

MINUTES OF THE METRO COUNCIL MEETING

Tuesday, April 27, 2004
Metro Council Chamber

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

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 1:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Elizabeth Tucker, Metro Committee for Citizen Involvement (MCCI) Chair, thanked the council for their new rules on citizen testimony and the Public Involvement Plan. She felt that the Plan set the standards for all public involvement. She urged adoption by resolution. She introduced Don Warner, an MCCI member. She then spoke to the new standards and protocol for conducting public hearings. She felt it was vastly improved. Finally, she noted that MCCI was continuing to plan for a regional public involvement meeting. They were working with Gina Whitehill-Baziuk on the event. Moji Momeni, MCCI member, reiterated Ms. Tucker's comments. They were excited about the direction that Metro Council was taking with citizens. They also supported the idea that public officials had many opportunities to speak to elected officials. They were hopeful it was a model for other government entities.

Council President Bragdon talked about the new public testimony protocol.

Richard Schneider, former MERC employee, 8701 E. Mill Plain Blvd #9E Vancouver WA 98664 said he was employed at Oregon Convention Center for eight years. He felt he has been harassed and retaliated against because of whistle blowing he had done. He talked about the process that he had gone through since the last time he spoke to the Metro Council. He had talked with Kevin Dull who had turned his complaint over to Dan Cooper, Metro Attorney. He had yet to hear back from Mr. Cooper.

3. ORDINANCES – SECOND READING

Council President Bragdon explained today's procedures. He said all of these ordinances were continued and had active motions on the floor.

- 3.1 **Ordinance No. 04-1042**, For the Purpose of Amending Metro Code Chapter 5.02 to Amend Disposal Charges and System Fees.
- 3.2 **Ordinance No. 04-1043**, For the Purpose of Amending Metro Code Chapter 5.03 to Amend License and Franchise Fees; and Making Related Changes to Metro Code Chapter 5.01.
- 3.3 **Ordinance No. 04-1048**, For the Purpose of Amending Metro Code Chapter

- 7.01 To Increase the Amount of Additional Excise Tax Dedicated to Funding Metro's Regional Parks and Greenspaces Programs and to Provide Dedicated Funding for Metro's Tourism Opportunity and Competitiveness Account.
- 3.5 **Ordinance No. 04-1044**, For the Purpose of Adopting the Annual Budget for Newman Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency.

Council President Bragdon opened a public hearing on Ordinance No. 04-1042, 04-1043, 04-1048, 04-1050 and 04-1044.

Les Joel said Blue Heron Paper Company, 419 Main St., Oregon City OR 97045 said he was here to discuss the increase in excise tax. He said Blue Heron Paper Company provided family wage jobs. They had been struggling with contamination since the advent of the co-mingling. The excise tax in 1999 cost them. He explained how each additional dollar of excise tax impacted them. Blue Heron Paper Company requested that Council reconsidered the increase in excise tax.

Ray Phelps, WRI, spoke to Ordinance Nos. 04-1042, 04-1043, 04-1048 and 04-1044. They supported the recommendation from the Rate Review Committee. He suggested Ordinance No. 04-1043 changed that might be coming about may make this ordinance unnecessary. Changes had been made in the regional system fee to reflect the changes. They had no difficulty with the policy. It was the implementation. They understood the object of the policy in Ordinance No. 04-1048. They had difficulty with it being a tax on solid waste. He was concerned about how much people were willing to spend for their disposal. He also spoke to Ordinance No. 04-1044, they would encourage reevaluation of the system fee credit program. Given the proposed funding level, they would find themselves having to reduce their tonnage in order to meet their expenses.

Mike Dewey, Waste Management Representative, 1249 Commercial St SE Salem OR 97302 spoke to Ordinance Nos. 04-1042 and 04-1048. Waste Management supported the proper funding for parks, the Zoo and the convention center. As an economic tool, he agreed with Mr. Phelps. They thought there was a disconnect between funding these programs through the solid waste system. He said that there was significant fuel cost increases, potentially an increase in excise tax and economic increases as well. They were hopeful that they could work in accommodation with Council.

Dean Large, Waste Connections Representative, PO Box 61726 Vancouver, WA 98666 said they recognized that parks, the Zoo and the convention center were all important. Waste Connections was concerned about the use of solid waste excise tax to pay for these items. They were concerned that the smaller companies were being squeezed out. They urged looking at other funding methods.

David White, Tri-County and OPRA, 1739 NW 156th Ave Beaverton OR 97006 talked about the sunset clause on the excise tax. He expressed concern about using the excise tax to fund regional parks, convention center and the zoo. Their industry had predicted this. They thought they were going to discuss alternative funding sources over the past two years. They hadn't been invited to the table to discuss this issue. They felt that the excise tax should not be funding non-solid waste programs. They thought that, in a partnership, they were willing to come to the table.

Jim Zehren, Stoel Reves and Chair of Greenspaces Policy Advisory Committee, said he was here to support the Council funding mechanism for parks. He said he had been asked to participate in a

committee in Salem concerning quality of life in Oregon. He felt that Oregonians cared about greenspaces and defined the quality of life. He spoke to Metro's values and goals and the important central role of greenspaces in those goals. The parks made the rest of our vision a reality. Other than the bond levy program, there was very little to fund the parks. It was time to take the next step. Reserving land was not enough. They needed to convert those lands and make them usable. He felt the garbage tax distributed the cost of greenspaces across the region.

Zarie Zantner, Director of Portland Parks and Recreation, said she supported the increased excise tax to pay for greenspaces. There was overwhelming evidence that greenspaces improved our communities and made our communities better places to live and work. Metro recognized the benefits of greenspaces. As parks professionals, they had learned that these parks and openspaces needed to be close to the public so they could enjoy them. Acquisition was the first step towards meeting that need. They needed additional fund to maintain them and make them available to the public. There was never enough money to do the right thing. You needed partners. The public could be our best partners if they were educated about these valuable resources. The public needed to be exposed to these properties so they could be good partners. She urged continuing their vision in providing these openspaces for the region.

Damon Mabee, Laborers Local 483, 1125 SE Madison #206 Portland OR 97214 spoke to the parks budget. They supported the additional fees to fund parks. He was concerned about the lack of night staff at Blue Lake Park. He spoke to the need for permanent parks rangers. He said professional staff had a better ability to assess problems than volunteer staff. He felt that there would be more calls to Fairview Police Department because there was no permanent night staff. He then addressed the night Zookeeper issue. These employees were not being laid off but moved to daytime jobs. There were also issues concerning care of the animals at night. He urged restoring the maintenance side of the budget.

Councilor Park asked Ms. Zantner about her testimony. She said she was testifying on her own behalf.

Council President Bragdon closed the public hearing. He called for comments on any of the ordinances. Councilor McLain said there was a relationship between 04-1042 and 04-1043. She wanted to make sure that they were coming before Council on May 4th. Council President Bragdon said these would be continued until May 4th. Ordinance No. 04-1048 was also continued to May 4th.

3.4 Ordinance No. 04-1050, For the Purpose of Amending Section 4.01.050(B) of the Metro Code to Provide for a Reduced Admission Day at the Oregon Zoo.

Motion:	Councilor Monroe moved to adopt Ordinance No. 04-1050.
Seconded:	Councilor Newman seconded the motion

Councilor Monroe introduced the ordinance. The Oregon Zoo currently offered free admission on the second Tuesday of each month. Free Tuesdays in summer months caused traffic and safety problems because of the number in attendance and required additional staffing with no additional revenue. The Oregon Zoo was in need of additional revenue and was missing a significant opportunity on free days. Therefore, this ordinance proposed instead providing a "reduced admission" day to be determined by the Zoo director. If action was taken today, this could take effect August 1, 2004. Councilor Burkholder said he understood the reason for the ordinance. He suggested looking at this as a marking tool. He suggested striking every month and suggested a reduced rate during the off-season. He thought the language was too restrictive. They might have

an opportunity to allow the Zoo more flexibility. Councilor McLain said she liked Councilor Burkholder's idea as a marketing tool. She suggested having a once a month reduced rate day. Was it too crowded during the summer to offer a reduced rate day? Councilor Burkholder said there had been a day last August where the Zoo was overwhelmed. Councilor McLain felt that the reduced day was already restricted. Councilor Park suggested amending the language.

Motion:	Councilor Park moved to amend Ordinance No. 04-1050 to say offering a reduced rate day at least 12 times a year.
Seconded:	Councilor Newman seconded the motion

Councilor Monroe said the Ordinance was written so that the citizens knew that they would have one day a month at a reduced rate. He was concerned about the amendment impact. He suggested seeing how it worked first. He felt it would give the Zoo significant flexibility.

Vote to amend:	Councilors Park, Burkholder, and Council President Bragdon voted in support of the motion, Councilors McLain, Monroe, Hosticka and Newman voted no. The vote was 3aye/4nay, the motion failed.
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Vote on the Main Motion:	Councilors Hosticka, Burkholder, McLain, Monroe and Council President Bragdon voted in support of the motion, Councilors Newman and Park voted no. The vote was 5aye/2 nay, the motion passed.
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3.5 **Ordinance No. 04-1044**, For the Purpose of Adopting the Annual Budget for Newman Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency.

Casey Short, Financial Planning Manager, and Kathy Rutkowski, Budget Manager, gave an overview of the technical amendments (a copy of which is included in the meeting record).

Motion:	Councilor Hosticka moved the technical amendments to Ordinance No. 04-1044.
Seconded:	Councilor Burkholder seconded the motion

Councilor McLain said she supported the technical amendments.

Vote to amend:	Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Motion:	Councilor McLain moved the substitutive amendment to Ordinance No. 04-1044.
Seconded:	Councilor Newman seconded the motion

Mr. Short summarized the amendment (a copy of which is included in the meeting record).

Vote to amend:	Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Motion:	Councilor Burkholder moved to amend Ordinance No. 04-1044 with Council
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	Amendment #1.
Seconded:	Councilor Newman seconded the motion

Councilor Burkholder explained the amendment concerning strategic planning for \$50,000. Councilor McLain asked about the Release For Proposal (RFP). Council President Bragdon said Councilor Burkholder had explained the amendment to most of the Council yesterday.

Vote to amend:	Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Councilor Newman said he had had an amendment prepared, Council amendment #2, but decided not to move it. He explained why. He spoke to the process. He had talked with folks in the industry. He felt it was important to do something to assist in the competitiveness of Oregon Convention Center (OCC). He would be supporting Ordinance No. 04-1048.

Motion:	Councilor McLain moved to amend Ordinance No. 04-1044 with Planning Amendment #3.
Seconded:	Councilor McLain seconded the motion

Councilor McLain talked about the amendments and said she would be withdrawing Planning Amendment #7. She said the other planning amendments worked together. She explained Planning #3. Councilor Burkholder asked about the PERS reserve funding coming from Planning. Ms. Rutkowski responded that each department paid their own piece as well as their share of the central services. Councilor Hosticka asked about the procedure for amendments. Since these had an identified funding sources for the amendments, what was the status if the funding source had not been implemented? Council President Bragdon said they would need to take the companion steps and change Ordinance No. 04-1048. Councilor Hosticka asked what happened if it didn't pass. Council President Bragdon said if they didn't pass, they would have a problem with Tax Supervision Conservation Committee (TSCC) in June. Councilor Hosticka asked about competing funding sources. Council President Bragdon said they would have to reconcile these with the funding sources. Councilor McLain said she had the same question. She said staff convinced her that if they found merit in the amendment, then they would have to change 04-1048 to support the amendment. She gave an example of the funding sources for an amendment. Council President Bragdon said they were talking about the expenditure side first. Councilor Hosticka said since he was not clear about the funding source and had some difficulty in the tourism opportunity competitive account to fund other departments' needs. He felt the process was difficult for him to reconcile. Councilor McLain closed by saying that she was trying to function within the budget process she had been given. She talked about fairness issues.

Vote to amend:	Councilors McLain and Monroe voted aye, Councilor Newman, Burkholder, Park and Council President Bragdon voted against the motion and Councilor Hosticka abstained from the vote. The vote was 2 aye/4 nay/1 abstain, the motion failed.
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Councilor McLain talked about the process for amendment and suggested talking about the revenue issue. Councilor Monroe asked about procedures and rules that they should follow. Dan Cooper, Metro Attorney, said Thursday they would be sending the budget off to TSCC. They had authority to amend the budget in June with specific requirements and limits. Councilor Monroe asked about procedures. Ms. Rutkowski explained their limits. Councilor Monroe said he was

assuming that there was affirmative action next week to send the budget off. Mr. Cooper said the ordinance that created the funding source was continued until May 4th. If they amended that ordinance they would have to roll that over to the next week. He explained Council's ability to amend and the results of those amendments. Councilor Burkholder suggested considering the amendments that weren't reliant on the next excise tax and then come back to those impacted by the new excise tax source. Councilor McLain talked about process. She wanted to have a budget to do our Charter work.

Motion:	Councilor McLain moved to amend Ordinance No. 04-1044 with Planning Amendment #4.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain explained the amendment. She felt this carried out what she felt was policy development by the Council on Center Development. She noted support from Metro Policy Advisory Committee (MPAC) members.

Motion to amend the amendment:	Councilor Newman moved to amend Planning Amendment #4 to only fund the Senior Regional Planning position out of the existing grant. The specific amounts were co-mingled.
Seconded:	Councilor Park seconded the motion

Councilor Newman explained his amendment to Planning Amendment #4. Council President Bragdon asked about the existing grant, what this would be in lieu of? Councilor Newman said this amendment would take a portion of the Metropolitan Transportation Improvement Program (MTIP) to help fund a position to assist in administering the existing program. He felt they needed extra help but didn't want to fund it with additional excise tax. Councilor Monroe asked about the sufficient grant money to cover it. Councilor Newman said the grant money had not been assigned to anything yet. Council President Bragdon said he felt he didn't have enough information to support the amendment. Councilor Park supported the general concept but needed additional information. He felt staff had a good argument. Councilor McLain said she would support this amendment at this time because it dealt with grant related money. Councilor Newman urged support and explained why.

Vote to amend:	Councilors Hosticka, Burkholder, Newman, McLain, and Monroe voted in support of the motion, Councilor Park and Council President Bragdon voted no. The vote was 5aye/2 nay, the motion passed.
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Councilor Newman urged support of the amendment as amended. Council President Bragdon said he would also be supporting this amendment.

Vote one amendment as amended:	Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Councilor McLain suggested holding Planning Amendment #4 as amended until the finance people had time to come up with the number.

Motion:	Councilor McLain moved to amend Ordinance No. 04-1044 with Planning Amendment #5.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain explained Planning Amendment #5 to provide additional excise take for additional staff and materials and services for the 2040 Re-evaluation. Councilor Burkholder commented on the amendment. Councilor McLain said they had already made commitments to carry out the Regional Framework Plan.

Vote to amend:

Councilors McLain, Monroe voted in support of the motion, Councilor Hosticka abstained, Councilors Burkholder, Park, Newman and Council President Bragdon vote no. The vote was 2 aye/4nay/1abstain the motion failed.

Motion:	Councilor McLain moved to amend Ordinance No. 04-1044 with Planning Amendment #6, providing \$11,850 contingency fund balance to restore GIS planning for Fish and Wildlife program.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain explained her amendment. Councilor Park asked about ending fund balance. Mr. Short responded to his question.

Vote to amend:

Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe voted in support of the motion and Council President Bragdon voted against the motion. The vote was 6 aye/1 nay, the motion passed.

Motion:	Councilor Burkholder moved to amend Ordinance No. 04-1044 with Planning Amendment #8.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder explained his amendment concerning the Affordable Housing program. He wasn't sure what our future work might be. Councilor Park said he would be supporting this amendment. This was something we were required to do by segregating our housing stock. He felt this would help with the additional information we needed. Councilor Hosticka said he would be happy to support this amendment. He said this support was with the same kind of reservation that Councilor Burkholder had put forward. There needed to be a commitment to make progress on this issue. Councilor Newman asked if the position was grant funded, when the grant went away, did the position go away? Would they then decide to continue funding next year? Councilor Burkholder said at the end of the fiscal year, the work should be done and the recommendation should be coming from this committee. Council President Bragdon will be voting for this but had the same concerns as Councilors Burkholder and Hosticka. They needed to develop the political will.

Vote to amend:

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

Motion:	Councilor Burkholder moved to amend Ordinance No. 04-1044 with Planning Amendment #9.
Seconded:	Councilor Newman seconded the motion

Councilor Burkholder explained the amendment. This provided the resources for the big look. The staff will be doing some minor work in terms of compliance and conformity. It would free up

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both staff and money resources. This would take advantage of existing resources. Councilor Park said he would be supporting this amendment. It was a good example of how to better utilize staff. Council President Bragdon supported this amendment enthusiastically. Transportation investment was a key to the big look.

Vote to amend:

Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Motion:

Councilor McLain moved to amend Ordinance No. 04-1044 with Solid Waste & Recycling #6.
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Seconded:

Councilor Hosticka seconded the motion
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Councilor McLain said this amendment had to do with reusing and reducing. This program was up stream and was very popular. It met the Regional Solid Waste Management Plan goals. She said the buyer of the compost bins would have to pay a bit more. It would decrease the solid waste fund balance. They were asking the customers to pay a bit more but this program had shown its merit. She urged support. Councilor Burkholder asked about the reduction in the fund balance. Could they direct staff to help create a self sustaining program? Councilor McLain said she supported a self sustaining program. She spoke to the recognition of the program. Council President Bragdon said he was planning to support this amendment.

Vote to amend:

Councilors Park, Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Motion:

Councilor McLain moved to amend Ordinance No. 04-1044 with Solid Waste & Recycling Amendment #7.
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Seconded:

Councilor Monroe seconded the motion.

Councilor McLain explained her amendment about the billboard space for earth day artwork. It would be utilizing the per capita grant money to fund the program. She said they knew this program worked. Councilor Hosticka said he supported this amendment enthusiastically. The billboards played an important role and the involvement of the students was key in getting youth involved. He felt this was a wonderful program. Councilor Park asked about the funding source. Councilor McLain explained that it was per capita grant fund. Councilor Park spoke to testimony from cities about the per capita grants. Councilor McLain said they needed to do a better job with staff helping small cities with their competitive grant funds. Councilor Burkholder suggested adding a Metro tag line on the billboards. They should accomplish multiple messages. Council President Bragdon said he would be supporting this amendment. He applauded Councilor McLain for her efforts.

Vote to amend:

Councilors Hosticka, Burkholder, Newman, McLain, Monroe and Council President Bragdon voted in support of the motion, Councilor Park abstained from the vote. The vote was 6 aye/0 nay/1 abstain, the motion passed.
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Motion:

Councilor McLain moved to amend Ordinance No. 04-1044 with Solid Waste & Recycling Amendment #8.
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Seconded:

Councilor Monroe seconded the motion

Councilor McLain spoke to the ENACT amendment. She said last year they passed a resolution supporting sustainability. They needed to work with other vendors to get one more step along the path to sustainability. It was a good step. She felt it was important that this come out of the regional system fee. She explained what the regional system fee did. Councilor Newman said he supported the intent of the amendment but he didn't think this was the way to achieve sustainability. He felt management should direct all staff to help with sustainability. Councilor Burkholder supported Councilor Newman's comments. He wanted further discussion at a later date. Councilor Hosticka said he would support this amendment. He said if you want to move a culture forward, you need a champion. Councilor McLain said she asked staff to see what it would take to buy this program across the agency. She agreed with Councilor Hosticka. She was looking for a pilot.

Vote to amend:

Councilors Hosticka, McLain, Monroe voted in support of the motion, Councilors Park, Burkholder, Newman and Council President Bragdon voted against the motion. The vote was 3 aye/4 nay, the motion failed.
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Motion:	Councilor McLain moved to amend Ordinance No. 04-1044 with Solid Waste & Recycling Amendment #9.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain explained her amendment concerning competitive waste reduction grants. She addressed Councilor Park's concerns. Councilor Park said this grant would normally fund larger jurisdictions. He felt this whole program needed to be reexamined. Councilor Newman said he also opposed this amendment. He had the same concerns as Councilor Park. He spoke to communication from their local government partners opposing this change. He supported going to a competitive program but when you were talking about a small amount of money it wasn't worth their time. He wanted a larger discussion about the program. Council President Bragdon said he would be supporting the amendment. He hoped that staff would reach out to our small jurisdictions. He urged geographic equity. He also agreed with the reexamination of the whole program. Councilor Burkholder repeated Councilor Newman's comments. Councilor McLain appreciated all of the comments. She said they had talked about these very issues many times. They were trying to make sure our money went further. They were serious about looking at a review of this program.

Vote to amend:

Councilors McLain, Monroe and Council President Bragdon voted in support of the motion, Councilors Burkholder, Newman, Park and Hosticka voted no. The vote was 3 aye/4 nay, the motion failed.
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Motion:	Councilor Monroe moved to amend Ordinance No. 04-1044 with Zoo Amendment #1.
Seconded:	Councilor McLain seconded the motion

Councilor Monroe explained the amendment concerning deferred maintenance at the Zoo. He felt this was an immediate need. Councilor McLain said she wanted to support the need assessment. They understood the priority of maintenance at any of our facilities. They had to take care of maintenance before they could give extra dollars for marketing. She felt timing was important. They had just started meeting with the Metropolitan Exposition Recreation Commission (MERC). She spoke to the need for safety issues at the Zoo. Councilor Burkholder said the funding was not real money. The Zoo management had made choices over time to not maintain. He felt this would reward poor management. Council President Bragdon said he would be opposing this

amendment. The strategic planning effort at the Zoo might help in terms of making better choices. Councilor McLain said the Council doesn't manage the Zoo but they had a verified maintenance issue. She felt it was the Council's responsibility to deal with the crisis. If we weren't going to pass the amendment, she urged that the Council President Bragdon open the Zoo budget to a more thorough review. Councilor Park said he thought there were conscious decisions made that put Council in this position. He did not enjoy having Zoo staff come and talk about their jobs being cut. Councilor Monroe said we were responsible for making decisions about our managers. He spoke to the benefits of Zoo and that the maintenance problem was our problem. We owned the Zoo and we were responsible for the Zoo operation.

Vote to amend:

Councilors McLain and Monroe voted in support and Council President Bragdon, Councilors Park, Burkholder and Newman voted no on the motion Councilor Hosticka abstained from the motion. The vote was 2 aye/4 nay/1 abstain, the motion failed.

Motion: Councilor Monroe moved to amend Ordinance No. 04-1044 with Zoo Amendment #2.

Seconded: Councilor McLain seconded the motion

Councilor Monroe explained his amendment concerning restoring 0.5 FTE in graphic/exhibit design. He asked Zoo personnel about the position. Teri Dresler, Zoo, explained what the position did. Councilor Monroe asked about the need for the position. Ms. Dresler said the contracted money allowed flexibility but they had a talented staff in that department that could handle reduction in the contracted monies. Councilor Park suggested we might be getting into micromanagement. He would be supporting this amendment. Councilor Burkholder said he wouldn't be supporting this amendment. It was hard to prejudge an appropriate management decision. Council President Bragdon said he felt these two amendments got at the core of the issue. He would not be supporting the amendment. Councilor Monroe said when you have an outstanding staff person and you were replacing this position with contracted service, he felt you lost. He felt this person was an outstanding person, he didn't want to see us give up that kind of quality. He urged support.

Vote to amend:

Councilors Park, Hosticka, Newman, McLain, Monroe voted in support of the motion and Council President Bragdon and Councilor Burkholder voted in against the motion. The vote was 5 aye/2 nay, the motion passed.

Motion: Councilor Hosticka moved to amend Ordinance No. 04-1044 with Auditor Amendment #2.

Seconded: Councilor McLain seconded the motion

Councilor Hosticka said he had always believed that the Auditor should be able to submit her own budget. He asked Ms. Dow to explain her amendments. Ms. Dow said she had learned a lot with today's proceedings. She wished to alter her amendment before Council, the amendment currently sought to reinstate \$74,414. The original amendment was intended to recoup the losses over the last two years. She suggested \$35,000 be the amount to be considered, that would reinstate contract dollars. It would give her the equivalent of 3.5 auditors. It was important to have contracting dollars. She detailed what these dollars would cover. She reminded that the Auditor in the Charter must be independent. It was important to have a breadth of experience to do auditing for this agency. This was the reason she needed to rely on contracting outside. She spoke to her experience as an auditor. The Office of the Auditor was an important element in the

checks and balances for government. She asked that Council support the modified amended amount. Councilor Hosticka accepted Ms. Dow's amended portion as a friendly amendment. Councilor Burkholder said he would not be supporting this amendment. The budget had shrunk by about 40% while at the same time the Auditor's budget had kept up with inflation. He had questioned the auditor function. He would be voting no. Councilor McLain asked Mr. Short about the percentage that each program would contribute. Mr. Short said about half. Council President Bragdon described the procedures for developing the budget. He noted the funding gaps. He had asked Mr. Stringer and Mr. Jordan to continue the service level. This was a standard for the entire budget. The amount that the Auditor had put in the budget was a 15% increase. Councilor Hosticka said this was a perennial issue. While there may be a dramatic reduction of the overall budget this year, he had not seen any reduction in the need for the Auditor's service. It was difficult to measure the effectiveness of an audit. You measure it by the overall quality of the agency. He would support this amendment.

Vote to amend:

Councilors Hosticka, McLain, Monroe voted in support and Councilors Burkholder, Park, Newman and Council President Bragdon voted against the motion. The vote was 3 aye/4 nay, the motion failed.

Councilor McLain talked about the budget process. She talked about replacement and maintenance issues, and new revenue issues. Council President Bragdon summarized the amendments that passed. Mr. Short clarified contingency fund concerning Councilor McLain's amendment. Councilor Burkholder asked about the TSCC hearing. Council President Bragdon said it was June 9th.

Council President Bragdon announced that another public hearing would be held on April 29th with possible action on June 24, 2004.

4. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

5. COUNCILOR COMMUNICATION

Councilor Monroe talked about the second condor egg. He talked about the Saturday event on endangered species.

Council President Bragdon reminded Council that the next Council meeting would be this Thursday in Hillsboro at 5:00 p.m.

6. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:22 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 27, 2004

Item	Topic	Doc Date	Document Description	Doc. Number
3.5	Amendments	4/27/04	To: Metro Council From: Kathy Rutkowski, Budget Coordinator Re: Department Generated Proposed Amendments for the FY 04-05 Proposed Budget	042704c-01
3.5	Amendments	4/27/04	To: Metro Council From: Kathy Rutkowski, Budget Coordinator Re: Councilor Generated Proposed Amendments for the FY 04-05 Proposed Budget	042704c-02
3.5	Amendments	4/27/04	To: Metro Council From: Kathy Rutkowski Re: Proposed amendments to the FY 04-05 Introduced by the Auditor	042704c-03
3.5	Memo	4/27/04	To: Metro Council From: Mike Hoglund, SW&R Re: SWAC Comments on Year 15 Waste Reduction Plan	042704c-04
3.5	Letter	4/22/04	To: Metro Council From: Larry Patterson, City Manager of Oregon City Re: Solid Waste Budget for Per Capita Grants	042704c-05
3.5	Letter	4/21/04	To: Metro Council From: Mayor Becker, City of Gresham Re: Solid Waste Budget for Per Capita Grants	042704c-06
3.5	Letter	4/22/04	To: Metro Council From: Steve Wheeler, City Manager of Tualatin Re: Solid Waste Budget for Per Capita Grants	042704c-07
3.5	Letter	4/21/04	To: Metro Council From: Joe Keizur, Hillsboro City Council President Re: Solid Waste Budget for Per Capita Grants	042704c-08
3.5	Letter	4/22/04	To: Metro Council From: Bill Monahan, City Manager of Tigard Re: Solid Waste Budget for Per Capita Grants	042704c-09
3.5	Letter	4/22/04	To: Metro Council From: Thomas Lowther City Manager Pro-tem of Forest Grove Re: Solid Waste Budget for Per Capita Grants	042704c-10
3.5	Letter	4/21/04	To: Metro Council From: Roel Lundquist City Administrator for City of Durham Re: Solid Waste Budget for Per Capita Grants	042704c-11
3.3	Letter	4/22/04	To: Metro Council From: M. Albin Jubitz Re: Support \$1.50 for Parks,	042704c-12

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3.3	Letter	4/26/04	To: Metro Council From: Craig Dirksen City of Tigard Re: Proposed increase in solid waste excise tax and tipping fee