

MINUTES OF THE METRO COUNCIL MEETING

Thursday, June 6, 2002
Metro Council Chamber

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

Councilors Absent: David Bragdon (excused), Bill Atherton (excused)

Presiding Officer Hosticka convened the Regular Council Meeting at 2:07 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were no citizen communications. Presiding Officer Hosticka proclaimed the 16th annual Great Blue Heron Week. Metro had been a long time supporter and underwriter of the event, organized by the Audubon Society of Portland. Events and classes celebrating the region's connection to nature would be occurring throughout the week.

3. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

4. AUDITOR COMMUNICATIONS

There were none.

5. CONSENT AGENDA

5.1 Consideration of minutes of the May 23, 2002 Regular Council Meeting.

Motion	Councilor Burkholder moved to adopt the meeting minutes of the May 23, 2002, Regular Council meeting
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Vote:	Councilors Monroe, Park, Burkholder, McLain and Presiding Officer Hosticka voted aye. The vote was 5 aye, the motion passed with Councilors Bragdon and Atherton absent.
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6. ORDINANCES – FIRST READING

6.1 **Ordinance No 02-946**, For the Purpose of Adopting the Post-Acknowledgment Amendments to the 2000 Regional Transportation Plan (RTP).

Presiding Officer Hosticka assigned Ordinance No. 02-946 to the Community Planning Committee.

6.2 **Ordinance No. 02-947**, For the Purpose of Amending Metro Code Section 2.19.00

Concerning Metro's Committee on Citizen Involvement (MCCI).

Presiding Officer Hosticka assigned Ordinance No. 02-947 to the Governmental Affairs Committee.

6.3 **Ordinance No. 02-948**, For the Purpose of Amending the FY 2001-02 Budget and Appropriations Schedule by Transferring Appropriations from Capital Outlay and Contingency in the MERC Operating Fund to Interfund Transfers and Transferring Those Resources to the MERC Pooled Capital Fund, and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-948 to the Budget and Finance Committee.

6.4 **Ordinance No. 02-949**, For the Purpose of Amending Metro Code Section 4.01.050, and Revising Admissions Fees at the Oregon Zoo effective January 1, 2003.

Presiding Officer Hosticka assigned Ordinance No. 02-949 to the Budget and Finance Committee.

7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 02-943**, For the Purpose of Amending the FY 2001-02 Budget and Appropriations Schedule Transferring \$200,000 from Capital Outlay to Operating Expenses and \$554,077 from Contingency to Operating Expenses in the Zoo Operating Fund, and Adding 1.0 FTE for a Budget and Finance Position, and Declaring an Emergency.

Motion	Councilor McLain moved to adopt Ordinance No. 02-943.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain explained the changes in the FY 2001-02 Budget and Appropriations Schedule for the Oregon Zoo and the reasons for these changes. She supported the amendment.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-943.

Phil Prewett, taxpayer and Oregon Zookeeper, 6116 NE Willow Street, Portland OR 97213 expressed concerns over the Zoo's financial future. He said in May 2000, the Zoo was granted an emergency increase of \$419,270.00. He also noted other budgetary issues at the Zoo concerning marketing.

Councilor McLain clarified Mr. Prewett's testimony, was he concerned about this particular budget amendment or the overall state of the Zoo's budget?

Mr. Prewett pointed out that drawing down the contingency funds greatly concerned him.

Councilor Burkholder said the issues that Mr. Prewett brought forward were important but may not relate to this specific ordinance. He said they would begin looking at next year's budget soon and encouraged Mr. Prewett's involvement in these discussions.

Councilor McLain said she believed that they had tried hard over the years to work with the Zoo so that there were now fewer budget amendments than ever before. She felt that the new FTE that was included in this ordinance would help financial stability of the Oregon Zoo.

Councilor Monroe said the tendency of most bureaucracies' budgets was to fatten them. The Oregon Zoo came in with a very lean budget this year. He felt this was a more conservative approach and showed fiduciary responsibility. He applauded the Zoo's recommendations to add the new FTE.

Councilor Burkholder said the Zoo's operation was very complex. He felt that the addition of the Budget and Finance position would provide better monitoring and future budget planning for the Zoo.

Presiding Officer Hosticka closed the public hearing.

Vote:	Councilors Park, Burkholder, McLain, Monroe and Presiding Officer Hosticka voted aye. The vote was 5 aye, the motion passed.
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8. RESOLUTIONS

8.1 **Resolution No. 02-3169**, For the Purpose of Amending Council Policy Regarding the Management of the Regional Parks Fund.

Motion	Councilor Burkholder moved to adopt Resolution No. 02-3169.
Seconded:	Councilor McLain seconded the motion

Councilor Burkholder said this resolution was a companion piece to the proposal which was brought forward during the budget process by the Executive Officer to establish a new funding source for our Parks operations. The proposal adopted an additional dollar-per-ton equivalent excise tax levy on solid waste disposed of in the region. The increase in excise tax established a more stable funding source to cover operations for the Parks Department. This was in accordance with a 1994 resolution, which was set up to search for more stable sources of funding. This was a levy with a sunset date in two years when they would have to come up with some other resolution to that issue. During this next two years, this resolution rescinded or repealed the previous resolution, which set up an exception for the Parks Department so that excise taxes that were levied on all operations at Metro would be levied on the Parks Department but then returned to the Department. That amount was \$164,000 per year. The one-dollar increase in excise tax would generate about \$1.2 million in additional revenue, which was dedicated to the Parks operations. This resolution would reduce that revenue by about \$164,000. It was a net increase of over \$1 million to the Park's Department operations. The importance of passing the resolution was that the budget was based on transferring the money. They would have to change the budget if they didn't pass the resolution. It now treated all departments of Metro equally. The passage of this resolution would be consistent with the budget ordinance, which they had adopted. He urged adoption.

Councilor Monroe added that when Metro took over the Multnomah County Parks system in 1995 Metro was given some reserve money. Metro had been eating into that reserve at up to \$1 million a year and it was down to about \$2 million and depleting rapidly. The one million dollars in new revenue would stop the depletion of that reserve. It would not allow for new programs or capital investments but would hold even the level of reserve. This was a stop gap measure which did not solve the capital investment need but allowed a bit of breathing time to find a better solution.

Councilor Park expressed concern about raising the dollar on excise tax and then taking money that we had dedicated to the Parks Department to fund other needs of the agency. He found this troubling. He said we had sold the proposal on one basis but were now taking it out on the other end.

Councilor Burkholder said the Budget and Finance Committee had a long discussion about this issue. This was not a surprise to anyone. It was part of the budget message from the Executive Officer and it was acknowledged publicly in the body of the budget that this was the process that was going to happen. The goal was to have a net increase to the Parks Department budget so that we could maintain its current level of service. He rebutted Councilor Parks concerns; it was not a bait and switch but was made very clear up front. The Committee knew that this exchange was going to take place and the real interest was in the net increase in dollars to the Parks department.

Presiding Officer Hosticka commented on the timing of the resolution. He agreed with Councilor Burkholder that this was part of the overall package and the timing was done because they had to be sure that the one-dollar a ton would take effect before this resolution was brought forward. They had to complete the budget process first and then complete the steps that were agreed upon.

Councilor McLain added that there a timing issue but they also reached all three goals. One goal was to make a net increase to the Parks Department, another goal was to better organize the budget, and the third goal was to treat all departments the same and have all departments pay for some of our functions that didn't have an ability to raise money themselves. She appreciated the fact the Councilor Park was being thorough in his review but they had met three very important goals for public. She would be voting in support of the resolution.

Vote:	Councilors Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted aye. The vote was 4 aye/1 nay/0 abstain, the motion passed with Councilor Park voting no.
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8.2 **Resolution No. 02-3196**, For the Purpose of Granting a Time Extension to Functional Plan Compliance Deadlines for the City of Oregon City.

Motion	Councilor Park moved to adopt Resolution No. 02-3196.
Seconded:	Councilor McLain seconded the motion

Councilor Park said this was a resolution to allow a time extension to Oregon City's Functional Plan compliance until December 2002.

Brenda Bernards, Planning Department, said that in December 2001, the Council heard from all jurisdictions concerning Functional Plan compliance. Oregon City couldn't make their deadlines due to staff turnover and staff shortages. She said they had hired a consultant to help them and had demonstrated progress towards compliance. The resolution laid out the specifics of the extension.

Doug Neely, Oregon City Commissioner, PO Box 3040, Oregon City, Oregon said they had had turnover at the city. He acknowledged Ms. Bernards' presentation and participation. The entire planning staff was new. They were well behind the curve. He talked about the benefits of the update. He introduced the City Manager, Brian Nakamura and City Engineer, Nancy Kraushaar.

Councilor Monroe acknowledged Ms. Bernards' assistance to City of Oregon City.

Councilor McLain thanked Oregon City staff for all of their involvement at Metro. As was pointed out, Oregon City was the second jurisdiction that finished Title III. They were a good role model.

Councilor Park said Oregon City has had some challenges over the year. Metro did try and work with their partners. He acknowledged Commissioner Neely's involvement in MPAC.

Councilor Burkholder said Oregon City was meeting their performance standards and following the spirit of the law.

Vote:	Councilors McLain, Monroe, Park, Burkholder and Presiding Officer Hosticka voted aye. The vote was 5 aye, the motion passed.
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8.3 **Resolution No. 02-3189**, For the Purpose of Establishing a Transportation Investment Task Force to recommend priority transportation improvements in the Metro region and an associated financing strategy.

Motion	Councilor Burkholder moved to adopt Resolution No. 02-3189.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder said Pete Sandrock was available to answer any questions concerning this resolution. He spoke to the issue of transportation funding. He said this proposal would set up a task force to look at the needs and funding sources for the region's transportation.

Pete Sandrock, Chief Operating Officer, said the response to this task force had been exciting. He talked about the membership of the task force. The staff had already started interviewing the consultants who had submitted proposals to work with the task force. The task force would be reporting back to the Council no later than December 2003.

Councilor Monroe said this had been a long time coming. This concept had been discussed since Mike Burton was a new Executive Officer. He talked about the history of the idea and of funding problems. He said the most pressing transportation needs were within this region due to the growth in the region. He applauded Mr. Burton for this proposal. He felt that the task force, which included private industry and business, would be more acceptable to the public. He was looking forward to the success of the task force.

Councilor McLain said one of the elements about the task force that she liked most was the good mix of the membership. The issue of how to sell funding to the public was important. She felt this task force had a good chance of talking to the general public.

Councilor Park hoped what would come out of this was why our user-based system was not working properly.

Presiding Officer Hosticka said he supported this resolution as well. In the last ten years it had become clear to him that the State wasn't able to get this done. It was too deeply divided between rural and urban interests and along party lines. The region was the place this was going to happen, the kinds of projects that would be built here and the kinds of transportation initiatives were not replicated throughout the rest of the State. There was a local need that was unique and a local ability to address the need. He spoke to transit projects specific to the region.

Vote:	Councilors Monroe, Park, Burkholder, McLain and Presiding Officer Hosticka voted aye. The vote was 5 aye, the motion passed.
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9. COUNCILOR COMMUNICATION

Councilor Burkholder announced that on June 14th at 9:00 a.m. in the Metro plaza area, there would be a Flag Day celebration. He also said that Myron Orfield, from the Minneapolis area, who had done a lot of work on regional governance including fiscal inequality, would be visiting Metro and holding a brown bag presentation at noon on June 20th. He would also be presenting at the Governor Hotel sponsored by 1000 Friends of Oregon and at Portland State University. Northwest Environmental Watch would be presenting at MPAC and JPACT next week.

Councilor Park said, on Tuesday, they had had a presentation by 1000 Friends on the Damascus site. The group was working on a concept plan of approximately 14,000 acres. He recognized it was just a concept of an area, which developed an environmentally sensitive area in a way that met the goals of the protection of farm and forest as well as fish and wildlife, yet still provided a high quality place for people to live and for the economy. He encouraged people to go on 1000 Friends web site to take a look at the work they had done. This plan allowed some ideas and perhaps a dream of how this area might develop in the future.

Councilor McLain said the quarterly meeting of the Regional Water Provider Consortium was last night at Metro. She spoke to their dialogue on the regional supply plan update and the breakout sessions of the meeting where they talked about conservation and how it can be used as part of the water supply. They had some of the same concerns as Metro in that they had the business of trying to sell less water when water was their business.

Presiding Officer Hosticka talked about the Economic Technical Advisory Committee (ETAC) which was a group of people who were business people, economists and people involved in economic development that were examining the economic impacts of protection or conflicting uses of the natural resources. They had had their first meeting last night. The attempt was to give economic consideration as thorough an examination as they did the natural resource considerations when it came time to doing the fish and wildlife habitat protection program.

10. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 3:04 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 6, 2002

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
6.1	CURRENT COPY OF ORDINANCE	NONE LISTED	ORDINANCE NO. 02-946, FOR THE PURPOSE OF ADOPTING THE POST-ACKNOWLEDGEMENT TO THE 2000 REGIONAL TRANSPORTATION PLAN (RTP)	060602C-01
7.1	SUPPORTING EVIDENCE TO PHILLIP PREWETT'S TESTIMONY	5/11/00	EXHIBIT A, AMENDMENT NO. 1 TO CONTRACT NO. 920194	060602C-02