

MINUTES OF THE METRO COUNCIL

May 6, 1993

Council Chamber

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

Councilors Excused: Deputy Presiding Officer Roger Buchanan

Also Present: Executive Officer Rena Cusma

Presiding Officer Wyers called the special meeting to order at 5:35 p.m.

1. INTRODUCTIONS

None.

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

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. ORDINANCES, FIRST READINGS

4.1 Ordinance No. 93-499, An Ordinance Amending the Regional Urban Growth Goals and Objectives (RUGGO) Ordinance to Substitute MPAC for RPAC

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

Presiding Officer Wyers announced Ordinance No. 93-499 had been referred to the Planning Committee for consideration.

5. RESOLUTIONS

5.1 Resolution No. 93-1755, For the Purpose of Approving the FY 1993-94 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission (Public Hearing)

Main Motion: Councilor Monroe moved, seconded by Councilor Gates, for adoption of Resolution No. 93-1755.

Councilor Monroe gave the Budget Committee's report and recommendations and distributed his May 4, 1993 memorandum,

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"Budget Committee Report and Recommendations on the FY 1993-94 Proposed Budget." He explained the Budget process. He reviewed Budget Committee considerations related to the excise tax, the Metro Charter, the pending Tax Committee, and how those and other factors impacted the Budget Committee's work on the FY 1992-93 Proposed Budget. He said the Budget Committee hoped, when the Council considered the FY 1994-95 Proposed Budget, there would be new revenue sources to replace the now-voluntary governmental dues, to fund cultural needs and facilities, and to replace the excise tax.

Presiding Officer Wyers referred to her May 6, 1993, memorandum, "Agenda for Consideration of Proposed Changes to Budget Committee Recommendations" and said public testimony would be taken in the order of funds listed in her memorandum.

Presiding Officer Wyers noted a citizen wished to testify on budget issues at this time and opened the public hearing.

Bob Liddell, Metropolitan Policy Advisory Committee (MPAC) vice chair, said MPAC urged Metro give full budget support to planning functions. He said on April 28, MPAC unanimously voted to support a budget to allow Metro to aggressively pursue the planning mandate contained in the Charter and possibly improve on the time line as stated in the Charter. He said the Charter stated planning was Metro's primary mission, but said MPAC realized that staff and resources had to be assigned to that end. He said the region's future depended on the timeliness and quality of Metro's planning functions.

Motion No. 1: Councilor Monroe moved, seconded by Councilor Devlin, to eliminate the Building Management Fund Budget Note on Elected Official Parking Policy listed in Exhibit A of the Budget Committee's report and place the resulting savings in the appropriate Contingency category funds.

Motion No. 2: Councilor Gardner moved, seconded by Councilor Devlin, to substitute the following budget note for the budget note to be deleted in Motion No. 1: "There will be no free parking for elected officials at Metro. Elected officials who desire a parking spot shall pay the prevailing rate charged to Metro employees."

Presiding Officer Wyers opened a public hearing on the parking policy as proposed. No citizens appeared to testify and the public hearing was closed.

Vote on Motion No. 2: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors McFarland and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and Motion No. 2 passed.

Vote on Motion No. 1: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen and Wyers voted aye. Councilor Buchanan was absent. The vote was 12/0 in favor and Motion No. 1 passed unanimously.

Motion No. 3: Councilor Monroe moved, seconded by Councilor Gates, to add a budget note to the General Fund Contingency as follows: "The \$75,000 in the General Fund Contingency previously specified for potential Council Department staffing needs is now unspecified and may be used for any purpose at the discretion of the Metro Council."

Presiding Officer Wyers opened a public hearing on Motion No. 3. No citizens appeared to testify and the public hearing was closed.

The Council discussed Motion No. 3. Councilor Devlin stated for the record he did not believe the Council Department would have additional staffing needs for FY 1993-94, but said there would be a need for some equipment upgrades.

Vote on Motion No. 3: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Buchanan was absent. The vote was 12/0 in favor and Motion No. 3 passed unanimously.

Motion No. 4: Councilor Monroe moved, seconded by Councilor Gates, to add the following budget note inadvertently omitted at the final Budget Committee meeting April 29: "Partial funding for support for the Future Vision Commission is anticipated to come from private corporate funds. The Metro Council will assist in securing these funds."

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Vote on Motion No. 4: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Buchanan was absent. The vote was 12/0 in favor and Motion No. 4 passed unanimously.

Motion No. 5: Councilor McLain moved, seconded by Councilor Hansen, to restore \$197,500 in projects in the Solid Waste Revenue Fund for Waste Reduction Division Programs.

After discussion, Councilors McLain and Hansen withdrew Motion No. 5 so that the Council could vote on the proposed restorations via separate motions.

Withdrawal of Motion No. 5: Councilors McLain and Hansen withdrew Motion No. 5 for consideration.

Motion No. 6: Councilor McLain moved, seconded by Councilor Hansen, to restore \$30,000 for yard debris compost for erosion control.

Presiding Officer Wyers opened a public hearing on Motion No. 6. No citizens appeared to testify and the public hearing was closed.

The Council discussed the motion. Councilor Gates noted a letter (filed with the record of this meeting) submitted by Recycling Advocates via Jeanne Roy dated May 4, 1993, asking the Council to restore \$37,000 for commercial sector recycling programs; \$25,000 for construction demolition contracts; and \$40,000 for discount compost bins. Also submitted for the record (filed with the record of this meeting) was a letter from the Clackamas County Department of Transportation and Development dated May 5, 1993, asking Metro to prioritize funding designated to local governments based upon maximizing waste reduction volumes.

Vote on Motion No. 6: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 opposed and Motion No. 6 failed to pass.

Motion No. 7: Councilor McLain moved, seconded by Councilor Hansen, to dedicate \$55,000 from Unappropriated Balance for compost bins.

The Council discussed Motion No. 7. Councilor Moore asked whether Metro would discontinue home composting workshops if the funds were not dedicated. Council Analyst John Houser explained coupons were distributed to the public to purchase bins at a discount and noted the funds did not affect the workshops themselves. The Council discussed the motion further.

Vote on Motion No. 7: Councilors Devlin, Gardner, Hansen and McLain voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 8/4 opposed and Motion No. 7 failed to pass.

Motion No. 8: Councilor McLain moved, seconded by Councilor Hansen, to restore \$25,000 for construction/demolition debris recycling for a total of \$75,000.

Councilor McLain explained Motion No. 8.

Presiding Officer Wyers opened a public hearing on Motion No. 8. No citizens appeared to testify and the public hearing was closed.

The Council discussed Motion No. 8.

Vote on Motion No. 8: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 and Motion No. 8 failed to pass.

Presiding Officer Wyers noted some citizens wished to testify on the Planning Department budget at this time in order to attend another meeting.

George M. Crandall, Architectural Foundation of Oregon (AFO), testified on the Planning Department's budget as proposed. He said the AFO understood Metro's funds were limited, but said the budget for planning functions was drastically under-funded and referred to Robert Liberty's letter dated May 6, 1993, "Budget

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for Regional Planning" (filed with the record of this meeting). He said the AFO did not understand Metro's planning work plan and that staff should reconfigure the work plan and resubmit a new budget for same.

Mary Kyle McCurdy, 1000 Friends of Oregon staff attorney, concurred with Mr. Crandall's testimony and said the Charter stipulated that Metro engage in full planning functions. She said citizens were apprehensive about uncontrolled growth and environmental damage. She said Metro should begin planning functions before the Future Vision Commission and the Regional Framework Plan were fully functional. She said Metro and local jurisdictions were not communicating fully on proposed growth in the region.

Presiding Officer Wyers said the Council opened a public hearing on items contained under No. 10 in her May 6 memorandum to allow citizens to testify on those issues at this time. Councilor McLain agreed to defer the remaining items contained under No. 4 of the same memorandum.

Councilor Gardner explained items as proposed under No. 10 and referred to his May 1, 1993, memorandum "Full Funding for Planning - Revised." Councilor Gardner explained he wished to restore \$130,906 in funding for the Planning Fund including Future Vision; Transit Corridor Planning, and Local Government Coordination for urban growth management.

Presiding Officer Wyers opened the public hearing on No. 10 as contained in Presiding Officer Wyers' memorandum.

Charlie Hales, City of Portland Commissioner, spoke as an elected official and member of MPAC. He urged Metro to take a more aggressive stance in planning functions and shorten the time line to implement planning. He noted the Portland City Council added more funding to support its neighborhood planning functions and said the City was prepared to assist Metro in its planning functions as well.

Also submitted for the record (filed with the record of this meeting) was a memorandum dated May 6, 1993, from City of Portland Commissioner Gretchen Kafoury, "Regional Planning Budget" urging full funding for Metro planning efforts.

Councilor Monroe said he hoped the Tax Committee could discover new funding revenues that Metro could implement. He said Metro would have to set the excise tax at a much higher rate to fully fund planning functions in FY 1993-94.

The Council and Commissioner Hales discussed the issues further. Councilor Gardner said if funding was increased for planning functions per his proposed amendments, those increases would raise the excise tax to 7.1 percent. Commissioner Hales discussed the City of Portland's efforts to combine tax bases to fund its planning efforts and said if planning functions were fully realized, increased tax rates were acceptable.

Hardy Myers, Charter Committee chair, said the budget was Metro's opportunity to fulfill the planning mandate contained in the Charter. He said the Charter gave a specific time line on when planning functions were to be completed for Future Vision and the Regional Framework Plan. He said the Charter Committee had wanted to stipulate a shorter time line but did not believe a shorter time line was feasible. He said Metro should not wait for full funding, but should begin planning and achieve funding for planning at the same time. He said the Charter stipulated Metro would appropriate at a level to achieve timely completion of its planning responsibilities.

Councilor Monroe said the Budget Committee tried to fund planning functions as completely as possible given the revenue resources available to Metro.

Steve Schell, Portland Future Focus, said Portland Future Focus tried to analyze how Portland fit in growth management issues, but said Portland Future Focus realized Portland was not alone in that effort. He said key to regional planning were the Regional Urban Growth Goals and Objectives (RUGGOS), Region 2040, the LCDC Transportation Rule and emission limitations. He said Metro should take the lead in planning functions and achieve appropriate funding. He discussed the goals of the Charter Committee and discussed the effect of satellite cities on growth. He said \$1 billion would be spent on Westside Lightrail and Tri-Met's goal for residents with five minutes of that corridor. He said to achieve that goal, planning was necessary.

James Zehren, MPAC, said it was important to maintain livability in light of growth in the region and said Metro was essential to that effort. He said the Charter stated "The regional planning functions under this section are the primary functions of Metro." He said that goal should be Metro's primary purpose despite funding realities. He said the region should develop planning efforts faster than was mandated in the Charter. He noted it had taken most local jurisdictions 10 years to develop their own functional plans. He said those jurisdictions required assistance from Metro and said to implement all necessary regional land use changes it would take until the late 1990s and therefore action should begin now to implement planning

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functions. He said a nationally noted architect who visited Portland, said Portland took too much comfort in the Urban Growth Boundary (UGB), and said development within the UGB resembled growth in Los Angeles.

Loren Wyss, Tri-Met Board chair, said in 1985 the Tri-Met Board asked Metro planning staff for assistance on Tri-Met's future planning. He said that assistance helped Tri-Met and that Tri-Met depended on Metro's planning functions a great deal. He said Tri-Met passed through \$650,000 to Metro above its governmental dues for planning and technical services. He said those services assisted with planning for the Westside Light Rail and the route to Hillsboro. He said those and other Tri-Met functions depended on Metro's work on Region 2040. He said Tri-Met waited until Region 2040 was published until it distributed its own Strategic Plan. He said Planning Department staff was stretched to the limit and urged full funding of Metro's planning functions.

Councilor Gardner noted Blanche Schroeder, Portland Metropolitan Chamber of Commerce, left a memo for distribution to the Council from Don McClave, Portland Metropolitan Chamber of Commerce president, dated May 6, 1993, "Metro 1993/94 Budget" urging the Council to assure a level of support for regional cultural facilities and a sufficient amount of funding for performing Charter-mandated growth management planning in an effective manner. The memo (filed with the record of this meeting) also stated that RUGGOS, the Visual Preference survey, Region 2040, LCDC regional planning efforts, the Livable Cities Project, the Tri-Met Strategic Plan, Portland Future Focus, regional water management planning, the Greenspaces Master Plan, Oregon Benchmarks and individual plans undertaken by cities and counties within the region appeared separate and disjointed. Mr. McClave's memo asked that Metro pull those plans together and, from that "umbrella" viewpoint, make a clear case to the public what else needed to be done and what planning costs would be. Mr. McClave said that evaluation and assessment was crucial to the future success and public acceptance of the Future Vision and Regional Framework efforts.

Councilor Gardner noted Brian Scott, Oregon Downtown Development Association president, submitted written testimony also and read that testimony for the record:

The Oregon Downtown Development Association is a private non-profit organization of concerned citizens, businesses and public officials who believe that the vitality of our city centers is critical to the quality of our lives. To that end, we work to ensure the vitality of dozens of city centers throughout the



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metropolitan area. We believe that downtown and neighborhood vitality require strong partnerships across multiple jurisdictions and including the public and private sectors. We also believe that metropolitan quality of life requires professional planning at the regional level. In that regard, we strongly encourage you to support Councilor Gardner's proposal to increase your planning budget.

Also submitted (filed with the record of this meeting) was a letter from Gresham Mayor Gussie McRobert, MPAC chair, dated May 6, 1993, stating that MPAC supported full funding of Metro's growth management planning functions.

Motion No. 9: Councilor Gardner moved, seconded by Councilor Devlin, to add \$25,000 in excise tax funds to Future Vision Commission contractual services.

Councilor Gardner explained that action would increase the \$75,000 allocated by the Budget Committee to \$100,000. To Presiding Officer Wyers' question, Councilor Gardner clarified 2.2 FTE were already allocated to Future Vision Commission efforts. The Council discussed Motion No. 9. Councilor Gates said citizens who voted for the Charter would want Metro to find the appropriate funding for the mandate contained within the Charter first. Councilor Devlin said Executive Officer Cusma submitted the budget with the figures she believed necessary to fund the planning functions required by the Charter. Councilor McFarland asked Councilor Gardner planned to allocate funds for his proposed motion(s). Councilor Gardner proposed funding via one tenth of one percent increase in the excise tax and/or using the \$75,000 originally designated to increase Council Department staff. He said \$25,000 of the latter could be used to fund Motion No. 9.

Executive Officer Cusma said if the Council used the \$75,000 originally allocated for Council staff for planning functions, it would raise the excise tax by .1 percent. She said Planning Department staff were over-worked and needed assistance.

Vote on Motion No. 9: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted aye. Councilor Buchanan was absent. The vote was 7/5 opposed and Motion No. 9 failed to pass.

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Motion No. 10: Councilor Gardner moved, seconded by Councilor McLain, to add \$52,953 for transit corridor planning.

Councilor Gardner explained Motion No. 10 and Council discussed the motion. Councilor McLain said it was essential Metro do its share of funding to ensure cooperation and assistance from the federal government. Councilor Monroe noted planning for the South/North Corridor was fully funded in the budget. Councilor Gardner said those funds were meant for land use planning rather than transportation planning which was fully funded.

Vote on Motion No. 10: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. The vote was 5/7 opposed and Motion No. 10 failed to pass.

Motion No. 11: Councilor Gardner moved, seconded by Councilor Devlin, to add \$52,953 for local government/RUGGO implementation.

Councilor Gardner explained Motion No. 11. The Council discussed the motion.

Vote on Motion No. 11: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 and Motion No. 11 failed to pass.

Presiding Officer Wyers recessed the Council at 7:50 p.m. The Council reconvened at 8:00 p.m.

Councilor Devlin explained the three items under No. 11 of Presiding Officer Wyers' memorandum. He explained the funding mechanisms for same and proposed using the \$75,000 originally designated to increase Council Department staff.

Presiding Officer Wyers opened the public hearing.

Jack Broome, Director of Properties for the Wetlands Conservancy, said green spaces were being developed on a rapid basis. He said Metro must attempt another Greenspaces ballot measure and said any funds Metro could dedicate to that effort were essential. He said environmental and restoration grants affected thousands of

citizens and spread the word about the value of open spaces, fields and forests. He urged the Council to increase the Greenspaces budget by at least \$50,000.

John LeCavalier, Fans of Fanno Creek president, said that group was concerned about the future of the Fanno Creek Watershed. He said Fans had worked with Greenspaces staff for several years on the preservation of that watershed and other watersheds protected by Fans and other groups. He discussed student/schools involvement in such efforts and said funding Greenspaces was essential in reaching and educating students and schools. He said watersheds were being lost throughout the region.

Chris Beck, Trust for Public Land project manager, testified in support of continued funding for the Greenspaces Program. He said if the Greenspaces Program was not implemented, the region would not be able to control growth. He said the Greenspaces ballot measure, in spite of a crowded ballot and a low budget/low visibility campaign, received 45 percent of the vote. He said planning, public outreach and education were essential to inform the public on the issues. He said Metro's work during the last two years had been critical for Greenspaces, but said that effort must continue and urged full funding of the Greenspaces Program.

The Council discussed issues related to the Greenspaces Program.

Councilor Devlin noted three letters distributed to the Council urging full fiscal support of the Greenspaces Program (filed with the record of this meeting): 1) A letter dated May 6, 1993, from Mike Houck on behalf of the Urban Streams Council; 2) Written testimony from Marty McCall, Trust for Public Land; and 3) Barbara Walker, citizen.

Motion No. 12: Councilor Moore moved, seconded by Councilor Devlin, to restore \$10,000 for Environmental Education Grants.

Vote on Motion No. 12: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 opposed and Motion No. 12 failed to pass.

Motion No. 13: Councilor Moore moved, seconded by Councilor Hansen, to restore \$10,000 to Greenspaces Restoration Grants.

The Council discussed Motion No. 13.

Vote on Motion No. 13: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 and Motion No. 13 failed to pass.

Motion No. 14: Councilor Devlin moved, seconded by Councilor Hansen, to restore \$15,000 for local match for Trails.

Vote on Motion No. 14: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. The vote was 6/6 and Motion No. 14 failed to pass.

Motion No. 15: Councilor Devlin moved, seconded by Councilor Hansen, to restore \$5,000 for printing services.

The Council discussed Motion No. 15. Councilor Hansen noted she would propose a 15 percent across the board cut on printing services for departments and programs and asked the Council to support Motion No. 15 because if that motion passed, printing costs would be cut too severely in the Greenspaces Program.

Vote on Motion No. 15: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote 7/5 opposed and Motion No. 15 failed to pass.

Motion No. 16: Councilor Devlin moved, seconded by Councilor Moore, to restore \$10,000 in postage costs.

Vote on Motion No. 16: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 opposed Motion No. 16 failed to pass.

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Presiding Officer Wyers noted citizens were present to testify on Item Nos. 6 and 7.

Executive Officer Cusma explained that 2.0 FTEs proposed for restoration were the only two planning positions for regional cultural facilities with a \$50 million budget and said the positions were extremely important for program and facilities oversight and continuity.

Motion No. 17: Councilor McLain moved, seconded by Councilor Hansen, to restore the Program Manager position in the Regional Facilities Department in the Support Services Fund to work on the Cultural Funding Project.

Presiding Officer Wyers opened a public hearing on cultural facilities restorations.

Pam Baker, Portland Center for the Performing Arts (PCPA) Advisory Committee chair, noted letters of testimony already submitted on the issues to the Council (filed with the record of this meeting) from: 1) Gerard K. Drummond, NW Business Committee for the Arts president dated May 6, 1993, asking Metro to continue funding the joint planning effort to establish a regional funding source for cultural organizations and facilities; and 2) City of Portland Commissioner Mike Lindberg dated May 6, 1993, urging the Council to approve funding for staff support and expenses for the Regional Arts Funding Task Force for FY 1993-94 at the level recommended by the Executive Officer. Ms. Baker explained the Regional Arts Funding Task Force's report would be completed in approximately a month.

Councilor Monroe explained that \$50,000 in Support Service funding was available in Contingency, contingent on when the report was submitted, and what the report concluded was necessary for cultural facilities support.

Presiding Officer Wyers noted Tom Vanderzanden, Clackamas County Department of Transportation and Development executive director, submitted a letter of testimony and read that letter for the record:

I am here to deliver a letter from the Clackamas County Board of County Commissioners. Clackamas County wants a partnership with Metro on the End of the Oregon Trail Interpretive Center. Metro is well positioned to build, operate and market this national landmark facility. The letter from Clackamas County urges you to retain your Regional Facilities staff to allow us to

develop this important partnership and thereby accomplish this critical project.

A letter from Clackamas County Commissioners Darlene Hooley, Ed Lindquist and Judie Hammerstad dated May 6, 1993, asked the Council to maintain funding for Metro's facilities planning

The Council discussed Motion No. 17.

Executive Officer Cusma urged the Council to adopt Motion No. 17. She said if the position was cut, valuable experience and knowledge would be lost.

Vote on Motion No. 17: Councilors Gardner and Hansen voted aye. Councilors Devlin, Gates, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 10/2 opposed and Motion No. 17 failed to pass.

Motion No. 18: Councilor McLain moved, seconded by Councilor Hansen, to restore the Senior Management Analyst position in the Regional Facilities Department in the Support Services Fund to do the Convention Center Master Plan.

Vote on Motion No. 18: Councilor McLain voted aye. Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote 11/1 opposed and Motion No. 18 failed to pass.

Councilor McLain continued Solid Waste Revenue Fund items for Waste Reduction Division programs contained under Presiding Officer Wyers' memorandum Item No. 4.

Motion No. 19: Councilor McLain moved, seconded by Councilor Devlin, to restore \$37,500 for food waste recycling strategy.

Councilor McLain explained Motion No. 19.

The Council discussed Motion No. 19. Executive Officer Cusma said the cuts made in waste reduction funding would jeopardize Metro's compliance with state law.

Vote on Motion No. 19: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 opposed and Motion No. 19 failed to pass.

Motion No. 20: Councilor McLain moved, seconded by Councilor Hansen, to restore \$50,000 for recycling containers for apartments.

Councilor McLain explained Motion No. 20.

The Council discussed Motion No. 20. Councilor Monroe noted the item was funded at \$100,000 in the existing budget.

Vote on Motion No. 20: Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 opposed and Motion No. 20 failed to pass.

Presiding Officer Wyers said the Council would consider Item No. 5 of her memorandum.

Executive Officer Cusma said the FTE proposed for restoration supervised the Recycling Information Center (RIC) staff. She said if the position were cut, it would burden over-worked Solid Waste Department staff further. She said the cost of the position did not significantly affect excise tax revenues.

Motion No. 21: Councilor McLain moved, seconded by Councilor Hansen, to restore the Senior Program Supervisor position in the Public Affairs Department.

Councilor McLain stated the Public Affairs Department would be audited in FY 1993-94 and said no significant changes should be made to that department's staffing or programs until the audit was completed. She noted services provided by the RIC were extremely popular with the public.

The Council discussed Motion No. 21.

Presiding Officer Wyers opened a public hearing on Motion No. 21.

Judith Bieberle, former director of public information for Columbia Region Association of Governments (CRAG) 1976-79, testified on proposed changes to the Public Affairs Department budget. She compared how CRAG operated to Metro's current functions and said Metro was fortunate to have direct service programs with universal acceptance and approval such as RIC and the public school education program(s). She urged the Council to keep RIC operations intact and said ultimate benefits were greater public approval and future financial support. She said such programs offered a large return for a fairly modest public investment.

Vote on Motion No. 21: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 and Motion No. 21 failed to pass.

Presiding Officer Wyers said the Council would now consider Item No. 8 of her memorandum.

Executive Officer Cusma urged the Council to approve Item No. 8 and stated the position was necessary for her department and the agency as a whole. She noted Executive Management staff had not substantially increased compared to Council Department staff.

Motion No. 22: Councilor McLain moved, seconded by Councilor Hansen, to restore the proposed new Senior Management Analyst position in the Executive Management Department in the General Fund.

The Council discussed Motion No. 22. Councilor Moore said she would not support Motion No. 22, but also had not supported the \$75,000 previously stipulated to increase Council Department staff. She noted the Public Affairs Department would dedicate .05 FTE to the Council in FY 1993-94 also.

Presiding Officer Wyers opened a public hearing on Motion No. 22. No citizens appeared to testify and the public hearing was closed.



Vote on Motion No. 22: Councilor McLain voted aye. Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 11/1 opposed and Motion No. 22 failed to pass.

Executive Officer Cusma discussed Item No. 9 and asked that management responsibility for the Oregon Convention Center (OCC) Project Capital Fund remain in the Regional Facilities Department and not be transferred to the Metropolitan Exposition-Recreation Commission (MERC).

Motion No. 23: Councilor Hansen moved, seconded by Councilor Devlin, to restore the management responsibility for the OCC Project Capital Fund to the Regional Facilities Department.

The Council discussed Motion No. 23. Councilor McFarland asked why the funds were being transferred. Council Administrator Don Carlson explained an explanation of the fund transfer was contained in a Budget Note on same: "Administration of the expenditures and programs in this Fund shall be provided by the Metropolitan ER Commission. With the exception of the Convention Center Seating project, any expenditure or project exceeding \$100,000 shall be presented to the Regional Facilities Committee for review. The Convention Center Site Master Plan project shall be conducted in a manner which involves members of the Regional Facilities Committee and the Executive Officer during the plan preparation phase. Prior to adoption, the Master Plan shall be presented to the Metro Council by the Metro ER Commission for review and approval." Councilor Gardner and Council Analyst Casey Short discussed the effect of the motion on work plans further. Mr. Short explained the Budget Note effected how funds would be administered overall.

Vote on Motion No. 23: Councilors Devlin, Hansen, Kvistad and McLain voted aye. Councilors Gardner, Gates, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 8/4 opposed and Motion No. 23 failed to pass.

Councilor Moore reviewed Item No. 12 of Presiding Officer Wyers' memorandum. She explained it would amend the Budget Note related to Metro's Transportation Demand Management (TDM) program.

Motion No. 24: Councilor Moore moved, seconded by Councilor Gardner, to amend the Budget Note as follows (additions underlined and deletions bracketed): "The committee supports this program but recommends that this line item (\$40,000) be part of the fringe cost in each appropriate fund, rather than the Planning Fund. [~~Further, the committee suggests~~] The fee structure for this program shall be revisited [~~to consider a slight increase in the parking rate for those Metro employees not participating in the program, thereby~~] by the Council within six months, which the goal of making the program more self-supporting. [~~Further recommend~~] The parking rate shall be required to remain at full [~~current~~] market level to reap maximum revenue return. The report to the Metro Council, at the six month period, should also include a recommendation for expansion of the Transportation Demand Management Program to all Metro facilities, especially addressing any existing parking subsidies. The six month report should also include analysis of the parking garage usage, revenue generated, and type of visitor parking.

The Council discussed Motion No. 24.

Vote on Motion No. 24: Councilors Devlin, Gardner, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 6/6 and Motion No. 24 failed to pass.

Councilor Hansen discussed Item No. 13 of Presiding Officer Wyers' memorandum.

Motion No. 25: Councilor Hansen moved, seconded by Councilor McLain, to reduce the Printing Services line items in each fund by 15 percent and add a Budget Note requesting an investigation of the feasibility and a cost/benefit analysis of a centralized method of contracting for printing services with the exception of the Planning Fund which had already incurred cuts.

Councilor Hansen explained Motion No. 25 and referred to her May 5, 1993, memorandum "Proposed Amendment to Budget Committee

Recommendations on Printing Service Costs Agency-wide." She said Motion No. 25 also included the following Budget Note: "The Finance and Management Information Department shall investigate the feasibility and costs and benefits of providing a centralized method of contracting for agency printing services. The Department shall report its findings to the Finance Committee no later than December 31, 1993." She said the motion would save approximately \$96,000 which would go into Unappropriated Balance. Councilor Hansen noted the chart highlighted line items in the Planning Fund for exemption from this motion because that Fund's printing costs had already been moved.

The Council discussed Motion No. 25. Councilor Moore asked if the intent of Councilor Hansen's proposed motion was to set a lower excise tax rate. Councilor Hansen said her intent was to demonstrate how much printing costs had increased for each department. She said the Budget Note asked that the agency develop a centralized method to determine agency standards for printing and reducing printing costs, such as putting mailings on smaller paper items. Councilor Devlin noted the Greenspaces line item for printing had already been cut by 15 percent. Councilor Hansen said departments should look at total printing costs and make adjustments. Councilor Devlin noted Greenspaces was no longer in the Planning Department budget but was contained in the Regional Parks and Expo budget.

Motion No. 26: Councilor Devlin moved, seconded by Councilor Moore, to exempt the Regional Parks and Expo Fund, specifically the Greenspaces Program, from the action contained in Motion No. 25.

Vote on Motion No. 26: Councilors Devlin, Gardner, Gates, Hansen, McLain, Moore and Washington voted aye. Councilors Kvistad, McFarland, Monroe, Van Bergen and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 in favor and Motion No. 26 passed.

Councilor Kvistad said he could not support Motion No. 25 because printing line items had already been cut substantially during the budget process. The Council discussed Motion No. 25 further.

Motion No. 27: Councilor Gardner moved, seconded by Councilor Moore, to amend Motion No. 25 to delete action requested in the motion except for the Budget Note attached to the motion.

The Council discussed Motion No. 27.

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Vote on Motion No. 27: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore and Washington voted aye. Councilors Van Bergen and Wyers voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and Motion No. 27 passed.

Vote on Motion No. 25 as Amended: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Van Bergen voted nay. Councilor Buchanan was absent. The vote was 11-1 in favor and Motion No. 25 as amended passed.

Councilor Gates reviewed Item No. 14 of Councilor Wyers' memorandum.

Motion No. 28: Councilor Gates moved, seconded by Councilor Washington, to restore the Senior Management Analyst for the Emergency Policy Development Program.

The Council discussed Motion No. 28. Councilor Gates said the position would be funded from Option 1 listed in his May 5, 1993, memorandum "Budget Amendment to Reinstate Emergency Policy Development Program Position." To Councilor Gardner's question, Councilor Gates clarified the position would be placed in the Risk Management Division.

Vote on Motion No. 28: Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Kvistad, Monroe and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 9/3 in favor and Motion No. 28 passed.

Presiding Officer Wyers called a recess at 10:15 p.m. The Council reconvened at 10:21 p.m.

The Council discussed the Proposed FY 1993-94 Budget as amended and the current budget process. Councilor Van Bergen said the Council should meet as a committee of the whole to consider the budget for FY 1994-95. Councilor McLain agreed and said the current budget process was flawed. The Council discussed the

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budget process further. Presiding Officer Wyers thanked the Council, Council Department staff and administrative staff for their hard work during the budget process. Councilor Devlin said there would be further opportunity to amend the budget when it returned to the Council on June 24 for final consideration. Councilor Monroe said the budget process had been difficult and that all Councilors had input throughout.

Vote on Main Motion: Councilors Devlin, Gardner, Gates, Kvistad, McFarland, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Hansen and McLain voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and Resolution No. 93-1755 was adopted.

**6. ORDINANCES, SECOND READINGS**

**6.1 Ordinance No. 93-484A, An Ordinance Amending Metro Code Section 7.01.020 to Modify the Excise Tax Rate**

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

Presiding Officer Wyers announced Ordinance No. 93-484 was first read on February 25, 1993, and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on March 10, April 28 and 29, and recommended Ordinance No. 93-484A to the full Council for adoption. Ordinance No. 93-484 was originally scheduled for second reading and adoption on March 23, 1993, but was removed from the agenda at that time.

Main Motion: Councilor Monroe moved, seconded by Councilor Van Bergen, for adoption of Ordinance No. 93-484A.

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

First Motion to Amend: Councilor Moore moved, seconded by Councilor McLain, to delete Section 2 of Ordinance No. 93-484A: "Section 2. The amendment to Metro Code Section 7.01.020 adopted by Section 1 of this Ordinance is repealed effective September 1, 1994, and thereafter the provisions of Section 7.01.020 in effect at the time of adoption of this Ordinance shall remain in force and effect."

The Council discussed the motion to amend.

**Vote on First Motion to Amend:** Councilors Gardner, McLain and Moore voted aye. Councilors Devlin, Gates, Hansen, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 9/3 opposed and the motion to delete Section 2 failed.

**Second Motion to Amend:** Councilor Hansen moved, seconded by Councilor McLain, to lower the excise tax rate to 6.9 percent.

The Council discussed the motion to amend.

**Motion to Suspend Debate:** Councilor Gardner moved, seconded by Councilor McLain, to request a vote on whether to suspend debate on the second motion to amend.

**Vote on Motion to Suspend Debate:** Councilors Gardner, Kvistad, McFarland, Monroe, Van Bergen and Wyers voted aye. Councilors Devlin, Gates, Hansen, McLain, Moore and Washington voted nay. Councilor Buchanan was absent. The vote was 6/6 and the motion to suspend debate failed.

The Council discussed the ordinance and the motion to amend further.

**Vote on Second Motion to Amend:** Councilors Devlin, Gardner, Hansen, McLain and Moore voted aye. Councilors Gates, Kvistad, McFarland, Monroe, Van Bergen, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 7/5 opposed and the second motion to amend failed.

Vote on Main Motion: Councilors Devlin, Gardner, Gates, Kvistad, McFarland, McLain, Monroe, Van Bergen, Washington, and Wyers voted aye. Councilors Hansen and Moore voted nay. The vote was 10/2 in favor and Ordinance No. 93-484A was adopted.

## 7. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

### 7.1 Discussion of Fact-Finding

Presiding Officer Wyers said the Council would begin a fact-finding investigation to inspect allegations made by Council Department employees against a Metro Councilor. The Council discussed the proposed action.

Councilor Devlin stated for the record there were assertions that the situation had been used for political purposes. He wished to state he had not spoken with any reporter about this particular item and noted other Councilors had.

Councilor Gardner said he had not seen any document which would delineate what the fact-finding would investigate, but said the facts should be clarified.

Presiding Officer Wyers said the current proposal was to proceed with the fact-finding. She said the Personnel Committee had worked on a scope of work for an investigator in conjunction with Metro's General Counsel. The Council discussed the fact-finding investigation's proposed scope of work further. Presiding Officer Wyers said the Council could review the scope of work and then discuss it at the May 13 Council meeting. Presiding Officer Wyers asked the Council for consensus to proceed with the scope of work. Councilor Van Bergen said investigation should only begin when a formal, written complaint was filed. Councilor Gardner agreed an investigation of the allegations should begin now.

Motion: Councilor Monroe moved that the Presiding Officer be authorized to proceed with an investigation as soon as a written complaint had been filed.

The motion failed for lack of a second.

Motion: Councilor Hansen moved, seconded by Councilor Gardner, that the investigation begin on the informal basis in which the complaint had been made, authorize the fact-finder to proceed and then the Council could receive a report on the allegations.

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**The Council discussed the motion.**

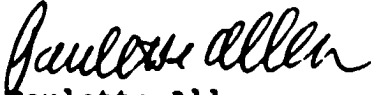
**Vote: Councilors Devlin, Gardner, Hansen, Kvistad, McLain, Washington and Wyers voted aye. Councilors Gates, Monroe and Van Bergen voted nay. Councilor Moore abstained from the vote. Councilors Buchanan and McFarland were absent. The vote was 7/3 in favor with one abstention.**

**7.2 Legislative Committee Report**

**Presiding Officer Wyers briefed the Council on Legislative Committee deliberations on Thursday, April 29, 1993. Councilor Moore asked that Agenda Item No. 7.2 be continued to the May 13 Council meeting.**

**All business having been attended to, Presiding Officer Wyers adjourned the meeting at 11:45 p.m.**

**Respectfully submitted,**



**Paulette Allen**  
**Clerk of the Council**