

MINUTES OF THE METRO COUNCIL MEETING

Thursday, July 8, 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 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. RISK ASSESSMENT

Alexis Dow, Metro Auditor, presented her report on Risk Management. She provided a power point presentation on the issue (a copy of which is included in the meeting record). Risk assessment from Metro's perspective was reviewing current practices for risks and controls. She identified the top 15 risk areas and other areas as well. She noted the lack of strategic plan for Metro and said she was aware the Council was in the process of developing a plan. She then spoke to Councilor Decisions and Communications as well as Metro Charter revision. She felt that many of these noted risks were currently being addressed. She further detailed specific departmental risks in MERC, Public Affairs, Planning, Business Support, Oregon Zoo, Solid Waste and Recycling, and Metro wide risk areas such as excise tax collection, streamline support services and contracting and purchasing processes.

She talked about other areas, which may not be as high a risk but were part of the Risk matrix. She noted that the Metro Council had requested her office review some of these risks.

4. CONSENT AGENDA

4.1 Consideration of minutes of the June 24, 2004 Regular Council Meetings.

Motion:

Councilor Newman moved to adopt the meeting minutes of the June 24, 2004 Regular Metro Council.

Vote:

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

5.1 **Ordinance No. 04-1045**, For the Purpose of Amending the 2000 Regional Transportation Plan (RTP) or Consistency With the 2004 Interim Federal RTP and Statewide Planning Goals (*Public Hearing, final action*).

Motion:	Councilor Park moved to substitute Ordinance No. 04-1045A for Ordinance No. 04-1045.
Seconded:	Councilor Monroe seconded the motion

Councilor Park introduced the ordinance and requested substituting the “A” version. There was no objection to the substitution.

Councilor Park said this ordinance would adopt amendments to the 2000 Regional Transportation Plan (RTP), the regional transportation system plan (TSP), and the regional functional plan for transportation to comply with state law. This ordinance would also establish consistency with the state Transportation Planning Rule (TPR) and interim 2004 Federal RTP. No major changes to policies or projects were proposed. The proposed amendments incorporate new transportation projects, and policy and technical updates that were approved in the 2004 Interim Federal RTP in December 2003. A public comment period on the proposed amendments was held from April 15 to June 1. Since this update was basically a “housekeeping” effort, no public comments were received. Approval of this ordinance allowed projects in the updated 2004 RTP financially constrained system to be funded and allowed to proceed.

Council President Bragdon opened a public hearing on Ordinance No. 04-1045A. No one came forward. Council President Bragdon closed the public hearing. Councilor Park urged support.

Vote:

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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5.2 **Ordinance No. 04-1054**, For the Purpose of Amending Chapter 9.01 of Title IX of the Metro Code, Relating to Vacancies in Metro Elective Offices.

Motion:	Councilor Hosticka moved to adopt Ordinance No. 04-1054.
Seconded:	Councilor Newman seconded the motion

Councilor Hosticka said this ordinance dealt with provisions for filling vacancies for the Metro Council. He felt this was appropriate even though there were no positions that had to be filled currently. He spoke to what the current code language said. They would have to hold a special election, which could cost over \$50,000. He felt it was financial prudent for the code to be changed so that the election could be held at the next scheduled election rather than at a special election. This provided for a procedure that was fiscally sound and provided continuity for orderly business of the Council.

Council President Bragdon opened a public hearing on Ordinance No. 04-1054. No one came forward. Council President Bragdon closed the public hearing.

Councilor Park asked about the 70 days clause. Councilor Hosticka said the 70 days referred to the filing deadline. Marv Fjordbeck, Senior Attorney said that was correct and explained further the 70-day clause. Councilor Hosticka urged an aye vote.

Vote:

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.

6. RESOLUTIONS

6.1 **Resolution No. 04-3467**, For the Purpose of Authorizing the Chief Operating Officer to Enter into an Agreement to Sell 48 Graves to the Eastside Jewish Community of Portland and Establish the Eastside Jewish Cemetery Section at Douglass Pioneer Cemetery.

Motion:	Councilor McLain moved to adopt Resolution No. 04-3467.
Seconded:	Councilor Monroe seconded the motion

Councilor McLain introduced the resolution and provided a brief background on the cemeteries. She said Douglass Cemetery was located in Multnomah County. She said this allowed the COO to contract with the Eastside Jewish Community of Portland. She said Metro and the group had developed a sound agreement. She said future graves could be bought at the going rate. She gave details of the agreement and conditions. She felt this was a good piece of work, a good agreement and a good resolution. She urged support. Michael Jordan, COO, noted that Council had recently approved cemetery policies and this agreement was in compliance with.

Council President Bragdon opened a public hearing.

Paul Frank, President of the Eastside Jewish Community of Portland, PO Box 86622, Portland OR 9766 thanked Metro staff for working with them and to bring a close to this issue.

Council President Bragdon closed the public hearing.

Vote:

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

6.2 **Resolution No. 04-3470**, For the Purpose of Entering into an Agreement with Oregon Wildlife Heritage Foundation and Portland General Electric (PGE) for Fish Habitat Restoration on Metro Open Space Property.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3470.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman said this was a great opportunity where we got to spend other people's money on Metro Open Space Property. He explained where the property was.

Jim Desmond, Regional Park and Greenspaces Director, thanked PGE and the leadership of John Hessler in bringing this project to Metro. He also thanked Oregon Wildlife Heritage Foundation for their generosity. He spoke to the great work that Jim Morgan had done. This was a great win for the public, the fish and the water.

Jim Morgan, Regional Parks and Greenspaces Department, said the project was a fish habitat restoration project on the Clackamas River. He noted the current conditions of the river. This project would allow fish to seek refuge off river in cooler waters. PGE and Oregon Wildlife

Heritage Foundation provided funding for the project. This was the Parsons property, which was just downstream from some of Metro's other holdings. Once this project was completed it would provide great educational opportunities. This project was scheduled to start this summer. He said by restoring this area to natural conditions it would enhance both fish habitat and water quality. He explained where the project would take place (a copy of his power point presentation was included in the record). The project goals included restoring natural side channel functions, winter and summer rearing habitat for salmonids, increased diversity and complexity of habitat within the side channel, removal of invasive plants and replacement with native vegetation. They were hopeful that this project would provide guidance for future similar projects. This was a project that had been on the books for almost six years.

Councilor Hosticka asked if this was being done by PGE because of mitigation. Mr. Morgan said it was not directly linked to mitigation. Councilor Hosticka asked about funding. Mr. Morgan responded that the funds from PGE had been given to the Foundation to manage. Councilor Park thanked Councilor Newman for presenting the resolution. Councilor Newman said he was very proud of this agreement. We were leveraging funds in the best possible way. He urged support.

Vote:

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

Michael Jordan, COO, said next Tuesday afternoon the Council will be continuing its strategic planning process.

8. COUNCILOR COMMUNICATION

Councilor McLain said they met yesterday with the Tualatin Basin group who was dealing with Goal 5. She said they were completing committed to completing the job. They wanted to make sure the work they were doing and tools they were using were useable. She spoke to their discussion about Measure 36. She talked about the notice to public property owners. The group had made some good suggestions on the notice to clarify for the public what they were doing. Councilor Hosticka reiterated that they had raised the issues that had been discussed at Council Work Session. He reminded Council of their meeting with the Beaverton City Council on Monday night concerning the Centers agenda.

Councilor Monroe said he had the pleasure of kicking off the Trillium Creek Family Farm at the Oregon Zoo this morning. He urged attendance. He said this was the only project in the world that would be completing run by teenagers.

9. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 2:50 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JULY 8, 2004

Item	Topic	Doc Date	Document Description	Doc. Number
3	Power Point Presentation	7/8/04	To: Metro Council From: Alexis Dow, Metro Auditor Re: Power point presentation on Risk Assessment report	070804c-01
5.1	“A” version	7/8/04	To: Metro Council From: Kim Ellis, Planning Department Re: Ordinance No. 04-1045A	070804c-02
6.1	Exhibit A	7/8/04	To: Metro Council From: Dan Kromer, Parks Department Re: Exhibit A to Resolution No. 04-3467	070804c-03