

MINUTES OF THE METRO COUNCIL

CORRECTED

December 9, 1993

Council Chamber

Councilors Present: Presiding Officer Judy Wyers, 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 and Ed Washington

Councilors Absent: None

Also Present: Executive Officer Rena Cusma

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

1. INTRODUCTIONS

None.

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

Scott Keller, citizen, 7504 SW View Point Terrace, Portland, said he had watched the November 23, 1993, Council meeting on cable and said citizens did not appear safe testifying in what appeared to be a hostile forum.

Councilor McFarland asked why Mr. Keller did not think citizens felt comfortable testifying. Mr. Keller said taxes were a volatile issue. He said he had always felt comfortable testifying before the Council in the past, but said testifiers at the November 23 meeting did not seem to feel safe or comfortable.

Councilor Van Bergen said such statements should be illustrated with examples.

Councilor McLain thanked Mr. Keller for his comments, but noted the hearing in question had been over five hours long. She said that hearing was the first time the Council had received and reviewed the Tax Study Committee's report as a whole. She said the hearing had been held as an opportunity to get initial testimony and that the Council had not intended to take any action at that time. She and Councilor Moore invited Mr. Keller to bring his tape copy in and discuss the same with the Council. Councilor Moore asked Mr. Keller if he thought the testifiers felt physically unsafe. Mr. Keller said he did not. Councilor Moore said "comfortable" and "safe" meant two different things. Presiding Officer Wyers thanked Mr. Keller for the points he made in his testimony and said the Council's intent was always to provide citizens with ample opportunities to testify on the issues.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. OTHER BUSINESS

4.1 EXECUTIVE SESSION Held Pursuant to ORS 192.660(1)(c) to Consult with Representatives Regarding Real Estate Transactions

Presiding Officer Wyers announced the Council would hold an executive session at this time pursuant to ORS 192.660(1)(c) to consult with representatives regarding real estate transactions

The executive session began at 4:10 p.m.

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Present were: Executive Officer Cusma, Deputy Executive Officer Engstrom, and Councilors Van Bergen, McLain, Hansen, Gardner, Devlin, Buchanan, Wyers, McFarland, Washington, Kvistad, Monroe, Gates, and Moore. Also present was Kathie Stimac, Portland Cable Access (PCA); Gordon Oliver, The Oregonian; General Counsel Dan Cooper; Council Administrator Don Carlson; Lisa Creel, Associate Public Affairs Specialist; Neil Saling, Director of Regional Facilities; Vickie Rocker, Director of Public Affairs; Craig Prosser, Financial Planning Manager; Bob Ricks, Senior Administrative Services Analyst; Jennifer Sims, Director of Finance & Management Information; Berit Stevenson, Project Manager; and Casey Short, Council Analyst.

The Executive Session ended at 5:15 p.m.

5. CONSENT AGENDA

5.1 Minutes of November 23, 1993

Presiding Officer Wyers announced the minutes of November 23, 1993, were unavailable for approval at this time due to a family emergency of the Clerk's and said that they would be available for approval at the December 23, 1993, Council meeting.

6. ORDINANCES, FIRST READINGS

6.1 Ordinance No. 93-524, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule to Continue Work on the MERC Business Plan; and Declaring an Emergency

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

Presiding Officer Wyers announced that Ordinance No. 93-524 had been referred to the Regional Facilities Committee and the Finance Committee for consideration.

7. ORDINANCES, SECOND READINGS

7.1 Ordinance No. 93-517B, An Ordinance For the Purpose of Adopting a New Chapter to the Metro Code Pertaining to Elections (Public Hearing)

Presiding Officer Wyers announced that Ordinance No. 93-517~~A~~ was read for a second time by title only at the November 23 Council meeting. She announced that Ordinance No. 93-517 was first read on October 14, 1993, and referred to the Governmental Affairs Committee for consideration. The Governmental Affairs Committee considered the ordinance on October 21, November 4 and November 18. She said the Governmental Affairs Committee recommended the ordinance to the full Council for consideration on November 23, but that at Chair Mike Gates' request, the ordinance was referred back for further committee consideration. The committee considered it again on December 2, 1993, and referred Ordinance No. 93-517~~B~~ to the full Council for adoption at this time.

Motion: Councilor Moore moved, seconded by Councilor Hansen, for adoption of Ordinance No. 93-517~~B~~.

Councilor Moore gave the Governmental Affairs Committee's report and recommendations. She said an issue discussed at length was how to replace Councilors in the event of resignation. She said the ordinance was meant to address how to handle Council seat vacancies and how to meet the standards of the county elections division and State elections law.

Presiding Officer Wyers opened the public hearing.

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

There was no Councilor discussion or questions.

Vote: 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 and Ordinance No. 93-517B was adopted.

7.2 Ordinance No. 93-516A, 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 (Public Hearing)

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

Presiding Officer Wyers announced that Ordinance No. 93-516 was first read on October 14 and referred to the Finance and the Governmental Affairs Committees for consideration. She said the Governmental Affairs Committee considered the ordinance on October 21 and November 4, and that the Finance Committee considered Ordinance No. 93-516A on November 23 and recommended same to the full Council for adoption on that date.

Motion: Councilor Devlin moved, seconded by Councilor Hansen, for adoption of Ordinance No. 93-516A.

Councilor Devlin gave the Finance Committee's report and recommendations. He said the contract would enable the vendor to work with the business community and civic leaders to gain a better understanding of the Greenspaces program and master plan. He noted all proposers submitted bids underneath the contract amount, but said the committee believed the contractor could provide additional services not listed in the original RFP, and therefore a budget amendment to use Council Department funds for part of the contract cost was necessary. He noted Councilor Van Bergen voted nay at committee because of that transfer of funds and some tasks listed in the scope of work.

Councilor Gardner noted the Governmental Affairs Committee unanimously supported the ordinance and felt the source of funds was appropriate and that the contract was appropriate in support of the Greenspaces program.

Presiding Officer Wyers opened the public hearing.

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

Councilor Kvistad said funding should come from the General Fund or from Contingency and asked at what point during the process the RFP was expanded. He said if it was expanded during the actual selection process, that could have given a proposer or proposers an advantage over other proposers.

Councilor Devlin said the funding source was appropriate for the reasons he had given. He said there were various discussions about the appropriate source of funding and that Councilors felt only the existing level of funding should be used. He said the Planning Department believed more funding was required. He said instructions to proposers were released with a cost cap and asked if they could provide any additions to the RFP that could benefit the purposes for which the RFP was being released. He said after proposers submitted their RFPs/additions, Councilors and staff discussed what additional services offered would benefit the contract's work. He said the winning bidder suggested expanding the phone survey on Greenspaces and possibly utilizing new public survey techniques such as "focus groups."

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Councilor Kvistad said he had done public sampling and did not feel the services to be provided required the additional \$8,500.

Councilor Moore asked when the phone survey would take place. Pat Lee, Environmental Planning Manager, said polling would begin early January, 1994, and end the third week of that month. Councilor Moore said the information gained would be crucial based on the now-anticipated May ballot measure date. Councilor Monroe said it made sense to use appropriated funds so that unappropriated funds could be free for unanticipated needs. Presiding Officer Wyers expressed her support for the RFP and said it was necessary to get valid opinion polling from all segments of the community rather than just from those groups already known to support Greenspaces.

Vote: Councilors Devlin, Gardner, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gates, Kvistad and Van Bergen voted nay. Councilor Buchanan was absent. The vote was 9/3 in favor and Ordinance No. 93-516A was adopted.

7.3 Ordinance No. 93-520. For the Purpose of Determining Which Facilities Contemplated for Transfer from Multnomah County to Metro are Public Cultural, Trade, Convention, Exhibition, Sports, Entertainment, or Spectator Facilities, or a System of Parks, Open Spaces, or Recreational Facilities

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

Presiding Officer Wyers announced Ordinance No. 93-520 was first read on October 28, 1993, and referred to the Governmental Affairs Committee for consideration. She said the Governmental Affairs Committee considered the ordinance on November 4 and referred it to the full Council for adoption.

Main Motion: Councilor Hansen moved, seconded by Councilor Moore, for adoption of Ordinance No. 93-520.

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

Presiding Officer Wyers opened the public hearing.

Presiding Officer Wyers noted a letter dated December 8, 1993, from the Clackamas County Board of Commissioners expressing opposition to Ordinance No. 93-520. The Board stated in their letter that the Metro Council should first establish criteria for "metropolitan concern" prior to accepting additional responsibilities such as operation of the Multnomah County parks system. They offered their assistance in defining what items were of metropolitan concern and requested the Council not adopt Ordinance No. 93-520 at this time.

Frank Gearhart, president, CIIBRI, 2103 NE Court, Gresham, said it was inappropriate for Multnomah County to transfer its facilities to Metro because existing statutory language made such transfers illegal. He said Multnomah County had misused funds and stated for the record there was a lot of housecleaning to be done with how Multnomah County had handled Oregon State Fair funds via the Multnomah County Expo Center. He said Metro would have to deal with such issues now that it was assuming Expo Center operations.

First Motion to Amend: Councilor Hansen moved, seconded by Councilor Devlin to amend Ordinance No. 93-520 per Legal Counsel Mark Williams' memorandum dated December 1, 1993 (published in the agenda packet) which recommended the addition of a new Section 2 and subsequent renumbering of the old Section 2 to Section 3: "Section 2. Excise Tax. The provisions of Chapter 7.01 of the Metro Code shall not apply to any former Multnomah County facilities operated by Metro until July 1, 1994."

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Councilor Van Bergen said the new language requested was redundant and discussed it with Mr. Cooper. He said he did not believe the transfer of Multnomah County's parks would be cost-neutral and said because of amendment language, it definitely would not be cost-neutral now.

Vote on First 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 first motion to amend passed.

Second Motion to Amend: Councilor Kvistad moved, seconded by Councilor Van Bergen, to delete Ordinance No. 93-520 Section 3, Emergency Clause, including Sections 3(1), 3(2) and 3(3).

Councilor Kvistad said the language for the "health, safety and welfare of the Metro region that this ordinance take effect on January 1, 1994..." was not necessary and said that golf courses, cemeteries and boat ramps were not regionally significant items. Councilor Devlin explained why the emergency clause was necessary and Councilor Gardner concurred. Councilor Gardner said the transfer process had taken place over two years and that the emergency clause would allow the transfer to continue to take place in an orderly manner.

Executive Officer Cusma said the emergency clause was necessary for the transition and urged the Council to adopt the ordinance as written.

Councilor Hansen said staff for both Multnomah County and Metro had begun their budget work, and without the emergency clause, staff from both agencies would be put into an awkward position.

Councilor Gates asked if adoption of the ordinance with the emergency clause intact was necessary for the IGA to be effective. Mr. Cooper said the emergency clause was important to the effectiveness of the IGA, but not absolutely crucial. He said it would be prudent to keep the emergency clause. Councilor Gates said he would vote for the IGA but against the ordinance because he did not believe in trivializing emergency clauses. Councilor Monroe said, without the emergency clause in effect, Multnomah County would practice benign neglect until Metro took over the parks system January 1, 1994.

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

Councilor McFarland said there was a substantial constituency in East County which had expressed concern about this item. She said she had requested many documents on what Metro and Multnomah County was trying to do. She said she would vote aye on the ordinance although she believed Metro would be legally challenged on the issues, especially with regard to the use of Expo. She said it was necessary for the issues to be clarified in the courts as quickly as possible. She said if Metro could do so, it should be done immediately. She said the information provided by Metro's Legal Counsel had stated it was appropriate for Metro to take over the Multnomah County parks system.

Councilor Devlin stated for the record that he was at a meeting with the Clackamas County Commission and they had told him they would send the letter submitted for the record at this meeting. He said he understood there was disagreement between the parties on what Metro's appropriate role and function on parks would be. He said the Charter's intent was that Metro should define each item on a case by case basis, on what was and was not, of regional significance. He said Metro took a slightly different view in that it believed it could define what was and what was not of regional significance. He said the third Whereas clause on page 3: "Whereas, Blue Lake Park annually serves

between 250,000 and 350,000 visitors of which 33 percent reside in the County" was a perfect example of why facilities of this type should be managed on a regional basis. He noted there were areas of regional significance that did not need to be managed regionally. He said Forest Park was of regional significance, but that the City of Portland managed it. He said the term "regional significance" indicated a facility's significance to the overall quality of life in the region. Councilor Gardner concurred with Councilor Devlin and urged the Council to adopt Ordinance No. 93-520.

Councilor Van Bergen expressed concern because he said criteria was being developed now that could lead to a mandate for Metro to take over other parks/facilities. He said to say that the transfer would be cost-neutral or have no cost implications was ridiculous. He said such an assumption also placed a greater burden on the budget process. He said when Metro took over the Metropolitan Exposition-Recreation Commission and its facilities, assumptions at that time were that the transfer would be cost-neutral also and said that had definitely not proved to be the case. He said Clackamas County had expressed concern because it did not want to be responsible for regional costs when they supported their own functions.

Councilor Hansen said the Charter Committee could not define what was of "regional significance" but empowered Metro to do so. She said Metro had not demanded Multnomah County's parks, but that Multnomah County had contacted Metro and had initiated the issues/transfer. She said the financial package received was designed by Multnomah County to completely fund all of their facilities which was why Metro was taking the complete package as offered by Multnomah County. Councilor Hansen urged the Council to adopt the ordinance.

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 and Ordinance No. 93-520 was adopted as amended.

Presiding Officer Wyers called a recess at 6:15 p.m. The Council reconvened at 6:35 p.m.

8 RESOLUTIONS

8.1 Resolution No. 93-1877, For the Purpose of Approving an Intergovernmental Agreement between Multnomah County and Metro Regarding Transfer of Regional Parks, Natural Areas, Golf Courses, Cemeteries and Trade/Spectator Facilities Presently Owned and Operated by Multnomah County to Metro

Main Motion: Councilor Devlin moved, seconded by Councilor Gardner, for adoption of Resolution No. 93-1877.

Councilor Devlin gave the Governmental Affairs Committee's report and recommendations. He said the intergovernmental agreement (IGA) was the culmination of two years of effort between Metro and Multnomah County. He said three issues were discussed at committee. He said the first issue was whether the IGA dealt adequately with neighborhood parks. He said the IGA dealt with neighborhood parks in extensive detail and said that most parties involved were satisfied at this time with the status of neighborhood parks. He noted a memorandum dated December 9, 1993 from the Multnomah County Board of Commissioners stating that neighborhood parks would be transferred to the City of Portland and said that transfer would occur prior to the transfer of the County's parks to Metro. Councilor Devlin said the Natural Areas Acquisition and Protection Fund was the second issue discussed at committee. He said all parties involved believed the fund had been properly dealt with via IGA language. He said the excise tax was the third topic extensively discussed at committee. He said the committee did not specify the status of the excise tax at this time because it did not wish to follow previous precedent set for the excise tax via the IGA. He said Legal Counsel said all user fees would remain in the parks system, but said the use of the excise tax was at Metro's discretion. He said language to delay imposition of the excise tax was at Multnomah County's request because they did not want higher rates, if any, to be attributable to the transfer itself.

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Presiding Officer Wyers opened a public hearing.

Commissioner Gary Hansen, Multnomah County Board of Commissioners, said adoption of the IGA at this meeting represented the culmination of a long and detailed process. He thanked everyone at Metro for the consideration they had paid to the issues and to Multnomah County itself. He said Metro's staff had done a tremendous job in all aspects of the negotiations. He thanked Executive Officer Cusma and her staff and thanked the Council for its interest and consistency on the issues.

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

Motion to Amend: Councilor Devlin moved, seconded by Councilor Washington, to amend Resolution No. 93-1877 per Legal Counsel Mark Williams' memorandum dated December 7, 1993, to add a new second sentence to Section 3(C)(1): "During Phase I of this Agreement, METRO will not make any significant structural or functional changes to the County Facilities without first allowing the Transition Team to discuss the changes." Also added under the same motion was language to Section 3(E)(4) (second sentence): "COUNTY shall complete these improvements/projects by transferring the appropriate budgeted funds to METRO upon the effective date of this Agreement, unless the ~~parties~~ Transition Team agree upon the alternative method of completion."

Councilor Van Bergen expressed concern about delegation of authority to the Transition Team. He also expressed objections to the method and transfer of funds. Legal Counsel Mark Williams said the Transition Team would discuss changes, but had no authority to change anything on its own. He said the Transition Team was allowed to agree on an alternative method of transition to allow Multnomah County to retain funds for capital work for cost-efficient purposes if necessary.

Councilor Devlin said the Transition Team was not intended to be a decision-making body, but said it important to have senior staff representatives on a team to discuss issues when making the transition from the Memorandum of Understanding (MOU) to the IGA. He said the Transition Team would inform the Council of any items that required the Council's attention.

Mr. Williams noted a typographical error and said a reference to Section 7 in Section 3 should actually be a reference to Section 8.

Councilor McFarland asked how long the Transition Team would function. Councilor Devlin said the IGA anticipated a two-phase process and said the Transition Team would be finished once the transfer was complete. He said Multnomah County only wanted the Transition Team for Phase I unless it was otherwise extended.

Councilor Van Bergen again expressed his objections to having a Transition Team.

Vote on Motion to Amend: Councilors Devlin, Gardner, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilors Buchanan and Gates were absent. The vote was 9/2 in favor and the motion to amend passed.

Councilor Moore noted the transfer was entirely appropriate for Metro especially under the auspices of the Greenspaces Master Plan and said all concerns she had raised at committee had been addressed and neutralized. Councilor Washington praised the excellent work done by Councilor Devlin, Multnomah County and Metro staff respectively. He said the IGA had turned into a model project.

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Councilor McLain said the Council should work on issues raised by Clackamas County and Metro Policy Advisory Committee (MPAC). She said those issues included the philosophical debate on what was of metropolitan concern on either a case by case basis or overall and the "odd" pieces contained within the IGA to better streamline and organize the transfer. She said in supporting the IGA, the Council supported the Greenspaces Master Plan and said this was first legislation she had seen which fulfilled the promise hinted at in the Master Plan.

Councilor Gardner said the IGA was Metro's first critical step in taking the role that the Charter had laid out for Metro in controlling regional growth.

Councilor Kvistad said just because Metro could do the transfer did not mean it should. He said Metro was in tentative fiscal health and anticipated deep fiscal cuts during the budget process. He agreed with Councilor Van Bergen's concern that the transfer would not be cost-neutral. He said he agreed that such a transfer should take place, but said it was more appropriate for Metro to do so in the future rather than at this time. He said the Council should realize it was taking on the responsibility for new, additional services when it could not cover the services it was providing now, and said it was important to protect Metro's fiscal health.

Councilor Hansen said Metro would be setting priorities soon based on the concerns expressed by Councilor Kvistad. She said the IGA was fulfilling priorities and needs set forth years before to fulfill the Greenspaces Master Plan. She said without the pieces provided by Multnomah County, Metro would not be able to continue and maintain the region's current quality of life. She said Councilor McLain made good points when she linked the issues with transportation and air quality issues.

Presiding Officer Wyers said the IGA represented a wonderful opportunity to add to Metro's Greenspaces and fulfill the Master Plan. She said she was proud to tell citizens what Multnomah County and Metro had accomplished via the IGA. She thanked Multnomah County Commissioners and staff and Metro Councilors and staff and especially thanked Executive Officer Cusma.

Vote on Main Motion as Amended: Councilors Devlin, Gardner, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilors Buchanan and Gates were absent. The vote was 9/2 and Resolution No. 93-1877 was adopted as amended.

Councilor Kvistad stated he wished to change his nay vote to "aye" and welcomed Multnomah County staff on board and wished them the best of luck.

Restated Vote on Main Motion as Amended: Councilors Devlin, Gardner, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Van Bergen voted nay. Councilors Buchanan and Gates were absent. The vote was 10/1 and Resolution No. 93-1877 was adopted as amended.

8.2 Resolution No. 93-1878, For the Purpose of Amending the Pay Schedule and Classifications for the LIU, Local 483 Contract

Motion: Councilor Gardner moved, seconded by Councilor Devlin, for adoption of Resolution No. 93-1878.

Councilor Gardner gave the Governmental Affairs Committee's report and recommendations. He explained that Metro had no equivalent classifications in its own Pay and Classification Plan for Arborist and Park Ranger and said this amendment would cover such Multnomah County employees transferring to Metro under the IGA.

Councilor Van Bergen said amendment of Metro's Pay and Classification plan certainly seemed to have a cost impact via the transfer.

Paula Paris, Personnel Manager, explained how management negotiated the appropriate pay schedules for new, reclassified employees with union.

Charlie Ciecko, Multnomah County Park Services Director, explained what a park ranger did.

Presiding Officer Wyers opened a public hearing.

Scott Keller, citizen, 7504 SW View Point Terrace, Portland, noted one employee's range would increase by \$1.24 per hour because of the transfer from Multnomah County to Metro and asked whether Metro's rate of pay was considered high for the current market.

Ms. Paris explained that the pay rates were bargained with the union and that the County workers had to be placed in a range comparable to Metro's classification range. She said the biggest jump was the arborist's beginning range. She said the same had to be done with employees at the Expo Center. She said all pay rates given were negotiated beginning salary pay ranges.

Councilor Van Bergen said the Council should determine who had ultimate responsibility for Metro salaries. He believed that the Council should determine salaries. Presiding Officer Wyers said the Governmental Affairs Committee had held discussions about salaries and that the Council should discuss when it became involved in salary and union discussions and negotiations. Councilor Van Bergen asked who served on the union negotiating team. Ms. Paris said the law clearly defined what bargaining issues were. She said the action requested at this time was no different from contract ratifications which the Council also approved.

The Council discussed pay and classification issues further. Ms. Paris said the Council decided on pay and classifications and not what actual job duties were. Councilor Kvistad said the Council should set policy for bargaining and then that policy should be carried out by Executive Management. Councilor Devlin noted the Council approved the current pay and classification plan before many of the current Councilors were on board.

Councilor Van Bergen said extra personnel costs, fringe costs, plus \$130,000 already spent to remodel space in Metro Regional Center for the new Parks Division, were examples of why he had said the transfer would not be cost-neutral. Councilor Monroe noted he sent Executive Officer Cusma a memorandum to stop the remodeling work until Council approval was given via adoption of an ordinance. The Council discussed the issues further with Ms. Paris.

Vote: Councilors Devlin, Gardner, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Kvistad and Van Bergen voted nay. Councilors Buchanan and Gates were absent. The vote was 9/2 in favor and Resolution No. 93-1878 was adopted.

8.3 Resolution No. 93-1880, For the Purpose of Amending a Contract with Talbot, Korvola & Warwick for FY 93-94 Performance Audit Services

Motion: Councilor Gardner moved, seconded by Councilor Washington, for adoption of Resolution No. 93-1880.

Councilor Gardner gave the Governmental Affairs Committee's report and recommendations. He said the resolution would amend Metro's current contract with Talbot, Korvola & Warwick (TKW) to have third performance audit focus on Metro's public affairs activities at a cost of \$35,000.

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Councilor Van Bergen noted the Finance Committee had originally entered into the contract with TKW and asked if there had been any determination of the quality of their work. Councilor Gardner said the committee focused on the scope of work only. Presiding Officer Wyers said the last audit focussed on waste reduction activities and said the report said the Waste Reduction Division was doing what it should be doing with recommendations for a few minor changes. She said there was a question of how the audit process would change when Metro's auditor came on board in January 1995.

Mr. Carlson said the Finance Committee did do the original procurement for the performance auditor and explained the audit and contract processes with TKW further. The Council and staff discussed the audit process further.

Vote: Councilors Devlin, Gardner, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan and Gates were absent. The vote was 11/0 and Resolution No. 93-1880 was adopted.

8.4 Resolution No. 93-1869, For the Purpose of Accepting Metro's Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 1993, the Schedule of Federal Financial Assistance for the Fiscal Year Ended June 30, 1993 and the Various Auditor Reports Thereon, and the Letter to Management Provided by KPMG Peat Marwick

Motion: Councilor Monroe moved, seconded by Councilor Devlin, for adoption of Resolution No. 93-1869.

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

The Council and staff briefly discussed the report.

Vote: Councilors Devlin, Gardner, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan and Gates were absent. The vote was 11/0 and Resolution No. 93-1869 was adopted.

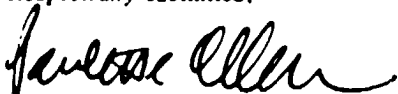
9. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Councilor Van Bergen asked about the status of Metro's contract with the Multnomah County Sheriff's Department and asked that the contract be mailed to his home address.

Presiding Officer Wyers said she had received all of the Councilors' interest forms in 1994 committee assignments and said they available for review to all Councilors. Councilor McLain said it would be useful if a one page document was developed showing which Councilor was interested in which committee. Presiding Officer Wyers agreed and said she would have one made.

All business having been attended to, Presiding Officer Wyers adjourned the regular meeting at 8:15 p.m.

Respectfully submitted,



Paulette Allen
Clerk of the Council
MCMIN93.343