

MINUTES OF THE METRO COUNCIL

October 14, 1993

Council Chamber

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

Also Present: Executive Officer Rena Cusma

Presiding Officer Wyers called the regular meeting to order at 4:02 p.m.

Presiding Officer Wyers announced the Council would consider Agenda Item No. 4.1 at 5:30 time certain and Agenda Item No. 9.5 at 6:30 time certain.

1. INTRODUCTIONS

None.

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

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

3.1 Presentation of Government Finance Officers' Association of the United States and Canada Award to Metro for Exemplary Financial Reporting

Kathy Tri, Government Finance Officers Association of the United States and Canada presented the award. Executive Officer Cusma thanked Ms. Tri and said Metro's receipt of the award was due to the hard work done by both the Council and administrative staff. She introduced Don Cox, Accounting Manager, who introduced Accounting Department staff persons present. Executive Officer Cusma thanked Jennifer Sims, Director of Finance and Management Information for her work also.

3.2 Briefing on Greenspaces Program Activities To-Date

Removed from the agenda; to be scheduled for a future meeting.

4. CONSENT AGENDA

4.1 Minutes of September 23, 1993

REFERRED FROM THE SOLID WASTE COMMITTEE

4.2 Resolution No. 93-1853, For the Purpose of Hosting a Recycled Products Trade Show at Metro Regional Center in Support of Metro's Recycled Product Procurement Program

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

4.3 Resolution No. 93-1859, For the Purpose of Accepting a Fourth Group of Nominees to the Metro Committee for Citizen Involvement (Metro CCI)

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

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

6. ORDINANCES, FIRST READINGS

6.1 Ordinance No. 93-517, An Ordinance For the Purpose of Adopting a New Chapter to the Metro Code Pertaining to Elections

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

Presiding Officer Wyers announced that Ordinance No. 93-517 had been referred to the Governmental Affairs Committee for consideration.

6.2 Ordinance No. 93-516, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Appropriating Funds to Consult with Business and Civic Leaders and Develop Recommendations Regarding Greenspaces Acquisition Capital Improvement and Operations Funding Options

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

Presiding Officer Wyers announced that Ordinance No. 93-516 had been referred to both the Governmental Affairs Committee and the Finance Committee for consideration.

7. ORDINANCES, SECOND READINGS

7.1 Ordinance No. 93-513, For the Purpose of Amending Metro Code Chapter 2.04, Adopting a Recycled Product Procurement Program for Metro (Public Hearing)

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

Presiding Officer Wyers announced Ordinance No. 93-513 was first read on September 23 and referred to the Solid Waste Committee for consideration. The Solid Waste Committee considered the ordinance on October 5 and recommended it to the full Council for adoption.

Motion: Councilor McLain moved, seconded by Councilor McFarland, for adoption of Ordinance No. 93-513.

Councilor McLain gave the Solid Waste Committee's report and recommendations. She explained the ordinance would provide Metro with a comprehensive policy for the procurement of recycled products. She said the ordinance could serve as a model for other local governments. She said the ordinance combined several existing resolutions and ordinances related to procuring recycled products and also incorporated provisions of related state law, particularly those set forth in SB 66. She said the most significant policy change was the provision that increased the price preference for recycled products from 5 to 10 percent. She said the ordinance also included updated definitions and provided definitions of major types of recycled products such as paper, tires and oil. She said the ordinance was intended to ensure that provisions related to the purchase of recycled products were included in all bid and request for proposal documents issued by Metro.

Presiding Officer Wyers opened the public hearing.

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

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Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was unanimous and Ordinance No. 93-513 was adopted.

7.2 Ordinance No. 93-511. An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Transferring \$62,500 from the General Fund to the Greenspaces Planning Division of the Regional Parks and Expo Fund for a Greenspaces Options Demonstration Project (Public Hearing)

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

Presiding Officer Wyers announced Ordinance No. 93-511 was first read on September 9, 1993, and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on September 22 and recommended it to the full Council for adoption.

Motion: Councilor Devlin moved, seconded by Councilor Buchanan, for adoption of Ordinance No. 93-511.

Councilor Devlin gave the Finance Committee's report and recommendations. He explained the ordinance would provide the funds to implement the Greenspaces Options demonstration program outlined in Resolution No. 93-1832 adopted on September 23, 1993. He said the program was supported by the Greenspaces Policy Advisory Committee (GPAC) and several local jurisdictions. He said there was a good possibility federal funds could be obtained to acquire some of the properties. Councilor Devlin explained the ordinance further.

Presiding Officer Wyers opened the public hearing.

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

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was unanimous and Ordinance No. 93-511 was adopted.

7.3 Ordinance No. 93-512. An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Funding the Lloyd District Local Street Improvement Assessment from the City of Portland on the Oregon Convention Center and Metro Regional Center (Public Hearing)

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

Presiding Officer Wyers announced Ordinance No. 93-512 was first read on September 9, 1993, and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on September 22 and moved to forward the ordinance to the Council with no recommendation.

Motion: Councilor Van Bergen moved, seconded by Councilor Buchanan, for adoption of Ordinance No. 93-512.

Councilor Van Bergen gave the Finance Committee's report.

Presiding Officer Wyers opened the public hearing.

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

Presiding Officer Wyers asked Legal Counsel Mark Williams if it was legal for the assessment to be paid before the ordinance was adopted. Mr. Williams said it was.

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Councilor Kvistad asked if staff had tried to get an extension on the payment.

Kathy Rutkowski, Principal Administrative Services Analyst, explained she had contacted the City of Portland on numerous occasions to request an extension, but the City would not grant one.

Vote: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen and Washington voted aye. Councilors Buchanan and Wyers voted nay. The vote was 11/2 in favor and Ordinance No. 93-512 was adopted.

8. NON-REFERRED RESOLUTIONS

8.1 Resolution No. 93-1865, For the Purpose of Establishing a Funding Pool for \$896,000 to Washington County for Completion of the Cedar Hills/Hall Boulevard "Alternate to Highway 217 Bike Lane System" for Submission to the Oregon Transportation Commission for Inclusion in the 1995-1998 Transportation Improvement Program as a Priority CMAQ Project

Motion to Suspend the Rules: Councilor Van Bergen moved, seconded by Councilor Devlin, to suspend the Council's rules requiring that resolutions be referred by committee so that the Council as a whole could consider Resolution No. 93-1865.

Vote on Motion to Suspend Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was unanimous and the motion passed.

Main Motion: Councilor Van Bergen moved, seconded by Councilor Moore, for adoption of Resolution No. 93-1865.

Councilor Van Bergen explained the history and purpose of the resolution. He said at its September 9 meeting, the Council adopted Resolution No. 93-1829A accepting the CMAQ project list with the exception of Project 032, and that at its September 23 Council meeting, the Council approved the wording of a letter to JPACT which stated the Planning Committee's recommendation on the deletion of the project. He said JPACT considered and approved Resolution No. 93-1865 this date which was now before the Council for adoption.

Vote on Main Motion Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was unanimous and Resolution No. 93-1865 was adopted.

9. RESOLUTIONS

9.1 Resolution No. 93-1842, For the Purpose of Authorizing an Intergovernmental Agreement with Jurisdictions in Clark County, Washington on Roles and Responsibilities for Travel Forecasting

Motion: Councilor Kvistad moved, seconded by Councilor Gates, for adoption of Resolution No. 93-1842.

Councilor Kvistad gave the Planning Committee's report and recommendations. He explained Metro would become the lead agency for provision of travel forecasting within the bi-state area of Multnomah, Clackamas, Washington and Clark Counties. He said the IGA recognized two travel forecasting systems because Metro's system included the entire four-county area whereas Clark County's system did not. He noted the other entities participating in the IGA and said the IGA would revise roles and responsibilities to correct deficiencies in the past caused by dealing with more than one jurisdiction. He said it also impacted jurisdictions in Washington State dependent on Metro's ability to meet their needs without allowing their input on Metro's budgetary matters. He said the latter issue would be clarified via a letter and should be considered a caveat to adoption of the resolution.

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Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. The vote was unanimous and Resolution No. 93-1842 was adopted.

9.2 Resolution No. 93-1856, For the Purpose of Approving the Regional Emergency Management Work Program and Adopting the Intergovernmental Agreement for Formation of the Regional Emergency Management Group that Will Make Policy and Strategic Decisions on Emergency Management in the Region

Motion: Councilor Gates, moved, seconded by Councilor Moore, for adoption of Resolution No. 93-1856.

Councilor Gates gave the Planning Committee's report and recommendations. He explained the adoption of The Regional Emergency Management Work Plan would create a more formal process for emergency management and said the resolution also adopted an IGA requiring the formation of the Regional Emergency Management Group responsible for the strategic and policy decisions regarding emergency management in the region including Columbia County.

Vote: Councilors Buchanan, Gardner, Gates, Hansen, Kvistad, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Devlin and McFarland were absent. The vote was unanimous and Resolution No. 93-1856 was adopted.

9.3 Resolution No. 93-1850, For the Purpose of Authorizing the Executive Officer to Enter Into a Contract with Amtest, Inc., for Laboratory Services at the St. Johns Landfill

Motion: Councilor Washington moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1850

Councilor Washington gave the Solid Waste Committee's report and recommendations. He explained the resolution would authorize Metro to contract with Amtest, Inc. to conduct laboratory analysis work to comply with the provisions of the DEQ-approved water monitoring plan.

Vote: Councilors Buchanan, Gardner, Gates, Hansen, Kvistad, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Devlin and McFarland were absent. The vote was unanimous and Resolution No. 93-1850 was adopted.

9.4 Resolution No. 93-1852, For the Purpose of Approving Four Contracts with Successful Proposers to Perform Hazardous Waste Disposal Services at Metro Facilities

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1852.

Councilor McLain gave the Solid Waste Committee's report and recommendations. She explained Metro contracted with a single vendor for disposal of over 30 types of household hazardous wastes (HHW) received by Metro. She said Solid Waste Department staff had determined that a competitive bidding process for each separate type of waste could result in lower disposal costs. She said an RFP was released requesting bids for 35 different types of wastes and that a total of seven proposals were received, with four proposers bidding on all 35 different types of waste. She said the resolution would approve the contracts with the four proposers who were successful bidders for one or more of the waste streams. She listed the successful proposers and said disposal prices under the new contracts would average about 50 percent of current charges.

Vote: Councilors Buchanan, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Devlin was absent. The vote was unanimous and Resolution No. 93-1852 was adopted.

9.6 Resolution No. 93-1837A. For the Purpose of Amending Policies Regarding Harrassment and Discrimination and Adopting Relating Procedures

Motion: Councilor Hansen moved, seconded by Councilor Buchanan, for adoption of Resolution No. 93-1837A.

Councilor Hansen gave the Governmental Affairs Committee's report and recommendations. She explained the resolution contained amendments to policies previously adopted by the Council in Exhibits A through C, and contained a new policy establishing procedures for dealing with complaints regarding wrongful conduct of Councilors in Exhibit D. She said the amendments to existing procedures primarily served to include elected officials in the policy statements governing conduct of Metro employees and to add a process for informal complaints.

The Council discussed the resolution, particularly the difference between formal and informal complaints. Dan Cooper, General Counsel, said if a complaint was made informally, the complaint should be kept confidential and resolved in a confidential manner. Councilor Van Bergen expressed concern and said if complainants did not wish to identify themselves, the case should be dismissed without prejudice. He said it was very difficult to keep such matters confidential. Mr. Cooper said if the person complained against was exonerated, the issue could not be brought up again. Councilor McFarland said it was only fair to allow the accused the ability to talk to his or her accuser and said there was something inherently wrong with the accused not knowing who the accuser was. Mr. Cooper said he did not believe the informal process was meant to keep the accuser's identity confidential. Councilor Washington asked what would happen if the media became aware of a confidential complaint. Councilor Hansen said there was concern about fairness and equity, but said the Committee did not want the process to become so formal that employees did not file a complaint if they were entitled to do so.

Vote: Councilors Buchanan, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Devlin was absent. The vote was unanimous and Resolution No. 93-1837A was adopted.

10. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

10.1 Consideration of Council and Council Committee Meeting Holiday Schedule

Presiding Officer Wyers noted her October 7, 1993, memorandum, "Holiday Scheduling of Council and Committee Meetings." She listed the options given for alternate meeting dates for Council meetings scheduled on November 11 and 25, both legal holidays, and how alterations in Council meeting dates would affect/impact committee meeting dates as scheduled. The Council discussed and approved the alternative meeting dates and times suggested. The Council discussed whether or not to cancel the December 23 meeting, but said that decision could wait until closer to the holiday season.

10.2 Advisory Committee Reports

(b) Southwest Washington Regional Transportation Council

Councilor Monroe briefed the Council on the Southwest Washington Regional Transportation Council's activities to-date.

(c) Tri-Met Committee on Accessible Transportation

Councilor Buchanan briefed the Council on the Tri-Met Committee on Accessible Transportation's activities to-date.

(d) Westside Corridor Project Steering Group

Councilor Moore briefed the Council on the Westside Corridor Project Steering Group's activities to-date.

Presiding Officer Wyers recessed the Council at 5:10 p.m. The Council reconvened at 5:32 p.m.

4. OTHER BUSINESS

4.1 Metro Committee for Citizen Involvement (Metro CCI) Status Report on Activities To-Date

Gail Cerveny, Metro Committee for Citizen Involvement (MCCI) chair, gave a brief overview of MCCI activities to-date for 1993 and introduced the chairs of each MCCI subcommittee who each reported on their subcommittee's activities to-date (written summaries filed with the record of this meeting). Those persons were: 1) Geoff Hyde, MCCI subcommittee on goal 9, objective 1 chair; 2) Sid Bass, MCCI subcommittee on goal 8, objective 3 and goal 13, objective 1 chair; 3) Sheri Wantland, MCCI subcommittee on goal 2, objective 4 chair; 4) Bob Bothman, MCCI subcommittee on goals 1 and 5 chair; 5) Ric Buhler, MCCI subcommittee on goal 7, objective 1 chair; and 6) Christine Clark-King, MCCI subcommittee on goal 2, objective 2 chair.

9.5 Resolution No. 93-1849, For the Purpose of Approving a Memorandum of Understanding Between Multnomah County and Metro Regarding the Transfer of Regional Parks, Natural Areas, Golf Courses, Cemeteries and Trade/Spectator Facilities

Main Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1849.

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

Councilors Devlin and Kvistad respectively each listed amendments they planned to make and explained same.

First Motion to Amend: Councilor McLain moved, seconded by Councilor Hansen, to amend Resolution No. 93-1844, Exhibit A, Memorandum of Understanding, to incorporate "indemnification" language as submitted by Legal Counsel Mark Williams.

Vote on First Motion to Amend: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. The vote was 11/2 in favor and the motion passed.

Presiding Officer Wyers opened a public hearing

Scott Keller, citizen, 7504 SW View Point Terrace, Portland, urged the Council not to adopt the resolution and said it would create another layer of government. He said such properties should remain under local control. He said the Expo Center required capital repair and asked who would pay for that. He said he did not see language on that in the MOU and expressed concern. He asked about funding details and said he was against the resolution as written.

Chris Wrench, Friends of Forest Park president, 3103 NW Wilson, Portland, urged the Council to adopt the resolution and said a ballot measure for Greenspaces would pass more easily if Metro already had a proven track record in parks management.

Keith Faust, citizen, 1752 SE 25th, Portland, expressed concern about adding another layer of bureaucracy to existing government layers. He said when governments started new functions, they never seemed to get rid of or consolidate their old operations. He said Metro should attempt to avoid duplication of services with the adoption of this MOU.

Councilor Gates asked how Metro's relationship with the county would be implemented and addressed in the MOU.

Jean Ridings, Multnomah County Parks Advisory Committee member, 21510 NE Blue Lake Road, Troutdale, said those issues were addressed by the Multnomah County Board of Commissioners at their meeting earlier the date of this meeting. She urged the Council to adopt the resolution and begin a successful program.

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Commissioner Judie Hammerstad, Clackamas County Board of Commissioners chair, said she spoke as vice-chair of the Metropolitan Policy Advisory Committee (MPAC) and said MPAC's concerns had been addressed in the amendment language submitted by Councilor Devlin. Commissioner Hammerstad distributed and discussed her memorandum to Presiding Officer Wyers dated October 14, 1993, "Memorandum of Understanding Regarding Transfer of Multnomah County Parks and Facilities." Commissioner Hammerstad distributed a listing of "Possible Funding Measures in the Tri-County Area" and discussed the same.

Commissioner Darlene Hooley, Clackamas County Board of Commissioners, said Clackamas County was primarily interested in financing issues and the Greenspaces Program. She said Clackamas County had always supported the Greenspaces Program. She said all three counties had agreed on Metro's role and what their role(s) would be. She said the Expo Center needed extensive repair. She asked how the parks program under Metro would support itself and if it would be self-sustaining. She said Metro did not appear to have enough budgeted for the next fiscal year. She said if Greenspaces was going to be on the ballot in the spring of 1994, there should be no rush to adopt the MOU. She disagreed with Ms. Wrench's statement that Metro should take over Multnomah County parks system first and then implement Greenspaces.

Councilor McFarland said the Expo Center had been exploited and not properly refurbished for years. She said Metro could support that facility with assistance from Multnomah County's hotel/motel tax. She did not know if Metro would maintain a long-term relationship with Glendoveer Golf Course or not.

Councilor Gardner asked what a golf course should be called if not considered to be a "sports facility." Commissioner Hooley said that type of facility could be deemed a "recreational program."

Councilor Kvistad said End of the Oregon Trail (EOT) project funding should be separate from discussion of the MOU and asked Commissioner Hooley if Clackamas County was willing to merge their parks system with this MOU to make the system truly regional in nature. Commissioner Hooley said Clackamas County actually contained two separate parks systems and explained their functions further.

Councilor Buchanan left the meeting.

Commissioner Beverly Stein, Multnomah County Board of Commissioners chair, said she was pleased the Multnomah County Board of Commissioners voted unanimously the date of this meeting to approve the MOU. She said Commissioner Sharron Kelley had stated Multnomah County was not transferring the parks because they did not like or want them, but because the County believed the parks would have a better home with Metro under the auspices of the Greenspaces Program.

Commissioner Dan Saltzman, Multnomah County Board of Commissioners, said Multnomah County had mixed feelings about the transfer but said the County's focus was to streamline their functions and services. He said Metro was the appropriate body to have ultimate responsibility for regional parks and Greenspaces and said such separation of services should make government look more credible to the public.

Commissioner Gary Hansen, Multnomah County Board of Commissioners, thanked the Council, Executive Officer Cusma and Metro staff for the time and attention they had spent on the issues. He said the level of cooperation on the MOU had been high, partly because there were three former Metro Councilors serving on the Multnomah County Board of Commissioners, and also because of Executive Officer Cusma's familiarity with Multnomah County. He said he did wish that the financing elements comprised a neater package, but said the mixture of financing mechanisms did and would support the facilities/parks. He said it was not possible to remove the Expo Center from the MOU, but said all parties were in agreement that it was a regional facility. He said Glendoveer could be run by the City of Portland in the future.

Also submitted for the record was written testimony and documents from Jack Adams, citizen, 28027 SE Orient Drive, Gresham, opposing the transfer of the Expo Center by Multnomah County to Metro because the transfer would allegedly violate existing statutory law and adversely affect Multnomah County Fair events and operations.

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Presiding Officer Wyers asked if any other persons present wished to testify. No other persons appeared to testify and the public hearing was closed.

Councilor Devlin discussed the testimony given at this meeting. He agreed with Commissioner Hansen on financing package issues.

Second Motion to Amend: Councilor Devlin moved, seconded by Councilor Moore, to amend Resolution No. 93-1849 by adding new language as follows: Whereas, It is understood that the neighborhood parks currently owned by Multnomah County will be transferred to the City of Portland effective on or before January 1, 1994; and

The Council discussed the motion to amend. Councilor Monroe stated for the record that a small park named Gilbert Park close to David Douglas high school should be exempted from the MOU because the high school wished to utilize the park for its own purposes.

Vote on Second Motion to Amend: Councilors Devlin, Gardner, Gates, Hansen, McLain, Moore, Washington and Wyers voted aye. Councilors Kvistad, McFarland, Monroe and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 8/4 in favor and the motion passed.

Third Motion to Amend: Councilor Devlin moved, seconded by Councilor Moore, to amend the Be it Resolved section of Resolution No. 93-1849 as follows (new language underlined): 1. That the Metro Council approves the attached Memorandum of Understanding, and authorizes staff to draft an intergovernmental agreement for the purpose of implementing the principles set forth in the Memorandum of Understanding. 2. That the Metro Council direct Metro's representatives in negotiations on the intergovernmental agreement to introduce for consideration in the negotiations with Multnomah County, the recommendations regarding the regional parks and Expo transfer which the Metropolitan Policy Advisory Committee has forwarded to the Council.

The Council discussed the motion to amend. Councilor Monroe said the language would give MPAC more authority than authorized by the Charter. Councilor Gates concurred with Councilor Monroe. To Councilor Washington's question, Councilor Devlin said the ideas expressed in the amendment language would be clarified further in the IGA. Councilor Gardner said MPAC was not dictating what would happen with the MOU, but were merely offering ideas of merit.

Fourth Motion to Amend: Councilor Devlin moved, seconded by Councilor Moore, to replace the word "introduce," in Third Motion to Amend language, with the word "consider." Councilor Devlin restated the language for the record: 2. That the Metro Council direct Metro's representatives in negotiations on the intergovernmental agreement to consider in the negotiations with Multnomah County, the recommendations regarding the regional parks and Expo transfer which the Metropolitan Policy Advisory Committee has forwarded.

Vote on Fourth Motion to Amend: Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and the motion passed.

Vote on Third Motion to Amend: Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and the motion passed.

Fifth Motion to Amend: Councilor Devlin moved, seconded by Councilor Moore, to add a third Be It Resolved clause:
3. Notwithstanding the provisions of the Memorandum of Understanding to the contrary, the Metro Council directs Metro's representatives in negotiations on the intergovernmental agreement to introduce for consideration in the negotiations with Multnomah County the future utilization of Multnomah County's Natural Areas Acquisition and Protection Fund.

Vote on Fifth Motion to Amend: Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and the motion passed.

Councilor Kvistad said Metro was taking the wrong approach on the Greenspaces Program and said golf courses and other similar items were not facilities of regional significance.

Sixth Motion to Amend: Councilor Kvistad moved, seconded by Councilor Van Bergen, to amend Be It Resolved Section No. 1 as follows (deletions bracketed): That the Metro Council approves the attached Memorandum of Understanding, which approval shall become effective only upon passage of a Greenspaces bond measure. Upon passage of a Greenspaces bonds measure, staff will be authorized [~~and authorize staff~~] to draft an intergovernmental agreement for the purpose of implementing the principles set forth in the Memorandum of Understanding.

The Council discussed the motion to amend. Councilor McLain said she would vote against the language because it undermined the resolution itself, Metro studies, the Greenspaces Program and the CTS Master Plan. Councilor Gardner concurred with Councilor McLain and said the amendment language did not support the regional perspective.

Vote on Sixth Motion to Amend: Councilors Kvistad and Van Bergen voted aye. Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 10/2 opposed and the motion failed to pass.

Seventh Motion to Amend: Councilor Kvistad moved, seconded by Councilor Van Bergen, to add a Be It Resolved clause which stated: That the Metro Council's approval of the attached Memorandum of Understanding (MOU) is contingent upon approval of the MOU by a majority vote of the Boards of County Commissioners of Clackamas and Washington Counties.

The Council discussed the motion to amend. Councilor Hansen said the amendment assumed the Greenspaces ballot measure would not pass. Councilor Gardner concurred with Councilor Hansen and said even if the ballot measure failed to pass, there would still be the enhancement programs, Greenspaces options, Smith & Bybee Lakes and other items that would comprise the Greenspaces Program. Councilor Devlin said the Charter stated natural areas and green spaces were items of regional significance. He said the Council had to make it clear to the public that it was committed to the Greenspaces Program. He said it was difficult for staff to hear there was no program until the Greenspaces ballot measure passed. He announced the GreenCity Data Project had just been chosen by a national scientific foundation to receive \$800,000 over the next three years. Councilor Kvistad said the public made it clear via their vote on the last Greenspaces ballot measure that such a program was not appropriate for Metro at this time. He said Metro should not take on programs just to prove it could handle the job.

Vote on Seventh Motion to Amend: Councilors Kvistad and Van Bergen voted aye. Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted nay. Councilor Buchanan was absent. The vote was 10/2 opposed and the motion failed to pass.

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Councilor Gardner said the resolution was an opportunity for Metro and Multnomah County to clarify and simplify what they did to the public. He said the transfer would not create a new bureaucracy but transferred Multnomah County parks employees to Metro. He said there was potential for even more consolidation if the Expo Center was put under MERC's auspices. He said Multnomah County's parks system would be a very valuable addition to Metro's existing Greenspaces.

Executive Officer Cusma said she attended the Multnomah County Board of Commissioner's meeting on the transfer held the date of this meeting. She said she was proud of the Council's and staff's work done on the MOU. She said IGAs were very difficult documents to achieve. She said Metro would be receiving one of the very best parks staffs in the country.

The Council as a whole discussed the resolution further.

Vote on Main Motion as Amended: Councilors Devlin, Gardner, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 10/2 in favor and Resolution No. 93-1849A was adopted.

10. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS (Continued)

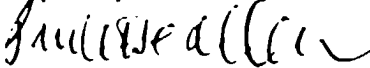
a) Joint Policy Advisory Committee on Transportation

Councilor Van Bergen briefed the Council on the activities of the Joint Policy Advisory Committee on Transportation to-date.

Councilor Van Bergen distributed materials on proposed high speed rail and reported on same.

All business having been attended to, Presiding Officer Wyers adjourned the regular meeting at 8:52 p.m.

Respectfully submitted,



Paulette Allen

Clerk of the Council