

MINUTES OF THE METRO COUNCIL MEETING

Thursday, October 2, 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 Regular Council Meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. AUDITOR COMMUNICATION

Alexis Dow, Metro Auditor, presented her report on Oregon Convention Center Expansion: Review of Management's System for Controlling Costs. Doug U'Ren, Senior Auditor presented a power point presentation (a copy of which is included in the meeting record). He spoke to the purpose of the audit, the audit timing, and overall results. He noted that oversight was generally strong. He also suggested that some cost controls needed improvement and detailed recommendations for improvement.

Mark Williams, Metropolitan Exposition Recreation Commission (MERC) General Manager and Gary Conkling, MERC Chair, commented on the expansion project audit. Mr. Conkling spoke to the expansion project and the benefits to the region. He noted that they had completed the project on time and under budget by more than \$2 million. He talked about the collaborative effort to help deliver the project under budget. He said this project was the largest construction project in the region. He talked about the economic benefits to the region. He said they concurred with the Auditor's report. He disagreed with one issue concerning the formality of the bidding processes. They felt the Auditor's recommendations reflected an honest difference of opinion. He spoke to the savings of time and money.

Ms. Dow spoke to the area where the Auditor and MERC disagreed concerning bidding processes and explained the differences in their positions. She felt the project was effectively managed.

Councilor Monroe asked Ms. Dow if she felt they paid too much for the concrete. Ms. Dow said they were unable to tell this but spoke to the need for overall accountability. Councilor Monroe asked if the overall management of the project was sound? Mr. U'Ren said yes.

4. CONSENT AGENDA

4.1 Consideration of minutes of the September 25, 2003 Regular Council Meetings.

Motion:

Councilor Park moved to adopt the meeting minutes of the September 25,
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2003, Regular Metro Council meeting.

Vote:

Councilors Burkholder, McLain, Monroe, Newman, Park and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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5. ORDINANCES – SECOND READING

5.1 **Ordinance No. 03-1018**, For the Purpose of Amending Metro Code Chapter 5.01 Regarding Solid Waste Facility Regulation; and Declaring an Emergency.

Council President Bragdon said these ordinances had been postponed from last week. He then opened a public hearing.

Dean Kampfer, 7227 NE 55th, Portland, OR, 97218 Waste Management of Oregon (read a letter into the record, a copy of which is included in the record). He spoke to granting licenses for less than five years. He felt anything shorter than five years would compound operational problems. They were overall supportive of the proposed ordinances. Councilor Burkholder talked about the investment timeframe and asked what was an appropriate timeframe? Mr. Kampfer said with large dollar items it was hard to spread depreciation over less than five years.

Ray Phelps, WRI, Wilsonville, OR talked about the Solid Waste & Recycling memo (a copy of which is included in the meeting record). He said their issue was very much the same as Waste Management's concerning less than five years. Their planning schedule was based on seven years. He felt the ordinance provided too much uncertainty. He suggested a rolling franchise process. He talked about the other five items that staff addressed. He appreciated the excellent work of the Metro Attorney's Office. Councilor Park talked about amortization of costs. Mr. Phelps said some purchases were extremely expensive. He had been told that they depreciated their purchases over seven years. He spoke to risks and costs. He said they were not in a position to accept risk beyond two years. Council President Bragdon talked about industry's input over the past week. He felt there were issues that still needed to be discussed and suggested future processes to address some of these issues. Councilor McLain said she felt they could still have a five-year run. The staff was trying to be responsive to the Council. These ordinances provided more flexibility.

Council President Bragdon closed the public hearing.

Motion to amend:	Councilor McLain moved to amend Ordinance No. 03-1018 (a copy of the amended language is included in the meeting record).
Seconded:	Councilor Newman seconded the motion

Councilor McLain summarized her amendment concerning a 10-day letter. Councilor Park asked about the impact of the proposed language. Council President Bragdon said he would be supporting the amendment. Councilor McLain appreciated the staff time.

Vote to amend:

Councilors Park, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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5.2 **Ordinance No. 03-1019**, For the Purpose of Amending Metro Code Chapter

5.05 Relating to Solid Waste Flow Control; and Declaring an Emergency.

Council President Bragdon opened a public hearing. No one came forward. Council President Bragdon closed the public hearing. He announced that this would be held over until October 9, 2003.

5.3 **Ordinance No. 03-1020**, For the Purpose of Amending Metro Code Chapter 7.01 Regarding Solid Waste Facility Regulation.

Council President Bragdon announced that this ordinance would also be held over until October 9, 2003

6. RESOLUTIONS

6.1 **Resolution No. 03-3325**, For the Purpose of Entering into 5-Year Agricultural Leases with Calfarms LLC and Sauvie Island Organics LLC on Metro Open Space Properties at Willamette Narrows and Sauvie Island.

Motion:	Councilor McLain moved to adopt Resolution No. 03-3325.
Seconded:	Councilor Newman seconded the motion

Councilor McLain spoke to the resolution. Councilor Burkholder asked that the Park's Department speak to the reason for the leases.

Jim Morgan, Parks and Greenspaces Department, spoke to purchasing open space parcels. Sometimes we bought land that was under agricultural use. The agricultural use came with the whole parcel. They looked at the current agricultural use, its management and the impact on the land. If agricultural use ceased, they had to maintain and management that land. He said they could continue to keep the land in agricultural use in a responsible manner or pay for management of the land with limited funds. Councilor McLain talked about the two farms and the organic farming that was occurring on the land. She noted the properties on the map. Councilor Park asked if the original homestead stayed? Mr. Morgan said yes. Councilor Park said he felt this created a win-win situation and explained the benefits to all entities concerned. Councilor McLain closed by urging an aye vote and explained the value of this agricultural asset.

Vote:

Councilors Park, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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6.2 **Resolution No. 03-3352**, For the Purpose of Amending the Intergovernmental Agreement for the Regional Emergency Management Group for the Portland Metropolitan Area and Authorizing the Chief Operating Officer To Execute Amended Agreement.

Motion:	Councilor Monroe moved to adopt Resolution No. 03-3352.
Seconded:	Councilor McLain seconded the motion

Councilor Monroe said this Intergovernmental Agreement (IGA) needed to be updated. Metro was a part of the regional management group. He spoke to what the IGA did for the region. Councilor Burkholder said this was not committing resources to prevent terrorism but would help

in case there was a terrorist act. He was supportive of this resolution. Council President Bragdon said this was another opportunity for regional cooperation.

Vote:

Councilors Park, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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7. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, Chief Operating Officer, asked Bill Stringer, Chief Financial Officer, to come and speak with Council. Mr. Stringer talked about refunding bonds and the savings to Metro. Savings were about \$2.45 million spread over the maturity of the bonds. This was about \$300,000 annually through 2016 and \$240,000 annually through 2024. He acknowledged Casey Short's efforts on behalf of Metro.

8. COUNCILOR COMMUNICATION

Councilor Monroe said he and Councilor Burkholder were planning to attend the Cascadia Conference in Vancouver BC. Councilor Burkholder said this was Bike Community Challenge month. He talked about the number of bike miles he had ridden. He noted Metro's leadership in this area and in transit in general.

9. ADJOURN

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

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCTOBER 2,
2003

Item	Topic	Doc Date	Document Description	Doc. Number
7.1	Amendment	10/2/03	To: Metro Council From: Councilor McLain Re: Proposed Amendments to Ordinance No. 03-1018	100203c-01
3	Power point presentation	10/2/03	To: Metro Council From: Alexis Dow, Metro Auditor Re: Oregon Convention Center Expansion: Review of Management's System for Controlling Costs	100203c-02