

MINUTES OF THE METRO COUNCIL

November 22, 1994

Council Chamber

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

Councilors Absent: None

Also Present: Executive Officer Rena Cusma

Presiding Officer Wyers called the regular meeting to order at 4:00 p.m.

1. INTRODUCTIONS

Councilor Moore introduced Harry Woldheim and Garrett Woldheim to those present. Garrett Woldheim explained how he used his wagon to pick up old phone books and recycle them in his neighborhood in Councilor Moore's Council District 13. Presiding Officer Wyers thanked Mr. Woldheim for his recycling efforts.

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

None

3. EXECUTIVE OFFICER COMMUNICATIONS

Roy Wall, Finance & Information Services Director, City of Gresham, presented the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada for the fiscal year ending June 30, 1993 to Metro. He said there were additional certificates for Don Cox, Accounting Manager, and Karla Lenox, Financial Control and Reporting Supervisor. He said the award was the second one presented to Metro by that organization. Executive Officer Cusma presented Presiding Officer Wyers with the plaque. The Council briefly discussed the award. Presiding Officer Wyers thanked Executive Officer Cusma and Mr. Wall.

4. CONSENT AGENDA

4.1 Minutes of October 27, 1994

Motion: Councilor Gates moved, seconded by Councilor Washington, for adoption of the Consent Agenda.

Vote: Councilors Buchanan, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Devlin and Gardner were absent. The vote was 11-0 in favor and the Consent Agenda was adopted.

5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 94-575, An Ordinance Amending the FY 1994-95 Budget by Transferring \$3,884 from the General Fund Contingency and \$8,000 from the Planning Fund Contingency to Materials and Services in the Planning Department For the Purpose of Providing Membership in the Cascadia Task Force and Declaring an Emergency.

METRO COUNCIL

November 22, 1994

Page 2

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

Presiding Officer Wyers referred Ordinance No. 94-575 to the Finance Committee for consideration.

5.2 Ordinance No. 94-582, An Ordinance Amending the FY 1994-95 Budget and Appropriations Schedule by Transferring \$46,112 from the General Fund Contingency to the General Fund Office of the Auditor For the Purpose of Adding One Senior Auditor 2/1/95 and Department Office Set-Up Requirements; and Declaring an Emergency

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

Presiding Officer Wyers referred Ordinance No. 94-582 to the Finance Committee for consideration.

6. RESOLUTIONS

6.1 Resolution No. 94-1984, For the Purpose of Accepting Metro's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 1994, the Schedule of Federal Financial Assistance to the Fiscal Year Ended June 30, 1994 and the Various Auditor Reports Thereon, and the Letter to Management Provided by KPMG Peat Marwick LLP

Motion Councilor Washington moved, seconded by Councilor Van Bergen, for adoption of Resolution No. 94-1984.

Councilor Washington gave the Finance Committee's report and recommendations. He asked Jennifer Sims, Director of Finance & Management Information, to discuss the report further. The Council and Ms. Sims briefly discussed the issues.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was 13/0 in favor and Resolution No. 94-1984 was adopted.

6.2 Resolution No. 94-2039, For the Purpose of Authorizing Execution of a Memorandum of Understanding (MOU) Regarding Conformity of Portions of the Air Quality Maintenance Area Outside of Metro's Boundaries

Motion: Councilor Moore moved, seconded by Councilor Gardner, for adoption of Resolution No. 94-2039.

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

Councilors Moore and McLain discussed the importance of clear communication with local jurisdictions on how important the MOU was. Councilor Van Bergen said it was silly of the federal government to not recognize that the City of Gaston was not within Metro's jurisdiction.

Vote: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan and Van Bergen voted nay. The vote was 11-2 in favor and Resolution No. 94-2039 was adopted.

METRO COUNCIL

November 22, 1994

Page 3

6.3 Resolution No. 94-1986, For the Purpose of Approving Amendments to Bylaws of the Metro Committee for Citizen Involvement

Motion: Councilor Gates moved, seconded by Councilor Moore, for adoption of Resolution No. 94-1986.

Councilor Gates gave the Governmental Affairs Committee's report and recommendations.

Motion to Amend: Councilor Kvistad moved, seconded by Councilor McFarland, to amend Resolution No. 94-1986, Exhibit A, page 9, first paragraph by inserting the language, "... (14 votes and/or adoption of a resolution by the Metro Council."

The Council discussed the motion to amend. Several Councilors expressed opposition to the amendment. Councilor Gates and Kvistad agreed to work on an amendment related to the issue to submit to the CCI for its consideration.

Withdrawal of Motion to Amend: Councilor Kvistad, with the concurrence of Councilor McFarland, withdrew his motion to amend.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was 13/0 in favor and Resolution No. 94-1986 was adopted.

6.4 Resolution No. 94-1983, For the Purpose of Adopting Policies for the Management of the Parks/Expo Fund

Motion: Councilor Hansen moved, seconded by Councilor Devlin, for adoption of Resolution No. 94-1983.

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

Councilor Van Bergen asked if contracts would have to be renegotiated with managers of the various facilities. Councilor Hansen said they would be as the contracts came up for renewal. Councilor Van Bergen asked if Multnomah County had been fully informed about the resolution. Councilor Hansen said they had been informed.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was 13/0 in favor and Resolution No. 94-1983 was adopted.

6.5 Resolution No. 94-1991, For the Purpose of Establishing an Advisory Committee to Examine the Final Transfer and Consolidation of Certain City of Portland Facilities at Metro

Motion: Councilor McFarland moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1991.

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

Councilor Van Bergen asked what the final date was for final transfer of the facilities.

METRO COUNCIL

November 22, 1994

Page 4

General Counsel Dan Cooper said the resolution did not amend the consolidation agreement dates.

Councilor Van Bergen asked if funding issues had been addressed. Councilor Hansen said the advisory committee established by this resolution would address funding issues.

Councilor Kvistad said the committee could be required to report back in six months so that the Council would be in a position to make decisions as soon as possible. Councilor McFarland said the advisory committee members did not think it would take a year to make their recommendations, but did want some leeway in timing. The Council discussed timing issues further.

The Council discussed the duties of the advisory committee and how funding issues should be addressed.

Motion to Amend: Councilor Hansen moved, seconded by Councilor Moore, to amend Resolution No. 94-1991 to make the date the advisory committee reported back to the Metro Council "no later than December 1995."

The Council briefly discussed the motion to amend. Councilor Hansen said the advisory committee could start earlier to make up the earlier end date. Councilor McFarland opposed the earlier end date and said MERC had done a good job in working on and presenting the issues to the Council. She said MERC representatives should be able to address the amendment and how it would affect them.

Vote on Motion to Amend: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor McFarland voted nay. The vote was 12/1 in favor the Resolution No. 94-1991 was amended.

Vote on Main Motion as Amended: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was 13/0 in favor and Resolution No. 94-1991A was adopted.

6.6 Resolution No. 94-1990A, For the Purpose of Establishing an Advisory Committee to examine the Region's Future Options for a Stadium

Motion: Councilor McFarland moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1990A.

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

The Council briefly discussed the issues. Councilor McFarland said the advisory committee would begin work after the advisory committee established via Resolution No. 94-1991 finished its work, especially since the Stadium had signed a one-year contract with a baseball franchise.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was 13/0 in favor and Resolution No. 94-1990A was adopted.

6.7 Resolution No. 94-1978, For the Purpose of Adopting the Concept Design for Smith and Byber Lakes Interpretive Center

Motion: Councilor Washington moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1978.

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

The Council briefly discussed the resolution.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Van Bergen was absent. The vote was 12/0 in favor and Resolution No. 94-1978 was adopted.

6.8 Resolution No. 94-1979, For the Purpose of Authorizing a Long Term Lease Agreement of Property for a Cellular Telephone Antenna Site at Glendoveer Golf Course

Motion: Councilor Moore moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1979.

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

The Council briefly discussed the resolution. Councilor Washington asked if the resolution represented a conflict of interest. Mr. Cooper said it did not. Charlie Ciecko, Director of Regional Parks and Greenspaces said that Legal Counsel had advised that using cellular phones from the vendor in question would not be a conflict of interest in that Metro used an open bid process to obtain goods and services and said that Metro actually used Cell One for its phones.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Van Bergen was absent. The vote was 12/0 in favor and Resolution No. 94-1978 was adopted.

7. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Presiding Officer Wyers asked the Council to give their input to her on Ballot Measure No. 8.

Councilor Kvistad wished everyone a happy holiday season and noted the Region 2040 hearings and amendment process would soon end with meetings on November 28, December 1 and 8.

Councilor McLain asked what public notification procedures had been used to inform the public about the last meetings on the 2040 Program.

Lisa Creel, Senior Public Affairs Specialist, explained the additional arrangements the Office of Government and Public Relations had taken to advertise the last 2040 meetings. The Clerk of the Council explained the notification procedures utilized by Council Department staff in conjunction with the Office of Government and Public Affairs.

Councilor Gates announced his intent to hold a holiday party at his residence. The Council discussed possible dates.

Presiding Officer Wyers announced there were no more business items for Council consideration and adjourned the regular meeting at 5:30 p.m.

METRO COUNCIL
November 22, 1994
Page 6

Meeting record prepared by:

A handwritten signature in black ink, appearing to read "Paulette Allen". The signature is written in a cursive style with a long, sweeping tail.

Paulette Allen
Clerk of the Council
112294M.DOC