

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, May 16, 2002  
Metro Council Chamber

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

Councilors Absent:

Presiding Officer Hosticka convened the Regular Council Meeting at 2:06 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. ARBOR SCHOOL CONCEPT PLAN PRESENTATION

Amy Wilson, Regional Environmental Management Associate Public Affairs Specialist, said they had targeted four schools to develop concept plans. Arbor School was right near the Urban Growth Boundary. The students had worked closely with Ray Valone from the Planning Department. The students presented their initial findings at the "Let's Talk" Conference.

Claire Riggs said they represented Arbor School Planning Group. Sam Estrem said they had been studying the Urban Growth Boundary (UGB), their school bordered the current UGB. Callie O'Sullivan presented the details of the concept plan, which including establishing a community, employment opportunities, work near their homes, and diverse housing to curb traffic congestion. They found no need to add schools. They were trying to find balance between urban areas and greenspaces. This plan was a brainstorm but could provide the beginnings of a concept plan. Dylan Stark and Jeremy Carp spoke about the Transportation Development Group. They provided an overlay of the transportation system, which included roads, bus stops, biking and walking lanes, as well as public transportation. The walking and bike paths provided alternative transportation as well as recreation. Claire Riggs wrapped up the presentation by saying that it was a complicated process to develop a plan. Planners had very different opinions for the area. They were fortunate at Arbor School to be given opportunities to explore planning for the area if the area was brought into the UGB.

Councilor Bragdon said he had a chance to go to the Arbor School graduation several years ago. He asked what they planned for the river area. Mr. Carp said they put the walking and biking paths by the river. Councilor McLain asked what the most controversial issues were for planning? The issue was how the cities worked together to come to agreement to add to each of their current communities. Councilor McLain asked about the concept of a town center. One student responded that it would create a central area for all types of activities. Councilor Atherton said he felt it was a very sophisticated plan, he noted that they had planned no houses around the river area and kept the area as open space. He asked how many of them wanted the UGB to move? Ms. Riggs responded that because the Portland Metro area was expanding and they were going to grow, the UGB needed to be expanded somewhere and it would make sense to include this area in

the UGB. Councilor Atherton asked again if she wanted to move the UGB? Mr. Carp said, personally, he liked a lot of open space and so having the UGB near was not his favorite thing but he felt it was necessary. Presiding Officer Hosticka said he lived close to the area and found their plan to be good, particularly the mixed-use concept. This was a citizens and common sense approach. Ms. Wilson recognized the teacher, Craig Stewart. Mr. Stewart said they would be providing a copy of the students' concept plan to the Council at a later date.

**7. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d) FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.**

Time Began: 2:24 p.m.

Members Present: Mike Burton, Lilly Aguilar, Ed Rutledge, Jennifer Sims, Laura Oppenheimer, Scott Moss, Alexis Dow, Casey Short, members of the media, council staff

Time Ended: 2:39 p.m.

**4. CONSENT AGENDA**

4.1 Consideration of minutes of the May 9, 2002 Regular Council Meeting.

Motion	Councilor Burkholder moved to adopt the meeting minutes of the May 9, 2002, Regular Council meeting. Councilor Bragdon noted Councilor Burkholder's name had been misspelled.
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Vote:	Councilors Bragdon, Atherton, Monroe, Park, Burkholder, McLain and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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**5. ORDINANCES – FIRST READING**

5.1 **Ordinance No. 02-945**, For the Purpose of Amending the 2000 Regional Transportation Plan Financial Constrained System; Amending Ordinance No. 00-869A and Resolution No. 00-2969A to Reflect Resolution No. 02-3186.

Presiding Officer Hositicka assigned Ordinance No. 02-945 to Transportation Committee.

**6. RESOLUTIONS**

6.1 **Resolution No. 02-3184**, For the Purpose of Authorizing the Release of a Request for Proposals #02-1022-ASD for Financial Advisory Services.

Motion	Councilor Burkholder moved to adopt Resolution No. 02-3184.
Seconded:	Councilor Atherton seconded the motion

Councilor Burkholder said this resolution passed out of the Governmental Affairs Committee. It set a contract for hiring professional services to provide advice on the general obligation bonds. He reviewed the details of the staff report (a copy of which is found in the meeting packet). They needed analysis of the bond issue. The contract would cover three years. He urged support.

Vote:	Councilors Park, Burkholder, McLain, Bragdon, Atherton, Monroe, and
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	Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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6.2 **Resolution No. 02-3193**, For the Purpose of Authorizing the Release of a Request for Proposals #02-1019-AUD for Financial Statement Audit Services.

Presiding Officer Hosticka requested that the Deputy Presiding Officer McLain preside during consideration of this resolution.

Motion	Councilor Hosticka moved to adopt Resolution No. 02-3193.
Seconded:	Councilor Bragdon seconded the motion

Councilor Hosticka said this request for proposals (RFP) was for financial statement audit services. There had been several questions asked by Council. He asked Alexis Dow, Auditor, to address the needs for the RFP. Alexis Dow said the resolution provided authorization to seek a multi-year contract with a CPA firm to provide financial statement audit services. She spoke to the primary reason for going out to bid; there was an economic downturn so there were more possibility for savings. She said she had talked with the current audit firm and they were willing to bid on this RFP. She felt there were more favorable terms to be had. Councilor Monroe asked Ms. Sims if this was good idea. They currently had a contract with an audit firm. The sole purpose of this RFP was to save money. Was there any downside to honoring this request? Jennifer Sims, Chief Financial Officer, said if there were a change in auditors there was always some start-up effort but she was always in favor of saving money. Councilor Burkholder said this assumed that they would be getting a better price, did they have to terminate the current contract before the RFP was put out. Ms. Dow said the current contract was terminated and that firm would be bidding on the new RFP. Councilor Burkholder asked what happened if they did not have a saving, would they go back to the current firm? Ms. Dow responded that she believed there were much more favorable terms out there.

Councilor Monroe asked about start-up costs and would these wipe out potential savings. Ms. Sims responded the costs would be two to three weeks of additional staff time. It would not be extensive costs to the organization. Councilor Monroe noted that the Auditor had said they were severely understaffed. Ms. Dow responded that the Council had approved an additional position in the Auditor's office. Councilor Monroe asked for legal to advise them. Dan Cooper, General Counsel, said the auditor had authority to enter into a contract for a single year. This proposal was for a three-year contract. Councilor Monroe summarized that if they voted this down today she could still go out for a year contract. Mr. Cooper said yes. Councilor Atherton asked if the reason they had a three-year contract was that the learning curve improved over time? Ms. Dow responded there was savings over the long run.

Vote:	Councilors Burkholder, Bragdon, Atherton, Monroe, Park, Hosticka and Deputy Presiding Officer McLain voted aye. The vote was 7 aye, the motion passed.
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Deputy Presiding Officer McLain passed the gavel back to the Presiding Officer.

6.3 **Resolution No. 02-3195**, For the Purpose of Authorizing the Executive Officer to Sign an Intergovernmental Agreement with the Tualatin Basin Natural Resources Coordinating Committee.

Motion	Councilor McLain moved to adopt Resolution No. 02-3195.
Seconded:	Councilor Bragdon seconded the motion

Councilor McLain said this resolution carried out what they had been working on over the past five years. They would be entering into the Intergovernmental Agreement (IGA) with the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC). She and Councilor Hosticka sat on that committee as non-voting members.

Ken Helm, Legal Counsel, talked about the IGA between Metro and the TBNRCC. He spoke to the goals and the future work of the committee. The TBNRCC would be bringing recommendations to the Council after June 2003. The outcome of the process was contemplated to be a coordinated program. He talked about the provisions for amending the IGA.

Councilor McLain added, that in those 27 sites that had been identified, it was important to note that all of those sites would improve. Councilor Bragdon talked about the process they had gone through to date. He acknowledged that they took a good concept and worked well together.

Councilor Burkholder said MCCI had asked about the public involvement process? Councilor McLain said they already had a public involvement discussion. Councilor Burkholder said the committee was working on doing an update on their public involvement guide. He then asked about item 6 of the IGA. What happened if Metro didn't adopt the recommendations of TBNRCC? Mr. Helm said there were no specific provisions in the IGA if Metro did not adopt the recommendations. The pledge had been to have a high level of coordination. There was substantial flexibility if recommendations came in and the Council had questions or wanted to make changes in the recommendations. What if the two parties couldn't agree on the final recommendations? This agency and TBNRCC's IGA could be terminated and the fall back would be that Metro would proceed. Councilor Burkholder asked if the TBNRCC was a legal entity? Mr. Helm spoke to Section 190, which allowed governments to come together and form a committee of the whole. The IGA that TBNRCC had adopted was attached. It had legal status. TBNRCC would soon be adopting bylaws.

Councilor Park asked about development of the record. Was it sufficient the way it was being defined? He had been here when they had relied on others' findings. Mr. Helm responded that they took extra pains to define the record. They wanted to capture a few extra things that might not get into the record. It was in the best interest of TBNRCC to develop a good record because they would be reviewed by LCDC and incorporated into our record as well. Councilor Park asked, in Mr. Helm's opinion, would the way it was written be sufficient? Mr. Helm said he thought so. They wanted to make sure there was enough in the record to provide foundations for the Council's decisions. Councilor McLain clarified that this would be our record. Councilor Park said they were relying on the record being built by this committee, would it be built to the standard that our legal department could utilize? Mr. Cooper said the footnote described what they thought they were going to send to Metro. If Council didn't think it achieved what was called for, then Metro had 120 days to add to that record. When the Council got to final decision making, the legal staff would write findings to support the Council's decisions. He felt there was no reason to predict failure.

Councilor Atherton suggested discussing the ESEE analysis, how it could be applied. This concept could be broken down into a useful process. How could they tell if something was economic if it was being subsidized? He asked for clarification. Mr. Helm responded that the staff was contemplating a two-tiered analyses and process. He explained further those tiers, the regional analysis and 27 individual resource sites. TBNRCC would be doing a similar process.

The IGA contemplated that there may be some differences with how each entity did their process. Councilor Atherton gave an example of what he was talking about concerning subsidy. How did they resolve the difference? He felt this was part of the agreement to reduce uncertainty. Mr. Helm said this IGA would allow that to happen. There could be a difference in the way Metro and TBNRCC approached their analysis.

Mr. Brent Curtis, was here today on behalf of the TBNRCC. He said they would be working together. They would find areas where they didn't have answers. The key was in the coordination. They were encouraged by the IGA. They would be giving the Council something that justified their conclusions and could be included in Metro's record. They would be working closely with Metro staff and the legal department. Councilor McLain thanked everyone for the good work.

Vote:	Councilors Bragdon, Atherton, Monroe, Park, Burkholder, McLain and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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**8. COUNCILOR COMMUNICATION**

Councilor Burkholder reminded the members of the Budget and Finance Committee that they must show up next week on Wednesday May 22<sup>nd</sup> at 1:30pm to pass the 2002-03 budget out. He announced that the North Portland grant cycle was starting up next month.

Presiding Officer Hosticka said there would be a Council meeting on May 23<sup>rd</sup> but not on May 30<sup>th</sup>, the fifth Thursday of the month.

**9. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 3:31 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 16, 2002**

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
5.1	MINUTES	5/9/02	METRO COUNCIL MINUTES OF MAY 9, 2002 SUBMITTED FOR APPROVAL	051602C-01
6.1	COMMITTEE REPORT	5/13/02	COMMITTEE REPORT ON RESOLUTION No. 02-3184 FROM JOHN HOUSER TO METRO COUNCIL	051602C-02
6.3	COMMITTEE REPORT	5/16/02	COMMITTEE REPORT ON RESOLUTION No. 02-3195 FROM MICHAEL MORRISSEY TO METRO COUNCIL	051602C-03
6.3	IGA	5/16/02	IGA FOR TBNRCC/METRO FOR RESOLUTION No. 02-3195	051602C-04