

MINUTES OF THE METRO COUNCIL MEETING

Thursday, June 20, 2002
Metro Council Chamber

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

Councilors Absent: Councilor McLain (excused)

Presiding Officer Hosticka convened the Regular Council Meeting at 2:03 p.m.

1. INTRODUCTIONS

Presiding Officer Hosticka introduced Mayor Charlotte Lehan, City of Wilsonville.

2. CITIZEN COMMUNICATIONS

There were none.

3. METROPOLITICS

Councilor Burkholder introduced Senator Myron Orfield from Minnesota. He had also been a State Representative for Minnesota and was currently Executive Director of the Metropolitan Area Research Corporation and an adjunct professor at University of Minnesota. The research organization examined American cities and looked at indicators of their health and dis-health or disease. They looked at trends, diagnoses and prescriptions for solving some of the ills. Eight years ago Senator Orfield was in Portland and made a presentation, which led to the creation of a group, called the Coalition for a Livable Future. That organization is comprised of over 60 non-profit organizations, which work together to see how their various areas that they work in can be coordinated to create a more livable, economically healthful and just community.

He believed they were here on the Metro Council to do similar work. Some of Senator Orfield's work had been done specifically on this region (a copy of the excerpts/maps from his latest book was included in the meeting record). He said there was additional information on their web site. He was here to give a presentation on how we deal with fiscal inequities within the region, the effects of those inequities on land use planning and whether they were achieving their goals.

Senator Myron Orfield talked about the book he wrote, American Metropolitics, The New Suburban Reality, it was an effort to understand how American regions were growing, creating a typology of urban and suburban areas, the consequences of communities competing with each other, and the benefits of regional cooperation. The book was based on thirty or more studies of the county. He talked about his findings concerning this region. There were a variety of types of U.S. suburban communities. There were three suburban typology; stressed suburbs, bedroom-developing suburbs, and affluent job centers. He gave specifics in the Portland area. Stressed suburbs included stressed diverse, older and low-density populations and comprised 40% of the urban setting. Bedroom developing suburbs, 26% of the population, were growing very fast; a majority of middle class kids were going to school in these areas. This group dealt with an overwhelming number of school age kids, new infrastructure, high ratio of kids to households. Affluent job center suburbs were about 7% of the population but in Portland only about 2% lived in affluent job centers. They didn't have fiscal or social stress but did have high levels of

congestion. He said in Portland about 52% of the population lived in the stressed older communities. The stressed suburbs in Portland were not as stressed as they were in other parts of the country. He noted Portland's standing in these typologies and compared Portland to some of the national central cities. He said Portland central city had about 40% of its kids on the free lunch program. The national average was 66%. In the Portland area 3.4% lived in concentrated poverty where the average nationally was about three times higher. He talked about school poverty as a predictor of health in the area. He also talked about tax inequality. He suggested that in most cities the trends got worse as time went on and gave specifics of those trends.

He said tax inequality between jurisdictions were growing and suggested some ideas for tax structure revisions. A rational compromise was to share the growth of the commercial/industrial resources. It didn't take anything away from existing places. It made sure that everyone was held harmless in terms of the resources they had but prevented communities from growing in terms of their disparity. It prevented communities from becoming dramatically unequal in the future, it froze the good ratio the region had right now and didn't allow it to become any worse. Gradually, through sharing growth, it would reduce the disparity over time. The places that had adopted substantial revenue sharing programs had significantly expanding refined systems that reduced the disparity and reduced the competition between jurisdictions. He encouraged individuals to go to their web site for more detailed information. He concluded by saying that one of the things people would see was the substantial difference that Portland had in terms of quality, the strength of the central city, and the vitality of the region. You could clearly see the effects that planning had had on the region. You could also see trends of disparity that were beginning to grow and will have to be coped with in the future if the region wanted to avoid the fate of many of the older larger and less successful regions of the county.

Presiding Officer Hosticka thanked Senator Orfield for coming. He said many jurisdictions thought land use would solve fiscal problems. He appreciated Senator Orfield's presentation which, indicated that there were other ways to look at the financial disparities and financial problems.

4. METRO COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI) CHAIR REPORT

Ted Kyle, past MCCI Chair, said MCCI had an election last night and Dennis Ganoe was elected as the new chair of MCCI. He reviewed what had happened at MCCI over the past two years. He had met with all of the councilors at the beginning of the two years and learned that there was no common vision for MCCI. He said about a year ago MCCI was transferred from the Executive Office to the Council Office. He felt this had been a good move and MCCI had found a good home within the Council Office. MCCI had created a new structure for citizen involvement. They were bringing forward an ordinance dealing with those changes. They had also completed a review of the Public Involvement Planning Guide. They had adopted a new document. He felt that that document would help MCCI interface with Metro in a more effective way.

He also reviewed other projects that MCCI had worked on over the past two years. He talked about the Let's Talk Conference and that MCCI felt that the conference had been an excellent, successful forum. The results were that Metro was better prepared to interface with citizens. We were listening and reaching out the citizens. We were building a foundation for citizen involvement that will be different as we move through the transition. The Let's Talk conference reached many people that were normally not involved or engaged, it allowed citizens to talk to other citizens.

He cautioned that as Council move forward, respect what the citizens say, act on what you can and explain what you can't so everyone knows that you really listened to them. He knew that the Council couldn't do everything that citizens wanted but suggested taking the messages for what they were worth and incorporating them into the Council's thought processes and then explain how you came to the decision the best you can. He was impressed with the student projects at the conference. He thanked Councilor Burkholder as MCCI liaison; he had been there for MCCI. He also thanked Council staff for their work with MCCI. He thanked MCCI members for their energy and efforts and all of the citizens who had participated in the process. His final thanks were to the Council for their continued efforts to encourage citizen involvement.

Councilor Atherton thanked Mr. Kyle for his service, he had been an excellent chair of MCCI. Councilor Monroe talked about the conversation he had two years ago. He felt MCCI had really grown under Mr. Kyle's leadership. Councilor Burkholder said it had been a pleasure to serve with Mr. Kyle and MCCI members. Councilor Park thanked Mr. Kyle and Bob Pung for the time they had put in. Presiding Officer Hosticka presented Ted Kyle with a certificate of recognition.

Councilor Burkholder asked for a copy of Mr. Kyle's written report.

5. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

6. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, presented a report on the MERC Portland Center for the Performing Arts, Event Settlement Activities (a copy of the report is included the meeting record). The system works but there were some enhancements that were needed. She and Doug U'Ren, Senior Auditor, gave a power point presentation on the report (a copy of which is found in the meeting record) and the three recommendations for improvements.

Councilor Bragdon asked about ConCentRICs and training to use the system. Mr. U'Ren responded that there was no one to back up the one person who knew how to run the system. He suggested cross training.

Councilor Park said they had received the report yesterday. He thought these reports were to be to Council a week prior so they could formulate questions. He summarized the findings. Ms. Dow made clarifying remarks. Councilor Park suggested having staff look at the report and if they had further questions they would follow up.

7. CONSENT AGENDA

7.1 Consideration of minutes of the June 13, 2002 Regular Council Meeting.

Motion	Councilor Bragdon moved to adopt the meeting minutes of the June 13, 2002, Regular Council meeting. Councilor Atherton seconded the motion.
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Vote:	Councilors Bragdon, Atherton, Monroe, Park, Burkholder, and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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8. ORDINANCES - FIRST READING

8.1 **Ordinance No. 02-956**, Amending the FY 2001-02 Budget and Appropriations Schedule for the Purpose of Transferring \$28,039 from the General Revenue Bond Fund Contingency to Capital Outlay to Complete the Council Chambers Camera Project; and Declaring an Emergency.

Presiding Officer Hosticka indicated that this item had been removed from the agenda.

8. ORDINANCES – SECOND READING

Motion to Suspend the Rules	Councilor Monroe moved to suspend the rules to allow consideration of Ordinance No. 02-957 relating to appropriations authority for the Zoo for the remainder of this fiscal year.
Seconded:	Councilor Atherton seconded the motion

Vote to Suspend the rules:	Councilors Park, Burkholder, Bragdon, Atherton, Monroe and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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8.2 **Ordinance No. 02-957**, Amending the FY 2001-02 Budget and Appropriations Schedule by Transferring \$296,435 from Contingency to Operating Expenses in the Zoo Operating Fund, and Declaring an Emergency.

Motion	Councilor Monroe moved to adopt Ordinance No. 02-957.
Seconded:	Councilor Atherton seconded the motion

Councilor Monroe said this ordinance was necessary to be approved today in order to increase the appropriation authority of the Zoo to allow the Zoo to continue to keep the food service facilities and the train open through the end of the fiscal year. We needed to do this because attendance and food sales had been higher than expected. We needed to be able to keep spending on staff and supplies so we can continue to make more money than we spent. The ordinance contained the appropriate findings so the Council could take this action today.

Presiding Officer Hosticka opened a public hearing.

Phil Prewett, Zookeeper and taxpayer, 6116 NE Willow, Portland, OR 97213, thanked the Council for supporting the ordinance.

Presiding Officer Hosticka closed the public hearing.

Councilor Burkholder said they had to raise the issue that this was not a situation that they liked to have happen. He said he would like to see the Council take actions so that this did not occur in the future. He knew that they were doing some long-range planning such as hiring a new Financial Manager for the Zoo so that this did not happen in the future. He wanted to be on record, even though he was going to support this because there was no damage to Metro, there needed to recognition that there had been a failure at the Zoo in the Zoo management that Council was rectifying here today. They needed to asked for action on behalf of Executive Officer to make sure this situation doesn't come up again in the future and that the budget financing operations at the Zoo were carried out in a way that they didn't have to face these kind of issues.

Councilor Monroe said their primary responsibilities were to their patrons, this emergency action was important so that they can continue to serve the patrons.

Presiding Officer Hosticka pointed out that the action that they were taking today was to authorize the Zoo to spend additional funds between now and the end of the fiscal year. The funds were available. This ordinance was not raising any revenue or causing any increase in expenditures from the taxpayers. The authority to spend those funds was not available and that in order to provide the services at the Zoo they had to grant this authority so the Zoo could continue to provide those services until the end of the year. The money was there; it was not raising new funds but granting authority.

Vote:	Councilors Burkholder, Bragdon, Atherton, Monroe, Park and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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9. RESOLUTIONS

9.1 Resolution No. 02-3186A, For the Purpose of Amending the Metropolitan Transportation Improvement Program (MTIP) to include State Bond Funds, Programming Preliminary Engineering Funds for US 26 Widening, and Approving a Conformity Determination for These Actions and Those of Ordinance No. 02-945 that Amends the Regional Transportation Plan.

Motion	Councilor Monroe moved to adopt Resolution No. 02-3186A.
Seconded:	Councilor Burkholder seconded the motion

Motion to amend:	Councilor Monroe moved to amend Resolution No. 02-3186A.
Seconded:	Councilor Bragdon seconded the motion

Councilor Monroe explained the amendment. Council’s action must conform to Joint Policy Advisory Committee on Transportation’s (JPACT’s) action or it must be sent back to JPACT. Presiding Officer Hosticka said the amended resolution was primarily clarifying language.

Vote to Amend:	Councilors Bragdon, Atherton, Monroe, Park, Burkholder and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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Councilor Monroe gave an overview of the amended resolution. He reviewed some of the projects that were funded under Oregon Transportation Improvement Act (OTIA) which were included in our Regional Transportation Plan (RTP) and that we would continue to be in conformity with state and federal air quality. All of these projects would improve air quality and explained the requirements of the projects. He urged support.

Presiding Officer Hosticka opened a public hearing. No one came forward to testify. Presiding Officer Hosticka closed the public hearing.

Vote on the Main Motion as amended:	Councilors Atherton, Monroe, Park, Burkholder, Bragdon and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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9.2 **Resolution No. 02-3191**, For the Purpose of Appointing Judy Rice to the MERC Commission.

Motion	Councilor Bragdon moved to adopt Resolution No. 02-3191.
Seconded:	Councilor Burkholder seconded the motion

Councilor Bragdon said this resolution would reappoint Judy Rice to the MERC Commission. She had been chairing the Commission and had performed admirably. She had agreed to continue to serve and we would be lucky to have that continued service. She had been active in the arts community as well and was a good nominee for this position. He urged an aye vote.

Vote:	Councilors Monroe, Park, Burkholder, Bragdon, Atherton and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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9.3 **Resolution No. 02-3197**, For the Purpose of Requesting Informal Advice from the Metropolitan Policy Advisory Committee Regarding Taxi Regulation on a Regional Basis.

Motion	Councilor Burkholder moved to adopt Resolution No. 02-3197.
Seconded:	Councilor Bragdon seconded the motion

Councilor Burkholder said the Council had been approached, by a number of elected officials as well as individual business people, to take a look at taxi regulation within the region. He explained why this might be a good idea. They were asking Metropolitan Policy Advisory Committee (MPAC) whether Metro should take on another service. MPAC would research the issue and make a recommendation to the Council. He urged support.

Presiding Officer Hosticka noted letters for the record, which had been signed by Senators Hartung and Deckert, Representatives Ringo, Witt and Haas, state legislators, urging the Council to take this action. He said Mayor Drake of Beaverton had also sent a letter recommending they take this action.

Councilor Bragdon said he thought moving into this area made sense to conform to reality. He said what was interesting was that we had a case where local governments were asking Metro to take on a responsibility. He noted that to have local governments approaching Metro and saying that this was something Metro could do more efficiently and leave the industry and the customers better off and make more efficient use of resources was a plus. It was a pleasure to have local officials indicating Metro could do this much better. MPAC was the place that this discussion needed to happen because some of the jurisdictions had not had opportunity to weigh in on the issue. The regulator of this industry in the region right now was the City of Portland, was this fair? MPAC needed to have this discussion.

Councilor Park said there was a similar issue in landscape licensing. They currently had to go to each individual jurisdiction to get their landscaping license when people were operating in multiple jurisdictions. This resolution made sense. Presiding Officer Hosticka said it was appropriate to send this to MPAC because this would give other parts of the regional opportunity to make their views known on the subject.

Vote:	Councilors Park, Burkholder, Bragdon, Atherton, Monroe and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion
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	passed.
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10. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d) FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.

Session Began: 3:24

Members Present: Mike Burton, Lilly Aguilar, Ruth Scott, Ed Rutledge, Jennifer Sims, Casey Short, Alexis Down, Dan Cooper, Scott Moss and council staff.

Session Ended: 4:03 p.m.

10.1 **Resolution No. 02-3204**, For the Purpose of Ratifying the Tentative Labor Agreement Between AFSCME Local 3580 and Metro and Revising the Non-Represented Employee Pay Plan.

Motion	Councilor Burkholder moved to adopt Resolution No. 02-3204.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder said this resolution was to ratify a labor agreement with AFSCME Local 3580 and Metro as well as revise the non-represented employee pay plan. This was an agreement to continue the existing contract for the next two years. He explained the details of the resolution and urged support.

Vote:	Councilors Burkholder, Bragdon, Atherton, Monroe, Park and Presiding Officer Hosticka voted aye. The vote was 6 aye, the motion passed.
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11. COUNCILOR COMMUNICATION

Councilor Park talked about MPAC sub-regional subcommittee meeting which discussed how you would write a sub-regional rule. They would be continuing their discussion at the next meeting, which would be on July 1st at 5:00 p.m. He thought they would have an August 22nd public hearing in the chamber.

Councilor Bragdon said it was time to think about the next legislative session, the Governmental Affairs Committee would be developing a legislative agenda over the next several months. He had distributed a memo requesting councilors and Mr. Burton, suggest what needed to be on the agenda. Presiding Officer Hosticka said the Governmental Affairs Committee would take a first look at those suggestions and make recommendations to the full council. Councilor Burkholder reported on Transportation Committee progress.

Councilor Park wished Councilor Bragdon a happy birthday.

Presiding Officer Hosticka said Council would be meeting in Lake Oswego next week at 3:00 p.m. Councilor Atherton said they would also be taking a tour of Clackamas County and Lake Oswego, looking at problems in those areas in terms of expanding the Urban Growth Boundary.

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12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 4:13 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 20, 2002

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
7.1	MINUTES	6/13/02	METRO COUNCIL MINUTES OF JUNE 13, 2002 SUBMITTED FOR APPROVAL	062002C-01
3	BROCHURES	UNDATED	AMERICAN METRO POLITICS, PORTLAND REGION, A REGIONAL POLICY SUPPLEMENT TO A NEW BOOK PUBLISHED BY BROOKINGS INSTITUTE	062002C-02
4	MCCI CHAIR REPORT	6/20/02	TED KYLE, PAST CHAIR OF MCCI SUMMARY OF WHAT HAD HAPPENED AT MCCI FROM JULY 2000-JUNE 2002	062002C-03
6	POWER POINT PRESENTATION	JUNE 2002	AUDITOR'S POWER POINT PRESENTATION ON MERC PCPA EVENT SETTLEMENT ACTIVITIES	062002C-04
6	AUDITOR'S REPORT	JUNE 2002	MERC PCPA EVENT SETTLEMENT ACTIVITIES REPORT	062002C-05
8.2	ORDINANCE	JUNE 20, 2002	ORDINANCE NO. 02-957, AMENDING THE FY 2002-03 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$296,435 FROM CONTINGENCY TO OPERATING EXPENSES IN THE ZOO OPERATING FUND, AND DECLARING AN EMERGENCY	062002C-06
9.1	JPACT AMENDMENTS	JUNE 20, 2002	RESOLUTION No. 02-3186A AMENDMENTS RECOMMENDED BY JPACT AND ATTACHED MEMO WITH MOTION TO AMEND	062002C-07
9.2	COMMITTEE REPORT	JUNE 17, 2002	RESOLUTION No. 02-3191 COMMITTEE REPORT FROM JOHN HOUSER, COUNCIL ANALYST	062002C-08
9.3	COMMITTEE REPORT	JUNE 17, 2002	RESOLUTION No. 02-3197 COMMITTEE REPORT FROM JOHN HOUSER, COUNCIL ANALYST	062002C-09