policy and administration was a frontier rather than a firm line. It was important to recognize, unlike the current structure, the person who will be the chief operating officer was going to be working for the Council. The Council will be able to hire and fire that person and the Council can take away any portion of that person's power at any time they wish by amending the ordinance. What the Task Force hoped would happen was that the Council would be at the head, the COO will be there to serve the Council as their staff and to provide needed information. That will be a council directed agency and that Council would get far better staff support through that structure than perhaps has happened in the past under the existing structure. That was the Task Force's goal.

Councilor Park thanked the Task Force for their hard work.

Mr. Condit said he appreciated the opportunity to serve on the committee. They were very thoughtful, very focused on their product and policy oriented.

Councilor Atherton added his thanks and asked about the discussion of the council reducing from seven districts to six. He asked about the ability to adequately respond to constituent concerns within these huge districts.

Mr. Condit said it had been discussed. They stayed away from specific staff level recommendations for that reason. The Task Force recommended that each councilor be given adequate support to handle those issues. They didn't think Council staff should go away, in many ways, there may need more staffing. Hopefully that new structure will help that staffing situation

be fluid so that when the councilor needed more support they could get it immediately. The Task Force was balancing the need to have a centrally organized administration that wouldn't waste a lot of the tax payers money if an idea didn't have the support of most of the council versus giving enough money and support to councilors to develop their individual agendas to make sure that councilors who had different opinions had the opportunity to raise those in an intelligent way. The Committee had suggested a separate fund such as the current district fund to allow for these special projects. The Task Force wanted to make sure that that support was available to each councilor. If they weren't getting that after a year under this structure then the Council needed to revisit the structure.

Councilor Atherton responded that it might come to pass if they go to the elimination of committees that enough staff time and energy could be better focused on issues to make up the difference.

Mr. Condit explained it was the thought of the committee that they couldn't say, yes you can cut five staff positions because they didn't think that was possible. They felt that with the new structure Metro would become a more efficient organization, make decisions faster, save money, and free up staff time in that manner. They recommended revisiting this from time to time to make sure it was working correctly.

Councilor Atherton said this Council and Executive was not a house divided.

Mr. Condit assured Councilor Atherton that he was not saying that they were, everyone who had been a Metro watcher had been very pleased over the last four or five years with how the council had gotten together with the Executive Officer. They thought that the move to the new organization with the policy and executive function being combined would further that growth in the ability to give a united perspective message.

Councilor Bragdon thanked the Committee for their service, articulation and skill. He said it was now up to the Council to live up to its promise region-wide, a chance to make Metro a highly functional place through the organizational steps with the national reputation that it deserved.

Presiding Officer Hosticka reminded council they would be meeting next Tuesday to discuss these issues in detail.

4. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, presented Solid Waste Hauling Contract: Metro's Consideration of Risks and Rewards of Change Order 24 (a copy of which may be found in the meeting packet). She explained the review of Change Order 24, issued in 1999. She said the decision was a good one and resulted in substantial savings for Metro.

Councilor Atherton thanked the Auditor, the outcome was excellent because of the strong leadership from Executive Officer Burton as well as a collaborative review with the Council.

Ms. Dow commented on the balance needed to weigh the risks against the rewards.

Presiding Officer Hosticka thanked the Auditor.

5. CONSENT AGENDA

5.1 Consideration of minutes of the March 14, 2002 Regular Council Meeting.

Motion: **Councilor Bragdon** moved to adopt the meeting minutes of the March 14, 2002, Regular Council meeting.

Vote: The vote was 5 aye/ 0 nay/ 0 abstain. The minutes were accepted without revision.

6. ORDINANCES – SECOND READING

6.1 **Ordinance No 02-939A**, For the Purpose of Amending Metro Code Chapter 7.01 to Amend the Metro Excise Tax to Provide Revenues for Metro's Regional Parks and Greenspaces Programs.

This ordinance will be considered at the March 28, 2002 Council meeting due to ordinance amendments.

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

Time Began: 3:22 p.m.

Members Present: Jim Desmond, members of the media, Dan Cooper, Nancy Chase, council staff

Time Ended: 4:02

7.1 **Resolution No. 02-3174**, For the Purpose of Authorizing the Executive Officer to Contribute towards the Purchase of the Jarvis Property in the Tryon Creek Linkages Target Area.

Motion: **Councilor Atherton** moved to adopt Resolution No. 02-3174.

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

Councilor Atherton spoke to Resolution No. 02-3174 giving details of the property, the linkages with other parcels. He urges purchase of the parcel.

Presiding Officer Hosticka opened a public hearing on Resolution No. 02-3174.

Judy Hammerstad, Mayor of Lake Oswego, testified that this was an important piece of property for the region and it was also important piece for fish. It was at the mouth of Tryon Creek. She gave a history of the parcel, it was now coming to culmination. She urged passage. She also requested in addition to the \$250,000 which had been the commitment of Metro for a long time to increase that contribution another \$100,000 in order to be able to make this purchase actually be accomplished. She noted that Lake Oswego had put in a significant amount of money and continued to increase their contribution as the amount of property had increased. They would like to accomplish this in the near future before they lose the opportunity to purchase it.

Debbie Craig, 850 Cedar St. Lake Oswego, OR 97034, with Three Rivers Conservancy, echoed the Mayor's comments. It was most unique that they would have a piece of property that would provide an intersection of such important linkages. She noted attributes of the property and the support of the community for this purchase.

Presiding Officer Hosticka closed the public hearing.

Councilor Atherton commented on Ms. Craig's contributions to the area. The property was needed to do construction on an archway bridge and create an opening for a trail way.

Motion to

Amend: **Councilor Atherton** moved to amend the resolution by striking \$250,000 and inserting \$350,000.

Seconded the

Amendment: **Councilor Bragdon** seconded the amendment.

Vote to

Amend: The vote was 5 aye/ 0 nay/ 0 abstain. The amendment passed.

Councilor Atherton urged adoption of the resolution as amended.

Councilor Bragdon commented on Resolution No. 02-3174A. This was a great opportunity. It had been a missing link that had been worked on for a long time. It was a piece that had a lot of different ecosystems, trail systems, parks systems, and aspirations of the community. He felt this was very timely. He expressed support. He asked whether it was an essential property in terms of the resolution passed last fall by the Council?

Jim Desmond, Regional Parks and Greenspaces, explained that this property met three of the criteria instead of just the one required. It would complete the acquisition of existing public ownership in a trail or greenway identified in the bond measure. It was a significant purchase.

Councilor Bragdon said this purchase was exactly what this Openspaces program was for.

Mr. Desmond said for the record this property had been on the boards for about seven years.

Councilor Park asked for clarification of the number of building sites.

Mr. Desmond said there were six building sites on the property. There were two current homes on the property which were intended to be demolished.

Councilor Park spoke to densities. Purchases such as these would not be allowed if the ballot measure passed.

Presiding Officer Hosticka expressed his support. It supported the stewardship goals.

Councilor Burkholder clarified Councilor Park's reference to the ballot measure that would prevent Metro from this purchase was Ballot Measure 26-11. He said Ballot Measure 26-29 would not prevent Metro from doing actions such as this purchase.

Vote on the

Main Motion: The vote was 5 aye/ 0 nay/ 0 abstain, and the resolution passed as amended.

8. COUNCILOR COMMUNICATION

Councilor Park spoke about the success of the Let's Talk Conference. He thanked the Planning staff for their hard work as well as the rest of the agency staff that helped with the conference. He felt that Metro was doing a good job of dealing with the issues.

9. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 4:25 p.m.

Prepared by

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 21,
2002**

TOPIC	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NUMBER
INSTITUTE OF PORTLAND METROPOLITAN STUDIES	NONE LISTED	OVERVIEW OF THE INSTITUTE PRESENTATION MADE TO METRO COUNCIL BY ETHAN SELTZER, DIRECTOR	032102c-01
MINUTES	3/14/02	MINUTES OF THE METRO COUNCIL MEETING OF MARCH 14, 2002	031402c-02