

MINUTES OF THE METRO COUNCIL MEETING

Thursday, June 13, 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 2:07 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, said her office was awarded a special project award from the National Association of Local Government Auditors (NALGA) for the Transit Oriented Development Program (TOD) study they completed. She acknowledged Joe Gibbons, Senior Auditor, for his work on the TOD report. Mr. Gibbons said there was a lot of competition for this award. He reviewed the criteria for the award. He further explained the TOD program and the report the auditor’s office had completed on the program. They believed their work benefited the TOD program and talked about the process they went through for the review.

Ms. Dow thanked Mr. Gibbons and recognized the TOD group for their work. Councilor McLain acknowledged the work they had done and looked forward to continued work in this area.

4. CONSENT AGENDA

4.1 Consideration of minutes of the June 6, 2002 Regular Council Meeting.

Motion	Councilor Park moved to adopt the meeting minutes of the June 6, 2002, Regular Council meeting. Councilor McLain seconded the motion.
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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. 02-950**, For the Purpose of Amending Metro Code Chapter 7.01 to increase the Credits Available against the Solid Waste Excise Tax and Making other Related Changes.

Presiding Officer Hosticka assigned Ordinance No. 02-950 to Solid Waste and Recycling Committee.

- 5.2 **Ordinance No. 02-951**, For the Purpose of Amending Metro Code Chapter 5.02 to Modify the Regional System Fee Credit Program.

Presiding Officer Hosticka assigned Ordinance No. 02-951 to Solid Waste and Recycling Committee.

- 5.3 **Ordinance No. 02-952**, For the Purpose of Amending Metro Code Chapter 5.01 to Decrease the Minimum Facility Recovery Rate Requirement.

Presiding Officer Hosticka assigned Ordinance No. 02-952 to Solid Waste and Recycling Committee.

- 5.4 **Ordinance No. 02-953**, For the Purpose of Amending Chapter 2.08 of the Metro Code to Create the Office of the Attorney.

Presiding Officer Hosticka assigned Ordinance No. 02-953 to Governmental Affairs Committee.

- 5.5 **Ordinance No. 02-954**, For the Purpose of Amending Chapter 2.01 of the Metro Code to Reflect the Creation of the Office of Metro Council President.

Presiding Officer Hosticka assigned Ordinance No. 02-954 to Governmental Affairs Committee.

- 5.6 **Ordinance No. 02-955**, For the Purpose of Amending Chapter 2.19 of the Metro Code to Conform to the Charter Amendments Adopted on November 7, 2000.

Presiding Officer Hosticka assigned Ordinance No. 02-955 to Governmental Affairs Committee.

6. ORDINANCES - SECOND READING

- 6.1 **Ordinance No 02-940A**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2002-03, Making Appropriations and Levying Ad Valorem Taxes, and Declaring an Emergency.

Motion	Councilor Burkholder moved to adopt Ordinance No. 02-940A.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder said he moved adoption of Ordinance No. 02-940A and following his remarks would be bringing forward some technical amendments. He said they had gone through a very thorough review of the proposed budget. It was about \$360 million. He talked about the major projects and the process they had gone through. He noted the Tax Study Conservation Commission (TSCC) hearing. TSCC was a citizen commission who reviewed government budget. They had complimented the Financial Planning Office on the clarity of the budget.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-940A. No one came forward. Presiding Officer Hosticka closed the public hearing.

Motion to Amend:	Councilor Burkholder moved to amend Ordinance No. 02-940A.
Seconded:	Councilor Bragdon seconded the amendment

Councilor Burkholder said he was moving the technical and substantive amendments as a block (a copy of which is found in the meeting record). He reviewed the specific amendments to the budget including an Information Technology contract, which would start before FY 2002-03. As a result, it would be a multi-year contract that was subject to the normal 10-day letter Council review process. Staff was assuming if Council approved the amendment today, that that action would authorize the department to proceed immediately without the need for a 10-day letter process. He urged support of the amendments.

Vote to Amend:	Councilors Park, Burkholder, McLain, Bragdon, Atherton, Monroe and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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Councilor McLain talked about MERC amendment #4 concerning renewal and replacement and their discussion at the Budget and Finance Committee about the technical amendment. They had asked staff to carefully review this budget.

Councilor Burkholder said as Chair of the Budget and Finance Committee they reviewed the renewal and replacement policy, which would take effect this coming year. Presiding Officer Hosticka thanked Councilor Burkholder and staff for their coordination of the FY 2002-03 budget.

Vote on the Main Motion:	Councilors Burkholder, McLain, Bragdon, Atherton, Monroe, Park and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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6.2 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 in the MERC Pooled Capital Fund, and Declaring an Emergency.

Motion	Councilor Bragdon moved to adopt Ordinance No. 02-948.
Seconded:	Councilor Burkholder seconded the motion

Councilor Bragdon said this amendment pertained to changes in the way the funds were budgeted. This was not a budget increase but a transfer recommended by the staff having to do with accounting procedures. It was a technical change tracking renewal. There was good discussion at the Budget and Finance Committee about this issue. He urged support.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-948. No one came forward. Presiding Officer Hosticka closed the public hearing.

Vote:	Councilors McLain, Atherton, Monroe, Park, Burkholder, Bragdon and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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6.3 Ordinance No 02-949, For the Purpose of Amending the Metro Code Section 4.01.050, and Revising Admission Fees at the Oregon Zoo Effective January 1, 2003.

Motion	Councilor McLain moved to adopt Ordinance No. 02-949.
Seconded:	Councilor Burkholder seconded the motion

Councilor McLain said the ordinance reflected the cost increases effective January 1, 2003. She said the rates were only going up \$.50. Over the last twelve years, the Oregon Zoo had had very few increases. The reason for this increase was to support the Zoo paying for itself. She noted the staff report, which reflected that the Oregon Zoo fees were on the low end of the fee range compared to other zoos. She talked about the revenue increase for the Zoo, a net of \$108,000 annual. This was a prudent example of how the fees were helping with the Zoo operations.

Councilor Bragdon said they would continue to have the free days at the Zoo. Councilor McLain talked about the reduced admission fees on certain days of the month. Councilor Monroe said he attended the Oregon Zoo Foundation meeting last week. They supported this fee increase. It helped them build their Zoo clientele membership. The rates weren't being raised dramatically.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-949. No one came forward. Presiding Officer Hosticka closed the public hearing.

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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7. RESOLUTIONS

7.1 **Resolution No. 02-3185**, For the Purpose of Authorizing the Issuance of a Request for Proposals, No. 02-1020-REM, for the Design of Repairs and Improvements to the Roof and Ventilation System at Metro Central Station.

Motion	Councilor Atherton moved to adopt Resolution No. 02-3185.
Seconded:	Councilor McLain seconded the motion

Councilor Atherton said this resolution was to allow Regional Environmental Management department to let a Request for Proposals for improvements to the roof at Metro Central. This was an extensive project, which would need outside design assistance. It would be about a \$3 million project. It was intended to support improvements to the facility. He further clarified the improvements, which included air quality. He talked briefly about renewal and replacement costs. Councilor McLain said they had gotten good use out of the current roof. It wasn't prudent to let the roof replacement go any longer. Councilor Monroe said, there would be additional work on the ventilation system as well. Councilor Park supported the resolution.

Vote:	Councilors Atherton, Monroe, Park, Burkholder, McLain, Bragdon and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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7.2 **Resolution No. 02-3194A**, For the Purpose of Granting an Easement to the City of Oregon City for Non-Park Use through Metro Property on Newell Crest Drive.

Motion	Councilor Atherton moved to adopt Resolution No. 02-3194A.
Seconded:	Councilor Monroe seconded the motion

Councilor Atherton said this was a small easement of 600 square feet granted to the City of Oregon City. They would pay Metro's staff fees. It brought benefits to the property itself. This was for an emergency generator, which would only be operating during emergency situations. He recommended approval. Councilor McLain said she had asked Charles Ciecko to review the easement criteria. She suggested going back and reviewing the easement policy. She wasn't sure of the benefits and wanted to make sure we hadn't opened ourselves up to other requests. Councilor Park agreed that it was important to review the easement criteria. He was concerned about setting precedents which could potential bring problems in the future. Councilor Atherton said the easement policy did need to be clarified. It could have been handled at the time of purchase however that had not occurred. It was important that we were cognizant of these easement issues in future purchases. It was, however, a reasonable request. He urged adoption.

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

Councilor Monroe said, in the 2001 session of Oregon legislature HB 122 was passed which was known as the OTIA-I. That was based on an increase in vehicle license fees and would create a package of \$400 million. He said the legislature had asked JPACT to give its opinion on which projects should be funded. The projects that JPACT had supported were Boeckman Road and Sunnyside Road project, but the State had not given enough money to cover both projects. So he then asked Clackamas County to suggest funding options. The legislature then met in special session. Metro again requested money to backfill the two above-mentioned projects. The legislature indicated that OTIA-II funding was for new projects. They were now submitting a letter to Oregon Transportation Commission asking to fund the projects in other ways. He reviewed the alternative funding recommendations. JPACT authorized the letter (a copy of which is found in the meeting record). Councilor Monroe urged Council support of the letter.

Councilor Burkholder said this had also been discussed at Transportation Committee. These projects were critical to the 2040 efforts of the region. Councilor Atherton thanked staff and council for supporting this effort. He felt the letter clearly stated their intent. Presiding Officer Hosticka said these funding recommendations were good examples of the region's efforts.

Councilor McLain said the Natural Resource Committee would be meeting on June 26th at 3:30 p.m. She asked if committee members would be available for a July 3rd meeting. Most committee members said they would be available.

Councilor Park said they had been working on the public hearing schedule for the fall. He asked Council what ending date they would suggest. Presiding Officer Hosticka said their target date was December 5, 2002. Councilor Park talked about the discussion at MPAC.

Councilor Burkholder reminded Council of Flag Day tomorrow at Metro at 9:00 a.m. He talked about the celebration.

9. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 3:05 p.m.

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Prepared by

Chris Billington

Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 13, 2002

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
4.1	MINUTES	6/6/02	METRO COUNCIL MINUTES OF JUNE 6, 2002 SUBMITTED FOR APPROVAL	061302C-01
6.1	TECHNICAL BUDGET AMENDMENTS	6/12/02	MEMO FROM CASEY SHORT, FINANCIAL PLANNING MANAGER TO METRO COUNCIL CONCERNING TECHNICAL AND SUBSTANTIVE AMENDMENTS TO THE FY 2002-03 BUDGET	061302C-02
6.1	COMMITTEE REPORT	6/10/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON ORDINANCE NO. 02-940A	061302C-03
6.2	EXHIBIT A AMENDMENT	NONE LISTED	EXHIBIT A TO ORDINANCE NO. 02-948A	061302C-04
6.2	COMMITTEE REPORT	6/12/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON ORDINANCE NO. 02-948	061302C-05
6.3	COMMITTEE REPORT	6/12/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON ORDINANCE NO. 02-949	061302C-06
7.2	RESOLUTION AS AMENDED	NONE LISTED	RESOLUTION NO. 02-3194A	061302C-07
7.2	COMMITTEE REPORT	6/7/02	COMMITTEE REPORT FROM MICHAEL MORRISSEY TO METRO COUNCIL ON RESOLUTION NO. 02-3194A	061302C-08
8	LETTER	6/13/02	LETTER TO OREGON TRANSPORTATION COMMISSION FROM ROD MONROE, JPACT CHAIR AND CARL HOSTICKA, PRESIDING OFFICER CONCERNING RECOMMENDATIONS ON OTIA - II FUNDING	061302C-09