

MINUTES OF METRO COUNCIL REGULAR MEETING

Council Chamber

December 8, 1994

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

Presiding Officer McFarland called the December 8, 1995 Metro Council Regular Meeting to order at 4:01 p.m.

1. INTRODUCTIONS

Councilor Hansen presented awards of commendation to Metro employees, John Willworth and Ron Sarver, Printers from the Metro Print Shop, for exemplary service to the Metro Council related to the need for printed matter for the Region 2040 planning process, signed by Councilor Jon Kvistad, Chair of the Metro Planning Committee.

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

Jack Polans, King City resident, addressed the Council regarding what he felt was a lack of timeliness of receipt of information from Metro. Mr. Polans pointed out the public's funds were wasted when information arrived after the fact. Mr. Polans also advocated that agenda packets be sent out to be received 7 days prior to a meeting in order for the public to provide quality input.

Mr. Polans noted he was interested in water quality issues, and said he was interested also in the total cost of 2040 as a point of comparison. He asked if it was necessary for the Council to adopt 2040 at this time. Presiding Officer Wyers indicated it was the Council's intention to move toward a vote on the 2040 resolution at this meeting, and said the schedule regarding that intent had been previously considered and consented to.

3. EXECUTIVE OFFICER COMMUNICATIONS

None at this time.

4. OTHER BUSINESS

4.1 Consideration and Review of Resolution No. 94-48

A copy of MERC Resolution No. 94-48 and accompanying documents has been placed in the permanent meeting record.

Motion: Councilor Gates moved to adopt Resolution No. 94-48. Councilor Hansen seconded the motion.

Presiding Officer Wyers asked Councilor Gates to give the Councilor's report on the proposed resolution.

Councilor Gates indicated the request was for Council review of the proposed resolution which would authorize the general manager to bid, award, and enter into a contract for development of a "food court" at the Oregon Convention Center. He said the food business community was interested in the issues surrounding the proposal, and requested Presiding Officer Wyers allow Jeffrey Blosser, Oregon Convention Center Director, to address the Council to give background and some details.

Mr. Blosser addressed the Council and noted further research was requested from Staff at the last Regional Facilities Committee meeting as well as that they meet with representatives of Burgerville regarding "food court" issues. He said both MERC Legal Counsel and Mark Williams, Senior Assistant Counsel, reviewed the Local Improvement District (LID) agreements and could find no information relative to the issues at hand. He said the

original construction contracts had been reviewed, and noted the decision was made in 1989 to not include the extras necessary, such as venting for cooking, etc. at that time. He said a three hour meeting with the representatives of Burgerville had occurred December 7, 1995 to discuss the issues of the "food court" and improvements to the concession stands at the Oregon Convention Center. He felt the discussion had been positive, and said should the resolution pass, OCC planned to provide an informational space for local and LID establishments to present information related to their stores, capabilities and restaurants similar to the Visitors' Information space now existent. Mr. Blosser said Burgerville felt that was a good plan, and he added that the menus planned for the OCC would not include hamburgers and french fries in order to avoid competition for those menu items. Mr. Blosser urged Council approval of the proposed resolution.

Councilor Gates pointed out the proposal had received a 5 to 0 in favor vote at the Regional Facilities Committee recommending Council adoption.

Councilor Washington commented favorably regarding the intent of the OCC staff to continue conversation with the business community regarding this matter noting he voted in favor of the proposal at the Regional Facilities Committee.

Presiding Officer Wyers opened a public hearing.

Chuck Venard, representing Burgerville, addressed the Council and said the issues were not resolved in his mind and indicated he was opposed to the "food court" as a businessman, but, he said, as a concerned citizen he understood the need for it. He said he believed the "food court" would affect his business. He added that he felt if the three hour meeting Mr. Blosser referred to of December 7, 1995 had occurred at the beginning of this process, the matter could have been more readily resolved. He suggested that Metro keep the lines of communication open.

Alan Peters, representing the Portland Conference Center, 300 N.E. Multnomah, Portland, addressed the Council indicating he was the aggrieved party, and expressed his concerns regarding the lack of open lines of communication. Mr. Peters indicated he was a board member of the Lloyd District Community Assn., a board member of POVA, and said he was supportive of improvements geared to enhance bringing conventions and trade shows to the region and to OCC. He said he supported a strong and binding relationship between the parties involved as efforts move toward introduction of a hotel project. Mr. Peters said he felt he would be able to support the "food court" project if approval was conditioned upon a financial feasibility or market impact study to the restaurateurs in the neighborhood independently performed by other than the designer/contractors. Mr. Peters said should the figures show the "food court" was needed at this time and was constructed, he would like to see the portable carts and the tent done away with.

Virgil Ovall, Chair, Lloyd District Community Assn., addressed the Council summarizing what the members of the association were concerned about regarding the proposed "food court." He said the association was concerned about anything that could have a negative impact on the vitality of the area surrounding the OCC. He said if the proposed "food court" had a negative impact on the surrounding restaurants, there would be less of a desire for existing restaurants to expand or upgrade, and said some restaurants could close, leaving vacant store fronts next to the OCC. Mr. Ovall said another concern raised by the association was that if the OCC was operating at or near capacity, shouldn't the "food court" plan be reserved for the expansion of the OCC. He added that the third concern raised by members of the association was that a detailed financial analysis had not yet been done and should be done. He said the worst outcome would be that the "food court" be built and lose money, followed by drawing revenue away from the surrounding businesses causing everyone to lose. Mr. Ovall said the Lloyd District Community Assn. wanted to build a good relationship with the OCC and were pleased that both the association and the Northeast Broadway Business Assn. had been invited to be members of the OCC Advisory Committee. He said however, this committee needed to hold regularly scheduled meetings that were advertised so that the public could attend. He added it was his understanding that currently no meetings were scheduled for that committee. Mr. Ovall asked that, if after further study the Metro Council proceeded with the "food court" or should the Council vote to pass the proposal today, that the surrounding businesses be involved in a joint plan to promote the OCC along with the surrounding businesses.

Jack Graves, representing the Holland-Burgerville Corporation, addressed the Council and said the objections to the proposed food court included concerns that the intent of the LID was to provide special benefits to nearby businesses, not to compete with them. Mr. Graves advocated for further discussion and relationship building as partners in the community, and felt trust building was necessary. He thanked Councilor Washington for his efforts in that direction.

LeMar Newkirk, Neighborhood Affairs Chairperson for the Calaroga Residents Assn., addressed the Council regarding viability of the businesses in the neighborhood. He said the association was interested in the neighborhood restaurants being well taken care of, and noted many of the restaurants in the area had been built because of OCC. He said other facilities in other areas did have food options within the facility and said there was room for the improvement. Mr. Newkirk said the lines of communication had not been opened early on, and he added cooperation with the local businesses was necessary. Mr. Newkirk said the plan to provide space for information regarding surrounding businesses in the OCC was positive, and said in other cities various islands and gazebos placed in a variety of areas were seen to promote businesses, services and events. Mr. Newkirk said Mr. Blosser was headed in the right direction and advocated that MERC support him.

Mr. Polans addressed the Council and asked whether written reports had been submitted to the various interested parties concerning the "food court" proposal. Councilor Hansen said all of the parties who testified at this meeting had received notices and were invited to meetings on this subject as far back as June and July, 1994 and had been a subject of discussion ongoing for many months.

Councilor Gates offered to make available a copy of a recent report and packet under the cover letter dated December 8, 1994 from the Lloyd District Community Association to Mr. Polans. This document has been made a part of the permanent meeting record.

Mitzi Scott, MERC Commissioner, addressed the Council and said the purpose of a "food court" was in response to customers, tenants and the public. She said the Metro Council had given the MERC a directive to operate the facilities with the highest quality product possible to meet the needs of customers as well as to operate in a fiscally responsible manner, to maximize opportunity to increase revenue and meet operating costs. She said no intent to disadvantage anyone in the neighborhood existed, however, she said, the intent was to operate in what was believed to be the public's best interests. Ms. Scott said the "food court" was an opportunity to provide a higher quality product for OCC attendees. She said the OCC was in a highly competitive business, adding that other convention centers around the country were providing the kind of food service, increasing the quality of their product and available options to convention attendees. Ms. Scott said if convention go-ers had a pleasant experience in Portland they were likely to come back, and she indicated the converse was also true. She said convention and trade show planners were also going to take their business somewhere else as well. Ms. Scott emphasized the purpose of the "food court" was an effort to operate in a business like manner that enabled the OCC to compete with convention centers all over the country and primarily here on the west coast, and said without it she believed OCC as well as others would lose out. She urged the Council to approve the proposal.

Councilor Hansen asked regarding competition in the future with the Blazer Arena and the role of the "food court" in that aspect. Ms. Scott said it was her experience that the Blazer organization provided the highest quality, top of the line product, and as such the need to upgrade in order to compete was accented.

Mr. Blosser agreed with Ms. Scott's assessment and said he believed the Blazers would have a number of different levels of food service and would be very competitive, no long waits in line, and would provide quality. He said in order to sell the facilities as a package, the same quality of food service would need to be provided in order to provide a similar experience for a Blazer attendee who would also go to a trade show at OCC.

Presiding Officer Wyers closed the public hearing.

Vote: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, and Washington voted aye. Councilor Wyers vote no. Councilor Gardner was absent.

The vote was 11 to 1 in favor and the motion passed.

5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 94-581, For the Purpose of Amending Metro Code Chapter 5.09, Relating to Illegal Dumping of Solid Waste, to Make Procedural Improvements and Corrections, and Declaring an Emergency

The Clerk of the Council, Paulette Allen, read the proposed ordinance by title only.

Presiding Officer Wyers referred Ordinance No. 94-581 to the Finance Committee for consideration.

6. ORDINANCES, SECOND READINGS

6.1 Ordinance No. 94-577, Relating to the Portland Metropolitan Area Local Government Boundary Commission Amending Metro Code Section 2.01.190, and Declaring an Emergency

Presiding Officer Wyers said the proposed ordinance was first read on November 10, 1994 and referred to the Governmental Affairs Committee for consideration. She indicated the Governmental Affairs Committee considered the ordinance on November 29 and recommended it to the full Council for adoption.

Motion: Councilor Gates moved to adopt Ordinance No. 94-577. Councilor Moore seconded the motion.

Councilor Gates presented the Governmental Affairs Committee Report and said the ordinance provided for the transition of the Boundary Commission from 13 members to 7, tying the number of commissioners to the number of Metro Councilors. Councilor Gates noted it had been pointed out that not all the continuing Boundary Commission members lived in the Council districts to which they were assigned, which was not inconsistent with the current structure. Councilor Gates noted the Councilors who had worked with the Boundary Commission members and staff to develop the transition plan had asked the Commission to determine which seven members they wanted to continue. He said the Commission polled its members, and the results were reflected in this ordinance.

Presiding Officer Wyers opened a public hearing. No citizens appeared before the Committee to testify. Presiding Officer Wyers closed the public hearing.

Councilor Gates the Council had approved a resolution instructing Metro lobbyists to seek a change in the statute which would allow a Boundary Commission of eleven members.

Vote: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Buchanan voted no. Councilor Gardner was absent.

The vote was 11 to 1 in favor and the motion passed.

6.2 Ordinance No. 94-580A, For the Purpose of Adding New Title 10 to the Metro Code, Creating an Administration Code, and Declaring an Emergency

Presiding Officer Wyers said that Ordinance No. 94-580 was first read on October 13, 1994 and referred to the Governmental Affairs Committee for consideration. She added that the Governmental Affairs Committee

considered the ordinance on November 29 and recommended Ordinance No. 94-580A to the full Council for adoption.

Motion: Councilor Gates moved to adopt Ordinance No. 94-580A. Councilor McFarland seconded the motion.

Councilor Gates presented the Governmental Affairs Committee report. He said the proposed ordinance would codify the organization structure of Metro, thereby requiring any major restructuring to be approved by the Council. Councilor Gates noted that although there would be entitling changes should this ordinance be adopted, the functions would remain the same under the current budget.

Presiding Officer Wyers opened a public hearing. No citizens appeared before the Committee to testify. Presiding Officer Wyers closed the public hearing.

Motion to Amend: Councilor Kvistad moved to amend Ordinance No. 94-580A to strike all language in the proposed ordinance other than Section 10.17.010, that is, the Council section for adoption at this time. Councilor Kvistad said his intent was to craft the remainder of the proposed ordinance into a different ordinance, based on information given by the Presiding Officer-elect, to be sent to the first regularly scheduled full Council meeting to be held in 1995 for review. Councilor Kvistad said the Executive Officer-elect had requested that he be given an opportunity to review the proposed Administrative Code prior to adoption. Councilor Kvistad amended Section 10.17.010 Council Administrator (a) to read: "The department shall be under the supervision and control of the Council Presiding Officer with the assistance of a Council Administrator who shall be responsible for the day-to-day functions of the department." Councilor McFarland seconded the motion.

Councilor Gates indicated it was his desire to make the transition from the old Council to the new Council as easy as possible. He said he felt it would be difficult to enact Section 10.17.010(a) without language connecting it to Chapter 1, Organization and Purpose and Budget Appropriations. Councilor Gates recommended the matter be deferred to the next Council meeting in order to achieve the appropriate end result.

Motion to Continue: Councilor Gates moved to continue this matter to the next Council meeting so that language might be brought forward in the form of an amendment. Councilor Devlin seconded the motion.

Councilor Kvistad did not object to the new motion.

The Council discussed the matter further.

Councilor Devlin pointed out that Section 10.17.010(a) had a relationship to the Personnel Code of the District that should be considered.

Vote on Motion to Continue: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington, Buchanan, Devlin and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

Presiding Officer Wyers requested the item be placed on the December 22, 1995 Council meeting agenda.

2. RESOLUTIONS

7.1 Resolution No. 94-1977. For the Purpose of Authorizing Issuance of a Request for Bids for the Construction of an Improved Cover System, Gas Collection System, and Stormwater Collection on a Portion of the St. Johns Landfill

Presiding Officer Wyers noted that the proposed resolution had been scheduled to be heard at the Solid Waste Committee's meeting of December 6, 1994, and said that meeting had been canceled to inclement weather.

Motion to Suspend the Rules: Councilor Gates moved to suspend the rules. Councilor Hansen seconded the motion.

Vote on Motion to Suspend the Rules: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington, Buchanan, Devlin and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

Motion: Councilor McFarland moved to adopt Resolution No. 94-1977. Councilor Gates seconded the motion.

Councilor McFarland said passage of the proposed resolution would authorize the issuance of a Request for Bids (RFB) for the construction of systems necessary for the final portion of the cap of the St. Johns Landfill, noting the major objection of the 1989 Closure Plan for the landfill would thus be achieved.

Councilor McFarland noted the estimated total cost for all construction work listed in this RFB was \$9 million. She said work would be expected to begin in the Spring of 1995 and would continue to late Fall 1996, and the remaining funds would come from the FY 1995-96 and FY 1996-97 adopted budgets. Councilor McFarland noted the projected closure fund of \$41 million remained adequate to pay for this work.

Vote: Councilors Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington, Buchanan, Devlin, Gates and Wyers voted aye. Councilors Gardner and Van Bergen were absent.

The vote was 11 to 0 in favor and the motion passed.

7.2 Resolution No. 94-1985. For the Purpose of Requiring Council Confirmation of Appointments to a Committee to Supervise Administration of the Metro Employee Salary Savings Plan

Motion: Councilor Gates moved to adopt Resolution No. 94-1985. Councilor Washington seconded the motion.

Councilor Gates presented the Governmental Affairs Committee report, and explained the proposed resolution, if passed, would require Council confirmation of appointment to the Metro employee salary savings plan committee. He said the committee would meet at least quarterly and that the Executive Officer would have the authority to appoint the committee's five members by January 31, 1995 followed by Council confirmation or rejection by March 17.

Vote: Councilors Kvistad, McLain, Monroe, Moore, Van Bergen, Washington, Buchanan, Devlin, Gates, Hansen and Wyers voted aye. Councilors McFarland and Gardner were absent.

The vote was 11 to 0 in favor and the motion passed.

7.2 Resolution No. 94-1992. For the Purpose of Amending Rules Establishing Procedures Relating to the Conduct of Council Business

Presiding Officer Wyers said she had asked for this resolution to be brought forth with the intent to give the public better notice of upcoming possible Council actions by noticing resolutions on the Council agendas prior to Committee agenda placement and hearings. She said that the new Council apparently might not be holding Committee meetings and indicated she intended to withdraw the proposed resolution at this time.

Councilor Moore felt the concept was appropriate and urged the new Council to treat resolutions with the same importance as ordinances in the future.

7.3. Resolution No. 94-2040B, For the Purpose of Adopting a 2040 Growth Management Strategy

Paulette Allen, Clerk of the Council, explained that according to Ordinance No. 94-559 electronic voting for the Metro Council had been established. She indicated Councilor Gardner was currently in the city of Baltimore attending a class for his work and was present at the meeting via the telephone. Ms. Allen said he intended to vote on Resolution No. 94-2040B.

Presiding Officer Wyers said the proposed resolution was heard and moved forward with amendments at a Metro Council Work Session that was held December 1, 1994 and was before the Council for consideration at this time.

Councilor Kvistad noted the Resolution No. 94-2040C was recommended for adoption by the full Council as amended at the Metro Council Work Session of December 1, 1994. He said several minor amendments would be made that might not have been previously reflected due to the tremendous amount of work done at the Work Session and the nearly 50 motions and votes.

Councilor Kvistad commented he was pleased to bring the item forward and commended staff for the many hours that had gone into its development, noting it was his understanding that it was the first product of its kind in the nation and as such would serve as a model of intergovernmental coordination for other jurisdictions. He said the Region 2040 Growth Concept would enable defining a more livable future, and acknowledged the development of a new citizen outreach process.

Motion: Councilor Kvistad moved to adopt Resolution No. 94-2040C as amended.
Councilor Moore seconded the motion.

Councilor Gates commended Staff for their efforts and asked Staff present to stand to be acknowledged, which included: Andy Cotugno, Planning Director; John Fregonese, Growth Management Manager; Ken Gervais, Senior Management Analyst; Sherry Oeser, Senior Public Involvement Specialist; David Ausherman, Growth Management Planner; Barbara Duncan, Assistant Planner; Stuart Todd, Assistant Regional Planner; and, Mark Turpel, Senior Regional Planner.

Councilor Gates gave additional positive remarks regarding the individual Planning Staff members, the individual organizations involved; i.e. the Joint Policy Advisory Committee on Transportation, the Metro Policy Advisory Committee, and the Future Vision Commission. He followed with positive remarks regarding the Legal Counsel, the individual Metro Councilors, and the individual strengths of each. Councilor Gates commented positively regarding the participation of the citizens of the region and on the product itself, the Region 2040 Growth Concept. He encouraged all participants to continue discussions and continue to move toward the positive goals set out by 2040. Councilor Gates indicated his appreciation for the experience he gained as a Metro Councilor.

Councilor Moore indicated she had some housekeeping amendments to submit, and referenced a document printed on yellow pages entitled, "Exhibit A Growth Concept, Errata, 12/8/94." This document has been made a part of the permanent meeting record. She said they would be included in the document entitled, "Region 2040, Growth Concept, Council Decision Package," dated December 6, 1994. This document has been made a part of the permanent meeting record. She added there were changes to the map in particular in the Cedar Mill area, said she would review the minutes with Ms. Allen, and said she would reflect the changes in a memorandum from her desk to the Staff for the record.

Councilor Moore indicated a replacement "letter of transmittal" to the citizens of the region would be included in the referenced 2040 document. Councilor Moore thanked Staff for their efforts on developing the Region 2040 Growth Concept, and commented that the materials were being made available to the citizens of the region who wished to review, refine and give input to the work over the next six months. Councilor Moore indicated that although the next six months were very important, the work would take longer than six months. Councilor Moore commented regarding affordable housing issues, urban growth boundary issues as well as jobs and transportation issues. She commented on the importance of Open Space and Green Space to the mental and physical health of the region's citizens as well as to the health of the eco-systems we rely on. Councilor Moore commented on rural reserve areas and links with neighbor cities. She noted acknowledging the costs for implementation of the 2040 Growth Concept was important as well as trying to find ways to minimize them and suggested possibilities for doing so.

Councilor Moore noted she had received a letter from Mr. Robert Hoffsteader who exhorted Metro, and she read from and agreed with his closing statement, "Metro is headed in the right direction. Don't falter now." She read from an Oregonian editorial dated November 3, 1994 entitled, "Stay On The Right Track." Councilor Moore urged the Metro Council to cast a positive vote for Resolution No. 94-2040C.

Councilor Gardner indicated he was pleased to be able to participate electronically even though he regretted not being present physically to do so. He thanked the Metro Staff for their level of dedication and professionalism, and added it was important for the remainder of the planning process not to lose Metro Staff to potential lures from other jurisdictions interested in their expertise. Councilor Gardner exhorted the agency as a whole to give constant attention to the 2040 plan in order to make it a reality. He pointed out that even if an individual had a lower state of means, the quality of life for a Portlander was higher than elsewhere in the country for the same individual with the same state of means. Councilor Gardner said he believed the Portland region was the best place in the country to live, and that it might be the best place in the world. He added that he believed it could be made even better, and said he was proud to have been a part of this process. Councilor Gardner said it pleased him to, as one of his final acts as a Metro Councilor after ten years on this Council, to cast his very enthusiastic vote for Resolution No. 94-2040C.

Councilor Monroe said this was Region 2040 Commencement Day, and said, as such, it meant not the end, but the beginning. He said the regional partnership and cooperation must continue to be reinforced among the 24 cities and the counties in the region as well as our partners across the Columbia River in Clark County. He said Metro was not an umbrella over the cities and counties in the region, but rather, a regional partner. Councilor Monroe stressed the importance of making South/North a reality, and added that the nation was watching with interest. Councilor Monroe said he was thinking about inventing a new bumper sticker, "Growth Happens," and he added that growth with planning was a rarity.

Councilor McLain reminisced about her first reality check concerning land use planning when she visited California as a teenager only to find a lack of public beaches, and subsequently realized Oregon had done some forward looking planning to the contrary. She challenged the new Council and Metro Staff to continue the good effort already underway.

Councilor Devlin concurred with comments made by Councilor Gardner, noting he had worked with Councilor Gardner over the last six years. He said then, when the Urban Growth Management Pact was created, to mention Metro and regional planning in the same sentence was practically a declaration of war. He said, however conflict was not necessarily something to be avoided, but rather something to be resolved. Councilor Devlin drew an analogy, saying the RUGGO's were like deciding what you would like to have in a Christmas tree, then Region 2040 was like you went out and picked out all of your ornaments, you have decided what the size of the Christmas tree was and what the species was, but you hadn't really started to put anything together. He added you could end up with something that looks like something you could be proud of or you could end up with something less than that. Councilor Devlin said that would depend on the new Council and the local officials of the region as well as other interests. He also gave high marks to Staff for their support, and urged the Council to adopt the resolution.

Councilor Hansen commended the Staff on the work that has been done in the process, and in particular the map work. She noted using the computer software, Sim City, for a hands on experience with planning had been fun, but said the real issues of affordable housing, transportation, jobs and others were the issues that must be addressed by the new Council. Councilor Hansen expressed her confidence that the new Council had the skills to do so. Councilor Hansen agreed that she understood, too, that Metro regional government was the only government doing this.

Councilor Buchanan commended Metro Staff and Metro Councilors for the work product, Region 2040, and he called for the question.

Motion to Call For the Question: Councilor Buchanan moved to call for the question.

Daniel B. Cooper, General Counsel, advised the Council to formally enter the record into the record, and asked that Councilor Buchanan defer his motion, which he said was non-debatable and must be voted on until after that formality was undertaken.

Motion to Withdraw Previous Motion: Councilor Buchanan moved to withdraw his motion to call for the question in order to hear from Councilor Washington and Councilor Kvistad to close and to receive the documents referenced into the record.

Councilor Washington thanked the citizens of the region for their participation in the process, and said he looked forward to working with them over the next six months.

Councilor Kvistad concurred with previous Councilors' remarks and said he wanted to thank the Staff as well. He expressed his thanks and said he wished to give special recognition to Gresham Mayor Gussie McRoberts as well as Lake Oswego Mayor Alice Schlenker also. Councilor Kvistad acknowledged the work of the members of MPAC, JPACT and FOCUS, and thanked the candidates for Executive Office and for the Council for the high quality of debate that they brought to the regional table. He personally thanked Mr. Fregonese saying he was one of the finest professionals it has been his pleasure to work with.

Councilor Kvistad indicated his appreciation to the Council for the opportunity to serve as Chair of the Planning Committee, and expressed his thanks to the citizens of the region as well. Councilor Kvistad also challenged the new citizens of the region to adopt the Oregon value as they were welcomed to this region.

Motion: Councilor Kvistad moved to accept the documents from Staff into the record and moved to adopt Resolution No. 94-2040C as amended.

Councilor Buchanan called for the question.

Motion to Call For the Question: Councilor Buchanan moved to call for the question.

Mr. Fregonese explained the documents being accepted into the record were present at the meeting and contained in a cart he referred to. These were, he said, all of the background documents that Region 2040 was based on, including some additional maps as well as all of the maps on the wall. Mr. Fregonese said the documents weighed over 100 pounds, and said the Clerk of the Council had a list of the documents, and said official copies of them would reside with the Clerk in the records of the Council. These documents including a Publications List - Region 2040 have been included in the permanent meeting record.

Vote: Councilors McFarland, McLain, Monroe, Moore, Washington, Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad and Wyers. Councilor Van Bergen was absent.

The vote was 12 to 0 in favor and the motion passed.

Presiding Officer Wyers recessed the Council for five minutes.

Presiding Officer Wyers reconvened the Council.

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

8.1 LCDC Goal 5 Subcommittee Testimony

Councilor Hansen gave the Regional Facilities Committee report and referenced two documents: 1) "Testimony Before LCDC Subcommittee on Goal 5," and, 2) "Development of Regional Open Space Policy." These documents have been included in the permanent meeting record. Councilor Hansen noted Mr. Shaw, Office of Legal Counsel, had been in attendance at the sub-committee meetings and reporting back to both the Regional Facilities Committee and the Planning Committee. She said she and Mr. Shaw would be going to Salem during the next week to give testimony as indicated in the referenced documents. Councilor Hansen asked the Council to briefly review the documents and give comment as desired.

Mr. Shaw explained this would represent a position to be taken on Goal 5, and suggested a vote authorizing the Council representative, Councilor Hansen, to take this position in their behalf.

Motion: Councilor Hansen moved that the Council approve the documents referenced and the policies therein.

Vote: Councilors McLain, Monroe, Moore, Devlin, Hansen, Kvistad, McFarland and Washington voted aye. Councilors Buchanan, Gardner, Gates, Van Bergen and Wyers were absent.

8.2 Other

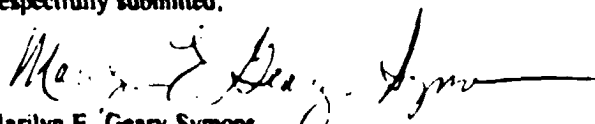
Councilor Kvistad noted the Finance Committee at its next hearing would consider a proposal for a salary increase to cover the shortfall that would be incurred by Metro Staff due to the implementation of Ballot Measure 8. Councilor Kvistad noted he had not supported Ballot Measure 8, but, he said, for Metro to go against the will of the voters was inappropriate. He said he would oppose such action.

Councilor Devlin commented it was his hope that the matter to which Councilor Kvistad referred would be moved forward to be heard by the full Council.

Lisa Godwin, Senior Public Affairs Specialist, invited the Councilors to attend the burying of the Region 2040 time capsule to be held at 11:00 a.m. on December 9, 1995 in the front lawn of the Metro Regional Headquarters.

There being no further business, the meeting adjourned at 6:54 p.m.

Respectfully submitted,


Marilyn E. Geary-Symons
Council Assistant