

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, February 26, 2004  
Metro Council Chamber

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

Councilors Absent: Rod Park (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

Elizabeth Tucker, Metro Committee for Citizen Involvement Chair, reported on MCCI business for the month of February 2004. Her report highlighted a number of issues related to citizen involvement, including industrial lands open houses feedback, Transportation PIP comments, and efforts to improve regional communication. [A copy of this report was submitted for the record.]

Councilor Burkholder asked Ms. Tucker what Metro should be asking the State of Oregon Department of Transportation in terms of bringing projects forward (in relation to public involvement and coordination strategies). Ms. Tucker noted that MCCI would add it to their list of discussion items. She noted that MCCI is also discussing the citizen involvement network, looking at how MCCI can create a network to improve communication, tapping into various groups via a listserv or internet chat group, adding that the legalities of these formats are being considered. They plan to discuss a neighborhood summit at their first March meeting. The group is also considering discussing the changing nature of our region in terms of demographics to assess needs for improving communication. Ms. Tucker also offered the group's congratulations to Council President Bragdon on his State of the Region address.

Councilor Newman expressed his thanks to Ms. Tucker for her regular attendance at Council meetings and informative reports.

### 3. SECOND FINANCIAL QUARTERLY REPORT

Casey Short, Manager - Financial Planning Division, provided details of the Quarterly Report, Second Quarter for fiscal year 2003-04. Mr. Short outlined some of the new features of the report designed to provide additional levels of analysis, i.e., CIP reporting, and new graphs (that show month-to-month expenditures compared to three years ago). Mr. Short provided analysis of several of the graphs relating to Regional Parks and Greenspaces, MERC, PCPA, and the Oregon Zoo. He also asked for feedback from councilors on the design of the graphs and whether the Council would like to see additional information.

Councilor Burkholder asked whether the Expo Center is directly competing with the Convention Center. Mark Williams or Jeff Blosser will be asked to respond to this question in more detail. Council President Bragdon commented that he liked the report format and feels it is helpful. Mr. Short acknowledged Brad Stevens in Financial Planning for putting them together.

Mr. Short also discussed the Operating Funds. Revenues and expenditures track a little higher half-way through the year than they normally do. Revenues are up due to Solid Waste and MERC doing a little better than in prior year, or because of the timing of reporting, and not due to any systemic reason. Expenditures show an anomaly of a \$4 million debt service payment in Solid Waste in July that helped bump up this average.

He also commented on the General Fund. Briefly, the excise tax is \$77,000 over budget. It's projecting to be over budget in total by about \$185,000. Most of this is from Solid Waste so most of this will go into their rate stabilization reserve account. For the unrestricted general fund, they are projecting approximately \$150,000 short of budget. Council and Public Affairs are well below budget; Planning grants are lagging due to the billing cycle; Regional Parks enterprise revenues are down 3% due to Glendoveer revenues being down 5%. On the spending side, spending is as expected and capital outlay projects are scheduled for later in the year. MERC hotel motel taxes are down (a continuation of the trend in the tourist industry) and they are expected to be down by 5% at years end. Expo enterprise revenues are down by 15%, but they are planning to meet their reduced budget target of 6% below the adopted budget. The Oregon Convention Center is doing quite well, and slightly over budget. At the Portland Center for the Performing Arts, nothing is noteworthy with their budget.

Councilor Newman revisited MERC Commission's layoffs last year. He asked whether MERC is making up for lost ground. Mr. Short said they are on their way back, stating, "They are out of the wood shed, but not out of the woods." It is too early to tell.

Councilor Burkholder asked for clarification on the bonds for the Convention Center expansion. Mr. Short stated that Metro did not issue the bonds. The City of Portland did.

With regard to the Solid Waste Department, Mr. Short noted that enterprise revenues are up and that CIP spending is higher than usual (as they have gotten further along in some projects). He also discussed the Oregon Zoo. Zoo attendance is close to budget (at about 99% of budget projections), but that attendance-related revenue is down for a variety of reasons. Property tax collections are expected to be down (approximately \$140,000 short). Other enterprise revenues are tracking short, i.e., catering and retail. Donations received from the Oregon Zoo Foundation from special attractions are at 49% of budget halfway through the year. On the Zoo expenditures side, Mr. Short stated that there is nothing of note to report. In addressing the Internal Services Fund, he noted that the risk management personal services fund is high. Finally, with regard to Capital Funds, he noted that there is not much to report.

Mr. Short commented on the excise tax, noting some improvement from the first quarter. The projection is that total excise tax will be \$185,000 above budget, but the discretionary excise tax is expected to be about \$150,000 short of budget. Solid Waste-generated excise taxes are expected to be \$335,000 over budget. Mr. Short reviewed excise taxes for the various groups: The Zoo is down about 12.5%. The OCC is 4% over budget, but is expected to come in closer to budget by yearend. Parks is 4% under budget, a small improvement over the first quarter. Expo is off about 15%.

Overall, the General Fund expects to end with more than \$1 million in undesignated reserves. He expects the soft hiring freeze will help to further ease expenditures.

Councilor Burkholder expressed his appreciation for the format of the report, which he found easy to read and comprehend.

**4. GOVERNMENT FINANCE OFFICERS ASSOCIATION BUDGET AWARD**

Council President Bragdon presented the Financial Planning Division an award received from the Government Finance Officers Association.

**5. CONSENT AGENDA**

5.1 Consideration of minutes of the February 19, 2004 Regular Council Meetings.

Motion:	Councilor Newman moved to adopt the meeting minutes of the February 19, 2004, Regular Metro Council.
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Vote:	Councilors Burkholder, Monroe, Hosticka, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, and the motion passed.
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**6. ORDINANCES – FIRST READING**

6.1 **Ordinance No. 04-1041**, For the Purpose of Amending Metro’s Regional Framework Plan to better protect the region’s farm and forest land industries and land base, and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 04-1041 to Council.

**7. ORDINANCES - SECOND READING**

7.1 **Ordinance 04-1033**, For the Purpose of Amending Metro Code Chapter 3.09 (Local Government Boundary Changes) to Allow Use of the Expedited Process for Changes to the Metro District Boundary and to Clarify Criteria for Boundary Changes, and Declaring an Emergency.

Motion:	Councilor McLain moved to adopt Ordinance No. 04-1033.
Seconded:	Councilor Newman seconded the motion.

Councilor McLain (by phone) expressed the importance of this ordinance. She emphasized the ease with which these changes will bring to the process of making changes to the local government boundary.

Dan Cooper, Legal Counsel, submitted Exhibit A to Ordinance 04-1033 into the record, noting that it outlines amendments to Metro Code Chapter 3.09 (Local Government Boundary Changes). MPAC recommend adopting the provisions of the ordinance that pertained to annexations to the Metro boundary and the provisions that clarify the process for incorporating new cities. It also includes doing some more technical work on the other portions of the recommended ordinance regarding annexations to cities and special districts at the MTAC level where there were suggestions for further improvements. The recommendations for clarifying annexations to cities will come forth in a separate ordinance at a later date.

Motion to Substitute:	Councilor McLain moved to substitute 04-1033 with 04-1033A.
Seconded:	Councilor Newman seconded the motion.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, and the motion passed.
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Council President Bragdon opened a public hearing on Ordinance No. 04-1033A. No one came forward. Council President Bragdon closed the public hearing, adding that the ordinance would be continued at the March 4, 2004, Council meeting.

7.2 **Ordinance No. 04-1035**, For the Purpose of Amending Metro Code Chapter 2.04 To Require Retention of Contract Records by Metro Contractors and to Assure the Ability of Metro to Audit Contract Records.

Motion:	Councilor Newman moved to adopt Ordinance No. 04-1035.
Seconded:	Councilor Hosticka seconded the motion.

Councilor Newman asked Metro Auditor Alexis Dow, to explain the rationale behind the ordinance, noting that she could explain it better than he could. Ms. Dow explained that it would require all Metro contracts over \$50,000 to require the contractors to maintain their records in accordance with generally accepted accounting principles, and to retain those records. It would also require them to retain any records that have to do with cost, pricing data and payments made to suppliers and subcontractors. They would need to do this for six years from the date of contract completion or until the conclusion of any audit that might be in process. It also allows Metro to examine the records. This allows Metro to ensure that the contract is done according to the terms it was agreed to. Some of Metro's existing contracts have this language, but not all of them.

Councilor Burkholder asked who would have access to review the records, and asked how that compares to the City of Portland. He noted that the ordinance specifically notes the Metro Auditor's office specifically. Auditor Dow explained that the result is the same, although Metro's language is more specific. Councilor Burkholder asked if the Council action was required to inspect contract records, and what the City of Portland's practice is.

Dan Cooper said he did not know what the City does, but at Metro it would not require a Council action for Metro to initiate an inspection of contractor's records. That's an administrative action. He explained that Ms. Dow's recommendation is to make the practice uniform at Metro.

Councilor McLain asked if this is anything different than what Metro already does with Solid Waste contracts. Mr. Cooper said no.

Council President Bragdon opened a public hearing on Ordinance No. 04-1035. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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- 7.3 **Ordinance No. 04-1039**, For the Purpose of Amending the FY 2003-04 Budget and Appropriations Schedule by Transferring \$450,000 from Contingency to Capital Outlay in the General Account in the Solid Waste Revenue Fund, and Declaring an Emergency.

Motion:	Councilor McLain moved to adopt Ordinance No. 04-1039.
Seconded:	Councilor Monroe seconded the motion.

Councilor McLain said this is a transfer for the North Bay 2 tipping floor at the Metro South Transfer Station. This is being done because of a carry-over budget issue and because of possibilities for increase in work because of the delay of this project. It takes \$450,000 from the contingency and moves it to capital outlay of the Solid Waste revenue fund.

Council President Bragdon opened a public hearing on Ordinance No. 04-1039. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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## 8. RESOLUTIONS

- 8.1 **Resolution No. 04-3424**, For the Purpose of Authorizing the Chief Operating Officer to Enter into an Intergovernmental Agreement with TriMet for Completion of the South Corridor Project Final Environmental Impact Statement.

Motion:	Councilor Monroe moved to adopt Resolution No. 04-3424.
Seconded:	Councilor Newman seconded the motion.

Councilor Monroe was very pleased to provide support for this resolution, since he has been working on it for more than a decade. This allows Metro's Chief Operating Officer to enter into an intergovernmental agreement with TriMet, whereby TriMet will pass through up to \$2.7 million to Metro's planning staff and consultants to allow them to do the South Corridor/I-205 and Portland Mall light rail project final environmental impact statement. Metro will concurrently working on the engineering so that both projects should be completed by fall 2004, and he should be able to ride on this light rail line by late 2008 or early 2009.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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- 8.2 **Resolution No. 04-3427**, For the Purpose of Responding to USDOT Concerns, Revising the Conformity Determination Report and Re-adopting the Portland Area Air Quality Conformity Determination for the 2004 Regional Transportation Plan and 2004-07 Metropolitan Transportation Improvement Program. (PUBLIC HEARING ONLY, NO FINAL ACTION)

Motion:	Councilor Monroe moved to adopt Resolution No. 04-3427.
Seconded:	Councilor Hosticka seconded the motion.

Councilor Monroe explained that the final vote would not be taken on this resolution today. He explained why the plan needed to be revisited, which includes a prior approval by the Joint Policy Advisory Committee on Transportation (JPACT). They are scheduled to meet on Monday morning at a special meeting to approve it. He said the federal government was unhappy with Metro's process and thought Metro had streamlined such as to not allow enough time for public comment, so they asked Metro to do it all over again. Every three years Metro is required to update its Regional Transportation Plan and to state that it is in compliance with clean air requirements of the federal government. He noted that we have always been in conformity, and that this effort would confirm that Metro would be in conformity through the year 2025.

Councilor Hosticka asked for clarification about whether this report deals with only what we do locally as opposed to the total global picture of what affects our air in this area. Councilor Hosticka noted that even what happens in such places as China can affect our air.

Andy Cotugno, Planning Department Director, explained that ambient air quality conditions measurement does include what has come from overseas. He said they don't, however, try to forecast if the contribution from China is going to be higher 20 years from now. They only forecast our emission volumes in this region and whether or not that level, on top of the ambient conditions, will violate the standards.

Councilor Hosticka asked if there would be a possible impact on us if the ambient air quality turns out to be worse than expected, that we have to take even greater measures on our own to keep our air quality what it is. Mr. Cotugno said theoretically, yes. He said that China is not a major contributor for the kind of pollution we are measuring here. He noted that in other places downwind pollution is a problem.

Councilor Hosticka said this may be a trivial impact, but stated that air pollution from China is measurable and is beginning to impact our air quality, and that we should be aware of the impact long-term.

Council President Bragdon opened a public hearing on Resolution No. 04-3427. No one came forward. Council President Bragdon closed the public hearing and announced that consideration of final action on this resolution would be on March 4, 2004.

Council President Bragdon recessed the Metro Council and convened the Metro Contract Review Board.

## **9. CONTRACT REVIEW BOARD**

- 9.1 **Resolution No. 04-3425**, For the Purpose of Authorizing the Chief Operating Officer to Amend the Environmental Consultant Contracts to Complete the South Corridor Project Final Environmental Impact Statement.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3425.
Seconded:	Councilor Monroe seconded the motion.

Councilor Newman provided some background on the resolution. He noted that it is a follow-up to Councilor Monroe's earlier resolution allowing the Chief Operating Officer (COO) to enter into an Intergovernmental Agreement with TriMet to receive funds to undertake the Final

Environmental Impact Statement (FEIS) for the South Corridor Clackamaw/Portland Mall Light Rail Project. In addition, this resolution would allow the COO to sign contract extensions for three consulting firms currently under contract to Metro (URS Inc. for environmental analysis, DKS for traffic engineering, and Siegel Consulting for Financial Analysis). These firms will assist Metro staff in the production of the FEIS with a combined contract value of \$695,000. Councilor Newman noted that the existing contracts with these firms to produce the Supplemental Draft Environmental Impact Statement (EIS) and the subsequent Downtown Amendment were written in a way that, given satisfactory performance, could be extended to cover the FEIS. He noted Metro's satisfaction with these firms and the value received during earlier phases of the project and is recommending extending the contracts to complete the Final EIS. Finally, Councilor Newman stated the consultant contracts, as well as Metro staff, will be funded through this phase of the project through the Intergovernmental Agreement with TriMet approved earlier on today's agenda. Councilor Newman recommended adoption of this resolution.

Councilor Burkholder said that the TriMet Board had already hired a contract company to build the work, and wondered how that was possible when they were just authorizing the contract for the final EIS.

Richard Brandman, Deputy Planning Director, stated that there are two tracks of a multi-modal process. One track is to complete the environmental and engineering work, and another track is to move forward with the construction. TriMet is proposing to move forward with a design-build contractor who will actually help in the design of the project and then move on to the construction. They have used this on several of the most recent projects, including portions of interstate Max and airport light rail. They are proposing to get the design consultant on board now to assist in this effort that parallels the final EIS and preliminary engineering.

Councilor Burkholder wanted to insure that two processes are compatible.

Mr. Brandman clarified that many of the issues Councilor Burkholder had mentioned had already been subject to public comment, adding that nothing in this process would cause the public process to be compromised.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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## 9.2 Solid Waste Report on possible Solid Waste Contract Extension for Transfer Stations.

Mike Hoglund, Solid Waste and Recycling Director, said negotiations have been underway with BFI, the current operator of Metro transfer stations at South and Central. The BFI team was lead by Mr. Hoglund and Metro Attorney Dan Cooper and advice and assistance from MERC General Manager Mark Williams. He was confident that the discussion was open and in good faith. Some of the main points of the discussion were as follows, if the BFI contract were extended, what would be different and the cost savings to Metro: BFI offered to lower the fixed payment Metro makes for certain operations at Metro South, in particular, in the public unloading area. They offered to reduce the variable payment on the tonnage from the upper variable tonnage categories. They also suggested some operational changes (times of operation, days of week, etc). They would replace their rolling stock with newer rebuilt equipment. They would also provide the sustainability features that were discussed. They would also provide some equipment to assist with recovery at both facilities at no cost to Metro. There was one feature on the negative side

related to risk involved with the put or pay. Metro has to put so many tons through each facility or we pay them a certain amount. They were recommending that the put amount would go up and the payment amount would go up as well, so there is some risk to Metro there. Mr. Hoglund stated that this represents a slighter better arrangement than Metro has today.

Councilor Hosticka had a procedural question regarding the conclusion of the negotiation and the status of the resolution before the Council.

Councilor Monroe asked if it was Mr. Hoglund's recommendation to go into the RFP and issue an RFP at this time or continue the negotiations with BFI. Mr. Hoglund said the negotiating team suggests that they release the RFP.

Councilor Monroe asked if the process they have gone through will enhance the final outcome of our management of Metro transfer facilities.

Mr. Hoglund said it would enhance the bid process. It has been a positive instructional piece that will give Solid Waste a better eye for market conditions and future contract negotiations.

Mr. Cooper concurred with Mr. Hoglund's recommendation.

9.3 **Resolution No. 04-3426**, For the Purpose of Authorizing the Exemption from Competitive Bidding Requirements and Authorizing Issuance of RFP #04-1091-SWR for the Operation of Metro South and/or the Metro Central Transfer Stations.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3426.
Seconded:	Councilor Burkholder seconded the motion.

Councilor Newman said this was almost identical to the one presented to the Council three weeks ago. He noted the changes – it will authorize release of request for proposals for operation of the two solid waste transfer stations that Metro owns, Metro North in Northwest Portland and Metro South in Oregon City. It also adopts findings and exempts from competitive bidding requirements since cost is not the sole factor. They have other goals such as material recovery, in addition to cost. It also extends the existing contract for two months while the RFP is in process, authorizing change order number five. He noted the major features of the RFP. Proposals will be accepted to operate one or both of the transfer stations. He noted the criteria guidelines, adding that there are new sustainability requirements contained in the RFP, including 15% wind power to provide power, a material recovery guarantee with a bonus payment for exceeding that guarantee, and a clean exhaust program for the contractor's equipment. One difference from the contract that was introduced three weeks before is change order number 5, which extends the existing operation contract until November 30, 2004, a two-month extension at current prices. He said possible proposers had requested the delay to have adequate time to prepare proposals. He urged all to approve it.

Councilor Hosticka asked for assistance to clarify the extension question before the RFP question is addressed.

Mr. Cooper said he thought Councilor Hosticka was asking to either table or delay voting on the RFP and to direct the COO to conclude negotiations for an extension.

Council President Bragdon said he could also move to substitute to what he had on February 5.



Motion to Substitute:	Councilor Hosticka moved to substitute the text from February 5, 2004.
Seconded:	Councilor McLain seconded the motion.

Councilor Hosticka reminded everyone that they have this motion in the first place to try and bring the contracting process more in synchronization with our Regional Solid Waste Management Plan (RSWMP) process, and in the process see if they could improve the situation with that contract. From what he's heard from Mr. Hoglund, he understands that the terms he's discussed with the current contractor do in fact improve the situation by saving money and achieving all the sustainability and materials recovery goals that were put into the RFOP. He said if our goal is to get our contracting processes and the timing in sync (to avoid a three-year lag with RSWMP), to get cost savings and to get materials recovery and sustainability, then he thinks Metro has a proposal in hand. He thinks Metro should conclude negotiations on that proposal, and then after RSWMP is revised and this extension expires, then we would go out for an RFP for whatever is anticipated through that planning process.

Councilor Monroe said that a date certain was not established for staff. Hosticka said it would be to conclude all negotiations with all due diligence and haste. Monroe stated that he supported asking Metro staff to pursue contract discussions. He believed that BFI had done work above and beyond the minimum required, and are good corporate partners. But now we have asked staff, and they with our legal department recommends that we can do better by going forward with an RFP. Councilor Monroe said the decision made three weeks ago was sound, and that he supports it.

Councilor Newman stated he would not support the motion to substitute, saying that there are always new planning processes to anticipate. He recalled that one of the reasons this contract was extended two years ago was because of the lack of definition at the time of the organics program. He said two years later it is yet to be defined and implemented. He has heard nothing but good things from BFI, but recommended that the competitive process is the way to ensure the best outcome.

Councilor McLain asked for the length of the negotiated contract. It is for three years. The RFP is for five years. Dan Cooper clarified that the RFP calls for a five-year contract, but consistent with federal law, Metro has the option to terminate the contract after three years.

Councilor Burkholder provided some input on how he would vote, noting the rapid changes that have taken place in the industry over the past seven years. He agrees with Councilor Newman that we have to ensure that the system runs well in the most cost-effective way. He stated he would vote against the vote to substitute, as did Council President Bragdon.

Vote to Substitute: 

The vote was 5 no, 1 aye. The motion failed.
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Discussion turned back to the original motion to adopt 04-3426.

Councilor Hosticka appreciated the opportunity to have that vote to substitute. He feels the process was correct.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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**10. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e).  
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE  
REAL PROPERTY TRANSACTIONS.**

Members Present: Councilors, Michael Jordan, Dan Cooper, Mike Hoglund, William Eadie, Council staff.

Time Began: 3:15 pm

Time Ended: 3:26 pm

Council President David Bragdon reminded everyone that they are in session as the Contract Review Board.

10.1 **Resolution No. 04-3421**, For the Purpose of Authorizing the Execution Of a Seven-Year Lease with Oregon Park Development, LLC.

Councilor Burkholder explained that the latex paint operation is moving because the current site is not as accessible to the public, getting too small for the operation and not safe for customers at the Metro South site with garbage trucks dumping at the same time. An alternative location on Swan Island at 4825 North Basin Avenue was found at a positive lease rate with better accessibility. With the economic downturn, they were able to find a very good lease rate. A savings would be realized in using the vacated space at Metro South, instead of having to build new buildings there for the transfer station operations. He urged the Council to approve the lease.

Councilor Hosticka said the location was located in a regionally significant industrial area. He wanted to make sure that this didn't conflict with our existing guidelines. Mr. Cooper said yes, but that for this purpose we are an industry, and we are allowed to have a small percentage for retail sales. The retail use is accessory to the industrial use.

Councilor Newman concurred that it should represent a positive move. He also noted the need to find regional partners to assist in the marketing and sale of the paint.

Mike Hoglund stated that the short-term marketing strategy includes public awareness of the facility (information would be included on the hot-line, website, newspaper ads and via a customer list and word of mouth). The long-term strategy is to update the business plan, particularly the marketing strategy, to get the word out and also to expand supply to produce more product and expand retail outlets. The retail marketing business plan will be updated.

Councilor Newman commented on the need for a big sign visible at the front of the transfer station so people will know immediately that it has moved.

Councilor McLain asked if the lease can be broken if it was deemed necessary. Mr. Cooper said that as is standard in a real estate lease, it does not give us unilateral right to terminate before the end of the agreement. He said we could negotiate our way out of it; otherwise, Metro would be obligated to a seven-year lease. Councilor McLain asked about how much production space and sales space is contained in the lease.

Mr. Eadie said there is 1,665 square feet of interior office space, with approximately 1,000 of that on the first floor. Half of this space would be dedicated to retail space and the rest would be used for storage.

Councilor McLain asked about the parking. Mr. Eadie said the lease includes thirty parking spaces for customers and staff. Those are striped and labeled for Metro.

Councilor McLain felt that the marketing component of the business plan is weak, and needs to be addressed. She noted that it is a money-making operation and this is an opportunity to for it to continue.

Councilor Hosticka noted that Metro would have first refusal on another 30,000 square feet in the same building.

Councilor Monroe reiterated that the access issues at the old facility will be improved upon at the new facility. He also said that the business plan should include more outlets for sales so that outlying areas can be better served. He said it was too far for everyone to come to Swan Island.

Councilor Burkholder concurred that this is a very successful program, and showed the TV camera the colors available.

Motion:	Councilor Burkholder moved to adopt Resolution No. 04-3421.
Seconded:	Councilor Newman seconded the motion.

Vote:

Councilors Hosticka, Burkholder, Monroe, Newman, McLain and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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Council President Bragdon recessed the Metro Contract Review Board and reconvened the Metro Council.

## **11. CHIEF OPERATING OFFICER COMMUNICATION**

Mike Jordan reminded the Council about the reception for Keith Lawton, one of the longest term employees retiring from the Data Resources Center after 30 years of service.

## **12. COUNCILOR COMMUNICATION**

Councilor Newman stated that a meeting will be held on Friday, February 27 to discuss the extension of the Springwater Trail from its current terminus in Boring out to Estacada, Oregon. The meeting is scheduled from 3:00 to 5:00 p.m. at the Sunnybrook Service Center in Clackamas. Metro is not taking the lead, but is supporting the effort.

Councilor Hosticka reminded the audience about upcoming open houses on Fish and Wildlife Habitat Protection program and for industrial lands.

Councilor Burkholder shared information about the Oregon Transportation Commission meeting to discuss funding for bridges out of the current Oregon Transportation Investment Act funds.

They are supposed to be directed toward bridge repair to specifically to encourage freight movement. He said the Sellwood Bridge should be included in the list of projects for repairs. He said the Sellwood Bridge rates at two out of a possible 100 rating. They are waiting to hear a decision later. He also addressed the Lloyd District Transportation Management Association award for Metro's donation of its business energy tax credits and participation in the TMA program. Finally, he noted that he will be joining Councilor Park in Washington, D.C. next week to discuss transportation funding and policy.

Councilor McLain invited councilors to come to the Regional Water Consortium meeting next Wednesday, February 4 at 7 p.m. at Metro.

**13. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:46 p.m.

Prepared by

Becky Shoemaker,  
Acting Clerk of the Council

Linnea Nelson,  
Council Support Specialist

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEBRUARY 26,**  
**2004**

Item	Topic	Doc Date	Document Description	Doc. Number
2	Report	2/26/2004	Report to Metro Council for MCCI Business for February 2004	022604c-01
3	Report	2/2004	Quarterly Report, Second Quarter, September through December 2003 Fiscal Year 2003-04	022604c-02
7.1	Exhibit A	2/18/2004	Exhibit A to Ordinance No. 04-1033 Amendments to Chapter 3.09 Local Government Boundary Changes	022604c-03