

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, June 24, 2003
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Brian Newman, Rod Monroe, Rex Burkholder, Rod Park

Councilors Absent: Carl Hosticka (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 2:04 p.m.

1. SALEM LEGISLATIVE REPORT

Doug Riggs, PacWest, reported that the process was grid locked. There were no hearings scheduled on bills that Metro was tracking. He didn't anticipate the legislature finishing before mid-August. The big effort was to try and transfer bills. He noted that the garbage enforcement bill passed the Senate. Transportation bill was posted for Thursday. It was possible that this bill might be passed and signed by July 4th. The TriMet piece was not incorporated into that bill. Mr. Riggs said there was a series of bills being held hostage. Everything was in play. All of the land use bills were still pending. He provided a copy of the status of Metro bills. Councilor Monroe asked if the message was getting through concerning federal funding and expectations of the Oregon legislature. Mr. Riggs said the TriMet bill would probably be a last minute decision and there was 50-50 chance of passage. He summarized what bills he thought would pass. Self-insurance bill got signed into law. He spoke about the sub-regional issue and the continued discussion on this topic. He noted the taxi bill and summarized amendments. There were still work sessions going on behind the scene.

Councilor Burkholder asked if Metro Council needed to push forward any of the bills. Was there extra action? Mr. Riggs said no one knew how to influence the decision-making. He suggested a letter talking about the Tri-Met bill and the need to get this passed. There was no long-term deal on the table. No one had any clue about what the agreement would be as to when the session would finish. Council President Bragdon suggested a white paper on the Tri-Met bill to support passage. Mike Jordan, Chief Operating Officer, asked about Councilor contact with legislators. Council President Bragdon said they adopted general concepts but had tried to stay out of the particulars. Mr. Riggs said they had tried to keep everyone on the same page. Councilor Monroe talked about the open meetings law.

2. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JUNE 26, 2003.

Council President Bragdon reviewed the agenda for the upcoming June 26, 2003 Council meeting. He noted that 8.1 would be delayed until a future date. Mr. Jordan said he had a fiscal concern so he had asked for a delay until those concerns had been answered. Mr. Jordan talked about the Cost of Living Adjustment resolution. He noted the class/comp study that was being completed. He spoke to the need for internal equity. Councilor Burkholder asked about the indices. He asked if the class/comp study would take care of the compression problem. Councilor McLain asked for comparables on insurance. Mr. Jordan said one of the proposals that would be brought forward was to look at a total compensation package. Councilor Monroe said one of his concerns was internal equity including those in Metropolitan Exposition Recreation Commission

(MERC). Mr. Jordan said the KPMG work did not include MERC. He noted that the next Council/Chief Operating Officer (COO) retreat would be on July 30th.

3. MCCI PUBLIC INVOLVEMENT DISCUSSION

Dennis Ganoe, Metro Committee for Citizen Involvement (MCCI) Chair, introduced Darren Pennington, Scott Seibert, and Norm Andreen. Chair Ganoe said they asked for this meeting because, when the structure of the Council was changed in January, they had concerns about being able to communicate with Council. Mr. Pennington said that when the committee structure was eliminated, they felt that there was a net loss of an opportunity for citizens to communicate with Council. Was this decision a net loss to citizen and a net loss to legal standing? Mr. Seibert said there had been heated discussion. Had there been a better conversation initially, he thought there might not have been such concern. He noted that they were excited about Metro becoming more effective and efficient.

He talked about the opportunity for elected officials to testify first. He noted that citizens had to wait to testify for over an hour and a half. He said perhaps indicating something on the agenda might solve the problem. They would like Council to look a clarifying this issue. He talked about the active listening versus passive listening style impacting citizens' perception. Mr. Andreen thanked Council for changing their rules to add citizen comment at the Work Sessions. MCCI's charge was citizen involvement. He spoke to Goal 1, citizen involvement. They would like to create proactive citizens instead of reactive citizens. He talked about Clackamas County's citizen involvement. He said he felt MCCI's job was to let citizens know about Metro committees. He thought Metro should make a concerted effort to identify committees and get the work out to CPOs and neighborhood associations. He suggested that we might look at creating some new subcommittees of MCCI that worked directly with staff at the beginning of the process. This would involve citizens from the get go. Mr. Ganoe said one of their goals was trying to start a dialogue.

Councilor McLain said she had the same feeling as they had going from committee structure to Work Session. She didn't feel engaged. She had personally experienced this the first two to three months of the year. She said she wasn't sure what citizens were supposed to do at these Work Sessions. She felt that there were things as a Council that they could guide citizens to let them know how to be more effective. Councilor Burkholder said it was a difficult issue. There were a lot of things that happened in an agency this size that didn't require Council but citizens could be very useful. He felt MCCI's work on this was important. Where he had seen good input from citizens was on issues such as Metropolitan Transportation Improvement Program (MTIP). He liked not having the committees. He felt he was hearing the same thing two to three times. He felt not having committees helped Council use their time more effectively. Councilor Park said he had begun working with Kathy on the Urban Growth Boundary (UGB) citizen process. He talked about elected officials and whom they represented. He talked about the interactive process and how much more time it took for the meeting when this was required. He talked about outcome of the decision and the impact of citizens' input. Mr. Andreen said he understood the necessity for elected officials to speak. He felt officials had lots of opportunity where citizens didn't always have the opportunity. Mr. Seibert talked about one of the public hearings on the UGB and the opportunity for elected officials to talk. Mr. Ganoe said at the beginning of the UGB process they were looking at helping citizens get involved. He felt that the Work Session was a good open forum for a citizen to speak. He suggested publicity and getting the word out to the citizens. Councilor Newman said what he appreciated about the Work Session process was that he felt it was more productive. He felt the structure of the Work Session allowed for a different kind of

conversation. He liked the Work Sessions; he hoped that we could fine-tune it to allow for better communication with the citizens. He made some suggestion for elected officials testimony.

Mr. Andreen talked about Doug Neely's testimony at the UGB public hearing in Oregon City. He spoke as a normal citizen. Councilor Monroe said he had been involved with citizens for over thirty years. He too was frustrated when a staff person from a city took over a half hour. He did believe in giving courtesy to elected officials but not the local jurisdictional staff. He felt that the interactive process did take a lot of time. Council President Bragdon reinforced what Council had said. One thing he did was take notes and talk with people after the hearing. He felt the Let's Talk conference and the Coffee Talks were more beneficial to citizens' involvement. Councilor McLain said one element for the Work Session was to help citizens better understand what subjects were being covered. She suggested a process for testimony for both elected officials and citizens. Mr. Ganoe thanked the Council for the opportunity. He read a letter into record (a copy of which may be found in the meeting record).

4. OREGON ZOO RETAIL SERVICES CONTRACT AND EXCISE EXEMPTION BRIEFING

Tony Vecchio, Oregon Zoo Director and Teri Dresler, Oregon Zoo, updated the Council on contracting out the retail operations. They had 8 vendor expressing interest in the operation. Three proposals stood out. One vendor was above the other two. He noted Roy Soard's and Sarah Chisholm's involvement. He said another issue was how we would treat excise taxes. He talked about the impact to Metro. There was \$140,000 in the budget for excise tax from the Zoo. If they didn't collect excise tax, they would collect only about \$40,000. He spoke to impacts of charging the excise versus not charging excise tax. He provided three options. Councilor Newman asked about how this was structured. Mr. Jordan talked about norm for excise taxes. He noted that there were many ways to calculate excise taxes in the Code. Councilor Monroe said they had been discussing this over the past year. If, by privatizing we reduced the amount of excise tax that was paid, might that not open the door for criticism? Ms. Dresler said they were projecting more gross profits. Councilor McLain talked about the transitional issues. They wanted the Oregon Zoo to be more profitable. She was interested in the list of exceptions to excise taxes. Mr. Jordan said they were all over the board and impacted many departments differently. Councilor Newman asked about an Option 3 to exempt the tax requirements but levying a cap. Council President Bragdon talked about taxation and impact. He agreed with Councilor Newman's approach. He suggested treating vendors similarly. Mr. Jordan said there were different structures dependent upon the operation. He felt that it was timely to have this conversation. He had asked Mr. Vecchio to bring several options to the table. He talked about non-solid waste excise taxation versus solid waste excise taxation and the impact. Councilor McLain said one of the things they had to show was equitability. Councilor Monroe talked about excise tax at the Convention Center. Councilor Newman said they were making the assumption that the excise tax would not be collected. Mr. Vecchio suggested Option 2. Councilor Park asked what was the policy basis for exempting entities from excise taxes. Mr. Jordan said there was no standard policy. Councilor Park said he was concerned about the policy basis. Council concurred with Option 2, which would hold Metro harmless from the impact for the first year.

Ms. Dresler spoke to the three vendor proposals. She said they were all three national companies. Councilor Burkholder asked how they proposed to give local flavor. Ms. Dresler said there was a small margin that you can tailor to your shop. She said all three of the contractors were supportive of the Zoo's mission. Roy Soards, Business Service Director, commented about small local vendors. Ms. Dresler wanted to support local vendors. Mr. Vecchio talked about his Aramark experience at another Zoo and the opportunities. Councilor McLain said she agreed with

Councilor Burkholder in making it feel local. Council President Bragdon asked who was on the evaluation and negotiations team. Ms. Dresler responded to his question.

5. CITIZEN COMMUNICATION

There was none.

6. COUNCILOR COMMUNICATION

Councilor Burkholder spoke to an Environmental Protection Agency grant in conjunction with City of Portland for Centers funding. He explained the specifics of the grant. They wanted to bring this forward to inform the Council. Council President Bragdon asked what Metro was required to do. Brenda Bernards and Richard Benner felt this would help fund our Centers. Mr. Jordan suggested that Clackamas County was doing work with EPA on Brownfields as well.

Councilor McLain said she and Council President Bragdon were out at an opening of the park today. She indicated that the Oregon State Parks had grants available for parks. Councilor Newman said the Centers team had been proactive in obtaining funding.

Mr. Jordan talked about MCCI's guide on how to participate in the land use process (a copy of which is included in the meeting record).

Mr. Jordan informed the Council that the bonds on this building were refundable this year. If we were to refund the bonds we would save over \$2 million. He explained the refunding of bonds and savings requirements. Councilor McLain talked about the need for building repair.

Councilor Burkholder brought up the chamber camera project. He talked about the opportunity to email the Council during the live session. Councilor Park suggested starting on the conservative side. John Donovan said Pam Peck, Public Affair Department, would be taking over this process.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:04 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 24, 2003

Item	Topic	Doc Date	Document Description	Doc. Number
2	Council Agenda	6/26/03	Metro Council Agenda for June 26, 2003 Meeting	062403c-01
6	Memo	June 20, 2003	To: Council President Bragdon and Metro Council From: Rex Burkholder and Brian Newman Re: Grant Application opportunity	062403c-02
1	Legislative Bills	6/24/03	To: Metro Council From: PacWest Re: 72 nd Legislative Assembly bills	062403c-03
3	Letter	6/19/03	To: Metro Council From: Dennis Ganoë, MCCI Chair Re: Citizen Participation award	062403c-04