

MINUTES OF THE METRO COUNCIL

March 10, 1994

Council Chamber

Councilors Present: Presiding Officer Judy Wyers, Deputy Presiding Officer Ed Washington, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Susan McLain, Rod Monroe, Terry Moore, George Van Bergen and Ed Washington

Councilors Absent: Roger Buchanan, Richard Devlin and Jim Gardner

Presiding Officer Wyers called the regular meeting to order at 4:04 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

Donna Davis, citizen, 2930 SW Second Ave., Portland, testified on Metro's Region 2040 Program.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSENT AGENDA

4.1 Minutes of February 24, 1994

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

4.2 Resolution No. 94-1912, For the Purpose of Correcting the Legal Description of Real Property Interests Transferred to Tri-Met to Allow Construction of the Westside Light Rail Line Including a Station to Serve the Metro Washington Park Zoo and Modifications to the Parking Lot

Motion: Councilor Moore moved, seconded by Councilor Monroe, for adoption of the Consent Agenda.

Councilor Moore asked that page 4, paragraph 3, of the February 24, 1994, minutes be corrected to read: "Mike Borreson, Washington County Department of Land Use and Transportation, reviewed deed details and said the facility in question ~~(would be deeded to the Tualatin Valley Recreation Association)~~ could later be deeded to the Tualatin Hills Park & Recreation District if the District chose to accept it."

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was unanimous and the Consent Agenda was adopted with the minutes as corrected above.

METRO COUNCIL

March 10, 1994

Page 2

5 ORDINANCES, FIRST READINGS

5.1 Ordinance No. 94-532, For the Purpose of Granting a Franchise to Pemco, Inc., For the Purpose of Operating a Petroleum Contaminated Soil Processing Facility and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-532 had been referred to the Solid Waste Committee for consideration.

5.2 Ordinance No. 94-533, For the Purpose of Amending Metro Code Sections 5.02.055 and 7.01.080 Relating to the Collection of User Fees and Excise Taxes from Franchised and Other Designated Solid Waste Facilities, and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-533 had been referred to the Finance Committee for consideration.

5.3 Ordinance No. 94-536, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding a Request from the North Portland Enhancement Committee to Provide Grants from the Rehabilitation and Enhancement Fund, North Portland Enhancement Account, for New Construction to Fund an Improvement Project at Delauncy Family of Services and for Project Start-Up of the Multnomah Community Development Corporation, and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-536 had been referred to the Solid Waste and Finance Committees for consideration.

5.4 Ordinance No. 94-538, An Ordinance Amending Metro Code 2.06.030(b) and 2.06.030(b)(1); and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-538 had been referred to the Finance Committee for consideration.

6 ORDINANCES, SECOND READINGS

6.1 Ordinance No. 94-531, For the Purpose of Amending Metro Code Chapter 5.02 to Adjust Disposal Fees Charged at Metro Solid Waste Facilities, Provide for Special Exemptions from Fees and Establish Covered Load Rebates (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-531 was first read on February 24 and referred to the Solid Waste Committee for consideration. The Committee considered the ordinance on February 24 and referred it to the full Council for consideration.

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Ordinance No. 94-531.

Councilor McLain gave the Solid Waste Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing.

No persons appeared to testify and the public hearing was closed.

Councilor Van Bergen said he did not approve of the \$25 deposit required and said the system had not been sensitive to self-hauler's needs as a whole.

Vote: Councilors Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gates and Van Bergen voted nay. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 7/2 and Ordinance No. 94-531 was adopted.

6.2 Ordinance No. 94-522A, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Funding Legislative Increases in Elected Officials Salaries, Adding a Full Time Temporary Associate Analyst in the Council Department for the Remaining Year, and Declaring an Emergency

Motion: Councilor Monroe moved, seconded by Councilor Moore, to send Ordinance No. 94-522A back to the Finance Committee for additional work.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and the motion passed unanimously.

6.3 Ordinance No. 94-530, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Outside Counsel Opinion on the Lease of Metro Center, and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-530 was first read on February 10 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on February 23 and recommended it to the full Council for adoption.

Motion: Councilor Monroe moved, seconded by Councilor Gates, for adoption of Ordinance No. 94-530.

Councilor Monroe gave the Finance Committee's report and recommendations

Presiding Officer Wyers opened the public hearing

METRO COUNCIL

March 10, 1994

Page 4

No persons present appeared to testify and the public hearing was closed.

There was no Councilor discussion or questions.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Ordinance No. 94-530 was adopted.

6.4 Ordinance No. 94-534, Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Oregon Safety and Health Administration (OSHA) Required Safety Equipment, and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-534 was first read on February 10 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on February 23 and recommended it to the full Council for adoption.

Motion: Councilor McLain moved, seconded by Councilor Moore, for adoption of Ordinance No. 94-534.

Councilor McLain gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing.

No citizens appeared to testify and the public hearing was closed.

Councilor Moore asked staff to report back if Metro did receive a grant to offset costs.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Ordinance No. 94-534 was adopted.

7. RESOLUTIONS

7.1 Resolution No. 94-1922, For the Purpose of Extending the Contracts for Consultant Services Associated with the Completion of Tier I Alternatives Analysis for the South/North Corridor

Motion: Councilor Monroe moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1922.

Councilor Monroe gave the Planning Committee's report and recommendations.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Resolution No. 94-1922 was adopted.

Presiding Officer Wyers recessed the Metro Council and convened the Contract Review Board to consider Agenda Item No. 7.2.

7.2 Resolution No. 94-1914, For the Purpose of Authorizing an Exemption to Metro Code Chapter 2.04.060, Personal Services Contracts Selection Process, and Authorizing a Sole Source Contract with Stop Oregon Litter and Vandalism (SOLV) for Sponsorship of the Annual "SOLV-IT" Cleanup Event on Saturday, April 23, 1994

Motion: Councilor Hansen moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1914.

Councilor Hansen gave the Solid Waste Committee's report and recommendations.

Councilor Gates noted he had recorded a radio advertisement promoting the event.

Councilor Hansen gave statistics on the amount of garbage picked up in last year's event.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Resolution No. 94-1914 was adopted.

Presiding Officer Wyers recessed the Contract Review Board and reconvened the Metro Council.

7.3 Resolution No. 94-1915A, For the Purpose of Updating the Regional Solid Waste Management Plan to Include New Options for Managing the Region's Organic Waste

Motion: Councilor Monroe moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1915A.

Councilor Monroe gave the Solid Waste Committee's report and recommendations.

Councilor Moore asked if there were problems with defining zoning codes for recycling facilities and asked if there would be an attempt to make zoning codes compatible on a regional basis. The Council briefly discussed the issues. Councilor Moore encourage the Solid Waste Committee to review the issues with local jurisdictions.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1915A was adopted.

7.4 Resolution No. 94-1923, For the Purpose of Confirming the Reappointment of Mitzi Scott to the Metropolitan Exposition-Recreation Commission

Motion: Councilor Washington moved, seconded by Councilor McFarland, for adoption of Resolution No. 94-1923.

Councilor Washington gave the Regional Facilities Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 9/0 and Resolution No. 94-1923 was adopted.

7.5 Resolution No. 94-1908A, For the Purpose of Funding Second-Year Metropolitan Greenspaces Education Grants Program

Motion: Councilor Hansen moved, seconded by Councilor McLain, for adoption of Resolution NO. 94-1908A.

Councilor Hansen gave the Regional Facilities Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1908A was adopted.

7.6 Resolution No. 94-1918A, For the Purpose of Entering Into a Memorandum of Understanding with the Friends of Forest Park for Receipt of a Land Donation and Related Easements

Motion: Councilor McFarland moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1918A.

Councilor McFarland gave the Regional Facilities Committee's report and recommendations.

Councilor McLain asked how long it would take to develop the management plan.

Charlie Ciecko, Director of Parks and Greenspaces, said the plan would be completed within FY 1994-95. The Council and Mr. Ciecko briefly discussed the management plan and the MOU. Councilor Moore explained how Forest Park and its trail system started. Councilor Hansen discussed donations given. She said almost \$700,000 had been donated to buy the property. Presiding Officer Wyers asked who would have responsibility for operations and maintenance until the title was transferred. Mr. Ciecko said that issue was still under discussion.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1918A was adopted.

7.7 Resolution No. 94-1919, For the Purpose of Establishing a Process for Considering and Executing Options to Purchase Land for the Regional Parks and Greenspaces System

Motion: Councilor Moore moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1919.

Councilor Moore gave the Regional Facilities Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1919 was adopted.

METRO COUNCIL

March 10, 1994

Page 7

7.8 Resolution No. 94-1911, Giving Authorization to General Counsel to Pursue Legal Action Against Jetta Products and (If Needed) M&M Productions

Motion: Councilor Van Bergen moved, seconded by Councilor Moore, for adoption of Resolution No. 94-1911.

Councilor Van Bergen gave the Finance Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1911 was adopted.

Presiding Officer Wyers recessed the Metro Council and reconvened the Contract Review Board to consider Agenda Item No. 7.9.

7.9 Resolution No. 94-1913, For the Purpose of Authorizing a Request for Proposals for Design/Build Competition for Procurement of Exterior Signage for Metro Regional Center

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1913

Councilor McLain gave the Finance Committee's report and recommendations.

The Council briefly discussed the resolution.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilors Buchanan, Devlin and Gardner were absent. The vote was 9/1 and Resolution No. 94-1913 was adopted.

Presiding Officer Wyers adjourned the Contract Review Board and reconvened the Metro Council.

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

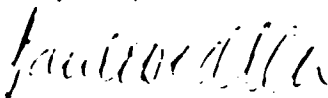
The Council as a whole discussed Council salaries per the 1992 Metro Charter.

The Council as a whole discussed starting times for Budget Committee meetings. Councilor Monroe said the majority of Councilors could attend current starting times and said the times should not be changed during the Budget process.

Jack McGowan, president, SOLV-IT thanked the Council for their support of SOLV and its activities. The Council and Mr. McGowan discussed SOLV-IT activities and the history of that organization further.

All business having been attended to, Presiding Officer Wyers adjourned the regular Council meeting at 5:40 p.m.

Respectfully submitted,



Paulette Allen
Clerk of the Council
MCMIN94.069