

**MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

**September 26, 1991**

**Council Chamber**

**Councilors Present:** Presiding Officer Tanya Collier, Deputy Presiding Officer Jim Gardner, Larry Bauer, Roger Buchanan, Richard Devlin, Tom DeJardin, Sandi Hansen, Susan McLain, George Van Bergen and Judy Wyers

**Councilors Absent:** David Knowles and Ruth McFarland

**Also Present:** Executive Officer Rena Cusma

Presiding Officer Collier called the regular meeting to order at 5:36 p.m.

Presiding Officer Collier announced Council consideration of Agenda Item No. 6.1, Ordinance No. 91-418A would be held at 6:00 p.m., time certain.

Presiding Officer Collier announced Agenda Item Nos. 7.2, 7.3 and 7.4. - Resolution No. 91-1494B, For the Purpose of Authorizing the Execution of a Sale Agreement for the Acquisition of the Sears Facility; Resolution No. 91-1505B, For the Purpose of Authorizing the Issuance of Metro Headquarters Project Design/Build RFQ/RFP; and Resolution No. 91-1507, For the Purpose of Exempting the Headquarters RFQ/RFP Process from Competitive Bidding Process Pursuant to Metro Code 2.04.041, had been removed from the agenda and would be scheduled for Council consideration at a later date.

Presiding Officer Collier announced the September 12, 1991 Metro Council minutes had been incorrectly listed on the agenda for approval and was not among the items listed for adoption on the Consent Agenda.

**1. INTRODUCTIONS**

Presiding Officer Collier introduced Mike Bear and Boy Scout Troop #815, Sunnyside. Presiding Officer Collier thanked Boy Scout Troop #815 for attending the meeting.

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

Patricia Miller, Friends of Cedar Mill, Metro District No. 3, thanked Metro for providing a Metro Greenspaces Information booth at their street dance the previous weekend.

3. EXECUTIVE OFFICER COMMUNICATIONS

3.1 Arts Plan 2000+ Presentation on the Future of Arts Programs, Arts Organizations, Public Art and Related Issues

Presiding Officer Collier introduced Dr. Thomas Wolfe, lead consultant for the Arts Plan 2000+ team. She noted he had served as director for the New England Foundation for the Arts, taught at Harvard, Radcliffe and Boston Universities, was classically trained as a flutist and directed a chamber orchestra in Maine. Presiding Officer Collier thanked Dr. Wolfe for coming.

Dr. Wolfe said Arts Plan 2000+ was grateful for the funding Metro had provided. He said the Plan had begun as regional plan to encompass Multnomah, Clackamas and Washington counties and a fourth county had also joined in the planning process. He said the Plan had a 40-member citizen steering committee and over 300 individual interviews and surveys of the general population had been conducted. He said the Plan team spent a year on data collection and reviewed as well as arts organizations, facilities, programs, education and cultural diversity. He said the team analyzed current infrastructure and funding for the arts as well as other alternatives to address outstanding problems and/or issues.

Dr. Wolfe said his firm had performed cultural planning in 46 states and many communities and surveyed the general population in addition to regular attendees of arts functions. He said they were interested in ascertaining basic support for arts and culture. He said Metro region results were considered extraordinary and that 51 percent of those surveyed had participated in at least one live performing arts event in the last year. He said they found 34 percent of those surveyed had attended a museum in the previous year compared to 33 percent of the population which had attended a professional or semi-professional sports event. He said such statistics were significant in comparison with other communities. He said four out of five persons surveyed agreed government should participate in supporting cultural activities. He said 86 percent endorsed more class room instruction in the arts and 93 percent supported more field trips to arts events. He said people wanted more opportunities for their children and believed arts events and activities were important for the region. He said it was usually a battle to convince people to endorse such concepts.

Dr. Wolfe said the team determined other factors which were not good. He said audiences and arts organizations were largely white. He said funding patterns mostly supported European-driven art forms such as symphony orchestras and opera companies. He

said those functions were important, but there were not as many activities for people of color and the facilities built for arts and culture were built in locations that perpetuated such problems. He said one of their report recommendations would be to build new, small neighborhood facilities with cultural components to serve people of color and provide alternative art forms. He said another serious problem was that arts and culture in Portland and the region was tremendously undercapitalized. He said public support for the arts in the region was \$1.30 per capita. He compared that to Salem, Massachusetts which spent over \$8.00 per capita; Atlanta, Georgia - over \$12.00 per capita; and Charlotte, North Carolina - over \$5.53 per capita. He said government-appropriated monies for the arts were very low in the region as was private support.

Dr. Wolfe discussed solutions, Arts Plan 2000+ recommendations, and how their findings might impact Metro. He said Arts Plan 2000+ believed solutions would be regional in nature. He said local municipalities donated funds for the arts, but said those efforts were largely uncoordinated and duplicative. He said municipalities were considering building similar facilities which would compete for audiences rather than developing a regional plan for different facilities in different communities. He said many users using downtown facilities were not financial supporters via a tax base. He said Arts Plan 2000+ would recommend Metro take a lead role as some sort of coordinating agency for arts and culture in the region to include collecting some type of dedicated funding source and distributing those funds for support of facilities and organizations in Portland and returning some funds to municipalities according to a formula for them to spend on their own activities. He said Metro could coordinate through a possibly restructured Metropolitan Arts Commission as a regional planning mechanism so that communities could coordinate on arts planning and programming. He said such recommendations were not new and were done elsewhere. He said their report reviewed a variety of funding mechanisms. He said such funding mechanisms were not new innovations, but did identify a new stream of funding of \$4 to \$5 million per year, sufficient to support current operating deficits of facilities, encourage planning of new facilities as needed and to provide funding to municipalities.

Dr. Wolfe said of 17 major arts organizations in the Portland area, most were under-capitalized, without endowments and many were operating with deficits. He said Arts Plan 2000+ would recommend a one-time arts stabilization program, or a public/private venture, in which new monies would be injected into the system to improve the balance sheets of such organizations and to take care of deferred problems of some of

those organizations. He said their report had been submitted to, and approved by, their steering committee and said the final draft of the plan would be submitted in January 1992. He said Arts Plan 2000+ representatives had made this and similar presentations to local municipalities which had questioned individual recommendations but were enthusiastic about their findings as a whole.

Councilor Gardner asked if Arts Plan 2000+ was confident their methodology based on per capita funding and future funding was accurate. Dr. Wolfe said such comparisons were made, they identified only either general fund or dedicated tax dollars. He said a City of Portland staff member had asked that question also and they reviewed their methodology again. He said after further research, they found the disparities in arts spending were even greater than they originally thought.

Councilor DeJardin asked what Atlanta produced because of their higher per capita expenditures. He asked if they provided more opera, more symphonies and more cultural diversity. Dr. Wolfe said they did and noted their arts administrators and boards did not spend most of their time worrying about keeping their doors open in the next year and how they would pay rent. He said there were adequate dollars in the system to take care of all maintenance on buildings, to have reasonable rental rates for other organizations, many more free programs in the parks and more free culturally diverse programs. He said it was important to note that organizations that appeared healthy today would either be gone in ten years or operating in reduced circumstances if current funding mechanisms were not increased. Councilor DeJardin asked if other cities mentioned had strong coordination among their arts communities. Dr. Wolfe said they did.

Presiding Officer thanked Dr. Wolfe for his presentation.

## **6. ORDINANCES, SECOND READINGS**

### **6.1 Ordinance No. 91-418A, An Ordinance Repealing the Columbia Region Association of Governments Land Use Goals and Objectives and Adopting the Regional Urban Goals and Objectives**

Presiding Officer Collier announced Ordinance No. 91-418 was first read before the Council on August 8, 1991 and referred to the Transportation & Planning Committee for consideration. The Transportation & Planning Committee considered and held public hearings on the ordinance on August 27 and September 10. The Committee recommended Ordinance No. 91-418A for Council adoption on September 10.

Main Motion: Councilor Gardner moved, seconded by Councilor DeJardin, for adoption of Ordinance No. 91-418A.

Councilor Gardner gave the Transportation & Planning Committee's report and recommendations. Councilor Gardner reviewed the ordinance and noted the detailed Committee report printed in the agenda packet. He said the Transportation & Planning Committee held two public hearings on August 27 and September 10 and that 44 persons had testified. He said continuing themes heard were that the Regional Urban Growth Goals and Objectives (RUGGOs) should have more enforcement power and be more mandatory in nature. He said six citizens testified on those issues in addition to attorney Robert L. Liberty and representatives from 1000 Friends of Oregon. He said other testimony expressed general support on the RUGGOs and urged their adoption. He said the subject matter mentioned most often related to preserving natural areas and open spaces. Councilor Gardner said the Committee amended the ordinance primarily with 10 to 12 technical amendments recommended by Metro's Legal Counsel to make the RUGGOs consistent with state goals and land use rules. He said the Committee also amended Resolution No. 91-1489 to clarify the appointments of advisory groups and technical committees and how the Council and the Regional Policy Advisory Committee (RPAC) would work together in identifying and developing new functional plans. He said after amendment and further public testimony, the Committee voted to recommend Ordinance No. 91-418A to the full Council.

Councilor Gardner said Ordinance No. 91-418A was a critical first step for the region in defining what its future would be. He said the RUGGOs were not a detailed plan for growth but would serve as a set of concepts so that the metropolitan area could avoid the disasters created by uncontrolled growth in other metropolitan areas. He said the RUGGOs would place livability on an equal footing with economic considerations. He said the RUGGOs did not provide the complete solution to all growth problems but represented the commitment that Metro, the cities, counties and citizens would work together to find those solutions. He said many comments were received that the RUGGOs should be more mandatory. He said that was difficult because Metro did not perform planning at the local level and also assumed that local government did not provide good planning. He said in Oregon land use planning was performed at the city and county level and said there was no mandate to perform regional comprehensive planning. He said adoption of the RUGGOs and the support expressed for them by the cities and counties meant that Metro had a commitment from them that they would think regionally as they performed their planning functions. He said without such

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cooperation, no amount of mandatory authority would achieve the necessary goals expressed in the RUGGOs.

Presiding Officer Collier opened the public hearing.

Mayor Alice Schlenker, City of Lake Oswego, distributed her written testimony dated September 26, 1991, "Testimony regarding the RUGGOS. Mayor Schlenker said she served on the Urban Growth Management Policy Advisory Committee (UGMPAC), which developed the RUGGOs and RPAC bylaws. She said other Lake Oswego city officials had expressed concern that the RUGGOs would enable Metro to take over local planning, that Metro was not competent to do so, and that the RUGGOs would result in a large, new bureaucracy that would make land use planning complicated, litigious and expensive for local government. She said those have been her concerns also, but said she joined UGMPAC because the current planning system was clearly not adequate to deal with expected regional growth. She said some type of regional planning structure had to be developed to deal with the estimated 350,000 to 500,000 people projected to move into the regional area in the next 10 to 20 years.

Mayor Schlenker said she realized if local governments did not participate in the process, they would be perceived as part of the problem, and a much worse structure could be imposed upon them. She said Metro had the power under its enabling statutes to assume control without having to ask local governments. She said to its credit, Metro recognized that imposing mandatory solutions was not the way to build necessary regional partnership. She said that proposed partnership was the centerpiece of the RUGGOs and supported adoption of Ordinance No. 91-418A. She noted the RUGGOs could be imposed on local governments only through the development and adoption of functional plans and that such functional plans must be referred to RPAC for review and recommendation. She said RPAC membership composition was clear evidence of Metro's commitment to regional partnership.

Mayor Schlenker noted various recommendations heard that Metro should wait to adopt the RUGGOs until the Charter Committee had finished their work. She said she shared her colleagues' reluctance to enter into a new regulatory relationship that could significantly change in the future, but said Metro should proceed with the RUGGOs because it would be one year before the Charter Committee completed its work. She said the need for regional planning would not disappear regardless of what kind of organization Metro ultimately became. Mayor Schlenker asked the Council to adopt the RUGGOs and RPAC bylaws as recommended by UGMPAC. She said to amend RPAC membership at this time would not

be welcome by the participants who were involved in the two-year process. She said if RPAC membership composition was changed at this meeting, she would not support the RUGGOs as written.

Councilor Bauer and Mayor Schlenker discussed how local support for the RUGGOs would be affected if RPAC membership was amended at this meeting.

Commissioner Earl Blumenauer, Portland City Council, said it was important to take action now on predicted growth in the region. He noted concerns expressed about amending RPAC membership. He said if the Council planned to amend RPAC membership, it should consider representatives from Tri-Met and other similar agencies. He said the Council could consider developing alternative mechanisms to obtain other than governmental advice. He said time lines were short and it was important to take action at this time in any case. Commissioner Blumenauer discussed implementation issues, said it was important to deal with Urban Growth Boundary (UGB) issues, establish urban reserves and controls, and commended Metro's work thus far on the Region 2040 Workplan.

Commissioner Gretchen Kafoury, Portland City Council, concurred with Commissioner Blumenauer's comments and discussed regional housing and affordability. She said those issues depended on regional solutions. She pledged to work with Metro on regional solutions.

Mayor Gussie McRoberts, City of Gresham, distributed her September 26 letter on "Regional Urban Growth Goals and Objectives." She said she had found it hard to believe at the beginning of the process that an acceptable product could be developed, but said she found the process and the RUGGOs to be trustworthy. She said a great deal of local trust had been based on Goal I. She concurred with Mayor Schlenker that Councilor McLain's proposed amendment to amend the RPAC bylaws was unacceptable. She said special districts and/or agencies could more appropriately serve on technical advisory committees. She said local governments were responsible to the State for planning and implementing comprehensive plans.

Councilor Gardner, Councilor DeJardin and Mayor McRoberts discussed Metro's past and future relationship with local governments based on possible amendment of RPAC membership. Councilor Gardner asked Mayor McRoberts how she would perceive Metro amendment of plans when submitted by local governments. She said she would be surprised if Metro adopted plans as recommended by local governments, but noted RPAC would attempt to recommend plans Metro could adopt.

Councilor McLain asked Mayor McRoberts whether she understood that four cities from each county would still have representation on RPAC. Mayor McRoberts said she did, but stated that would still not be sufficient local representation. Councilor McLain asked Mayor McRoberts if she believed public testimony at public meetings should be considered. Mayor McRoberts said she did. Councilor McLain asked Mayor McRoberts if she realized her proposed amendment had resulted after six hours of public testimony in public meetings. Mayor McRoberts said she had not realized that, but said those testifiers also might not have realized local governments were ultimately responsible for comprehensive planning.

Councilor Devlin noted Mayor McRoberts' testimony and her comments on the RUGGOs, and said her comments illustrated that local governments would give varying responses on issues dependent on how crucial they thought they were. Mayor McRoberts agreed, said local governments were flexible and reasonable, and expressed her belief that the partnership with Metro would work. She said Washington County had most of the vacant land left in the region and growth issues were crucial to them.

Mayor Jerry Krummel, City of Wilsonville, concurred with Mayors Schlenker and McRoberts that amendment to RPAC membership at this time would not be acceptable. He asked the Council to consider putting the RUGGOs on hold until the Charter Committee had finished its work. He said there could be discrepancy between what the RUGGOs would require and what the Charter Committee's conclusions would require. He cited areas of concern with regard to terminology as in the use of the words "should" and "shall." He questioned whether the Council would rely on local government in a partnership capacity. He said if some directive language was omitted from the RUGGOs, local governments would not express concerns about "Metro taking over." He urged the Council not to adopt the RUGGOs until the Charter Committee had finished its work.

Chair Bonnie Hays, Washington County Commission, requested the Council adopt Ordinance No. 91-418A and Resolution No. 91-1489A as recommended by the Transportation & Planning Committee. She said the RUGGOs were the beginning of a process that the Region 2040 Workplan, the Urban Reserve Analysis and other programs would provide meaning for. She asked that Metro remain flexible and be prepared to amend the RUGGOs if those studies demonstrated needed changes.

Norm Scott, Clackamas County Planning & Development Director, testified for Clackamas County Commissioner Darlene Hooley and distributed and read written testimony from Clackamas County



Commissioners Ed Linguist, Judie Hammerstad and Hooley. He stated Clackamas County believed the RUGGOs to be an excellent product. He cited the success of the Joint Policy Advisory Committee on Transportation (JPACT) as a decision-making body and said RPAC should be modelled along JPACT lines and not serve as an advisory body. He questioned the ultimate autonomy of RPAC decision-making.

Councilor Van Bergen said the Metro Council should have ultimate authority with regard to the RUGGOs. Councilor Devlin noted JPACT's chair and vice chair were selected by the Metro Council.

Jacqueline Tommas, 19288 S. Mattoun Road, said she served as the Clackamas County technical advisory committee citizen member. She said extending planning deadlines from 20 to 50 years did not promise good results. She expressed concern about the RUGGOs conflicting with Land Conservation and Development Commission (LCDC) Goals 3 and 4 for the preservation of farm and forest land based on the urban reserve. She said she sensed farm and forest land near the UGB had already been allocated to developers. She said those were resource lands needed for production of food and fiber. She said the urban reserve did not designate land beyond which the region should not grow. She said an exception policy was also being considered that would permit UGB amendments outside the urban reserve. She said RUGGO's current urban reserve language would not prevent sprawl and expressed her support for the RUGGOs minus the urban reserve language.

Linda Tipton, 11948 S.W. 34th Avenue, fully supported Goal II, Objective 9, and specifically Sections 9.2.2 and 9.2.3. She said her neighborhood association had closely tracked Portland's natural resource inventories and supported fully the designation of "a region-wide system of linked significant wildlife habitats." She said wildlife habitat was shrinking at an alarming rate. She said an overall design should be created to promote the preservation of such habitats. She said the region's natural sites were still in existence, but were threatened on a daily basis by an over-anxious development community motivated by profit and personal monetary gain. Ms. Tipton urged the Council to adopt Ordinance No. 91-418A.

Janet Young, City of Tualatin Economic Development Coordinator, distributed and read from written testimony. She said the RUGGOs represented thousands of hours of work and consensus building. She said the City of Tualatin was not pleased with every aspect of the RUGGOs but believed the process which resulted in the RUGGOs to be a valid, participatory one. She said Tualatin considered proposing minor amendments but did not to support the cooperative process which created the RUGGOs. She said the

RUGGOs accurately portrayed that the region consisted of many political entities and that the region's citizens should be able to choose the type of community in which they wanted to live. She said solving growth issues should be no different and that answers should come from the local level to ensure grassroots support. She said the City of Tualatin supported the RUGGOs as presented. She said if amendments were considered by the Council, the City of Tualatin recommended those amendments be reviewed through the citizen advisory process and be the subject of public hearings.

Councilor DeJardin said the process could involve input from sources other than the local level such as the Governor's Office.

Jeanne Roy, 2420 SW Boundary Street, noted she grew up between Portland and Beaverton and watched development between the two cities build. She said local municipalities made a mistake by not creating a greenbelt around cities. She discussed livability issues and said the lack of clear definition between cities meant there was no sense of community. She said livability issues also involved access to produce. She said the region still had the opportunity to create a boundary between urban and rural boundaries. She said cities could continue to merge as they had been, or urban/rural boundaries could be fixed by allowing growth to occur via in-fill and increased density or through satellite cities. She said keeping development in compact areas supported efficient public transportation systems. She said the RUGGOs had caused concern because language stated several times that Metro would expand the UGB into urban reserves which set the expectation that further urban reserves would be created. She noted her participation on the Urban Growth Committee for Portland Future Focus and said they discussed UGB issues and whether the UGB should be fixed or not. She said they concluded that until the region decided on what urban form was wanted 10 or 20 years in the future, that the UGB should not be altered. She recommended the RUGGOs be amended by adding the following language at the end of Objective 15, Urban/Rural Transition, 15.3, Urban Reserves: "The Urban Growth Boundary should remain in its present location until a long-term vision for the regional urban form is defined."

Ms. Roy discussed RPAC issues. She said she had observed in the past several years movement towards decisions being made by local advisory committees comprised of local government officials. She said by the time a plan reached the Council, they were told that the consensus had led to a finely tuned plan and if the Council changed the plan at all it would fall apart. She said such statements made it appear as if the Council had lost its ability to set policy, and made her as a public citizen wonder if there

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was any reason to approach a Councilor on the issues, and that possibly her best option would be to approach local officials to give input on local issues going to Metro. She said RPAC as proposed had only three citizen members and recommended RPAC be amended to include as many citizens as local government members and that the citizen members be appointed by the Council.

Peggy Lynch, chair, Washington County Committee for Citizen Involvement (CCI), 3840 SW 102nd, Beaverton, distributed and read from written testimony. She said CCI was comprised of representatives from citizen participation organizations county-wide. She said CCI had followed development of the RUGGOs with great interest. She said at their August 15 meeting, CCI voted unanimously to express support for Goal I, Objective 1 regarding citizen participation as written. She said CCI wished to express its continued interest in the formation of a regional citizen involvement coordinating committee and a willingness to be part of that process.

Ms. Lynch said those involved in citizen participation, specifically with regard to livability and land use issues, encouraged Metro to have a healthy, active plan by inclusion of private citizens in planning programs. She said it was well known that citizen participation programs enhanced communities. Ms. Lynch noted the three county citizen committees would meet in the Metro Council Chamber Wednesday, October 16 at 7:30 p.m. to share ideas and solutions to common problems and begin addressing joint problems. She hoped that meeting would demonstrate proof of their willingness to be part of Metro's process. She noted Washington County's CCI tentatively planned a citizens conference on growth in April 1992. She said they had little funding at this point, but felt it was essential to share citizen concerns about growth and to educate fellow citizens on the RUGGOs and the UGB and how they would affect the region's future. Ms. Lynch said the Washington County CCI supported the RUGGOs and expressed her willingness to become an active part of the planning process.

Craig Allen, West Linn City Council representative, 22825 Willamette Drive, West Linn, noted he served on the original policy advisory committee but was replaced by Mayor Schlenker due to scheduling conflicts. He said his opinion of the RUGGOs had changed dramatically over the last two years. He said the RUGGOs were not perfect, but also were not bad. He asked the Council to consider changes to the RUGGOs at this meeting and in the future. He said Metro should be honest about what the RUGGOs would and would not do. He said although the RUGGOs were not considered a comprehensive plan, they would effect changes on local comprehensive plans, and therefore had the aspect of a comprehensive plan. He said because periodic review of local

comprehensive plans would look at changes made at the local level precipitated by the RUGGOs, the RUGGOs had the element of periodic review. He urged flexibility in the future because the RUGGOs as written were not perfect and said subsequent revisions would be necessary. He did not suggest the Council relinquish its authority, but said it was important to recognize that such plans presented already represented compromise by all involved parties. He said special district associations could be included on functional plans which related to their specific specialty. He said it was valid to ask if the RUGGOs would place Metro in ultimate conflict with the Charter Committee's end product. He suggested Metro act on those subject areas not in doubt and wait on those that would be.

Bill Young, State of Oregon Growth Council, 6275 SW Wilson-Beaverton Road, read from written testimony on behalf of Bill Blosser, chair, State Agency Council. He said the State Agency Council for the Portland metropolitan area urged the Council to adopt the RUGGOs. He said the Growth Council was supportive of Metro's efforts to develop and implement a regional vision aimed at preserving livable communities. He said the Council felt the RUGGOs represented a good first step in the regional efforts to establish a framework for managing growth. He raised the following three concerns: 1) The current draft appeared to be more general and less directive than previous drafts they had seen. He said the State Council was sensitive to, and supportive of Metro's participatory review process, but said an overriding goal of the process should be support for one regional vision and not numerous individual visions all packaged together; 2) He said that the RUGGOs did not apply directly to local plans and the only way to implement policy would be through the preparation of functional plans which would guide local planning efforts. He said that process could cause delays in implementation; 3) He said another concern was that the process for implementing the RUGGOs and functional plans must be more clearly defined. He asked what incentives local governments would receive for incorporating RUGGOs within their local plans.

Brian Scott, president and executive director, Oregon Downtown Development Association, (ODDA) 2610 SW Brae Mar Court, Portland, said ODDA's primary role was to provide appropriate land and business development in older commercial districts throughout the region and the state. He said ODDA realized the need to guide development and conservation efforts in natural areas, resource lands and neighborhoods. He said ODDA supported the RUGGOs because of those efforts and also supported the emphasis on air quality and balanced housing development on all income levels. He said dependency on private automobiles should be reduced especially through a mix of business and residential, shopping,

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cultural and campus uses. He said such goals were best achieved through redevelopment and in-fill which was represented in the RUGGOs. He said ODDA wanted emphasis added in the implementation phase on local ownership and enterprise so that as many business decisions as possible were made within the region. He concurred with previous testimony which questioned the concept of urban reserves. He questioned whether they would protect farm and forest lands, but actually designate future parking lots. Mr. Young encouraged the Council to strengthen the UGB, give a strong regional perspective to land use and urban planning and promote development that was interesting, accessible, interactive and inside the UGB.

Presiding Officer Collier recessed the Council at 7:16 p.m. The Council reconvened at 7:29 p.m.

Presiding Officer Collier continued the public hearing.

Gregg Kantor, manager of Economic Development, Portland General Electric (PGE) 4534 SW Viewpoint Terrace, Portland, distributed and read from written testimony. Mr. Kantor expressed PGE's support for the RUGGOs. He said Portland was renowned for its livability and the region must move to preserve its livability. He said PGE owned a key piece of the infrastructure necessary for growth. He said their transmission and distribution system was not unlike other systems such as transportation and sewers in that electricity was distributed regionally and expensive to maintain and expand. He said it was in the public's best interests to reduce costs for the region. He said PGE had a clear, strong incentive to keep costs down and ensure their system was built, maintained and used in the most efficient manner possible. He said the RUGGOs would be an important tool in helping PGE to achieve those goals.

Ray Polani, Transportation Policy Alternatives Committee (TPAC) citizen representative and chair, Citizens for Better Transit, 6110 SE Ankeny Street, Portland, distributed clippings and a document titled "An Alternative Transit Strategy to the Western Bypass." He said when discussing livable futures a key word that should be included was "sustainable." He said one automobile was sufficient for each person in the region. He said more efficient development patterns should be developed. He said the UGB should be held and to beware of urban reserves. He said the integration of land use and transportation planning was an important step towards achieving efficient development. He said TPAC had recommended strengthening bus and transit now and until the lightrail system was completed. He said a circumferential rail line should be considered at this time. Mr. Polani stressed the need for a balanced transportation system. He said current

funding was unbalanced and that the only aspect of the transportation system now fully funded was the highway system. He said restrictions on auto-related taxes should be lifted to fund non-highway systems such as rail or buses. He said Citizens for Better Transit supported the position taken by 1000 Friends of Oregon, Sensible Transportation Options for People (STOP) and Robert L. Liberty because they had stated the RUGGOs as written were too weak to be useful as an implementation tool. He urged a nay vote on Ordinance No. 91-418A as written, but said that progress could be made in the future even with the RUGGOs as written. He said the new LCDC transportation goals could effect great results and help to make the RUGGOs more effective.

Robert L. Liberty, 2433 NW Quimby Street, Portland, distributed a one-page summary of the critique he submitted on the RUGGOs printed in supplemental information packet dated September 19, 1991, "Agenda Item No. 6.1; Ordinance No. 91-418A." He urged the Council vote nay on Ordinance No. 91-418A as written because 1) The proposed regional goals and objectives were advisory in nature; 2) There were no benchmarks quantifying the RUGGOs and thus no way of measuring the progress or failure in achieving the goals and objectives; 3) The relationship between the parts comprised of RUGGOs, functional plans, areas, and activities of regional significance, and amendment of local land use plans was confused, vague and legally incoherent; 4) There was no schedule for implementation of the RUGGOs through functional plans and local plan amendments; 5) There was no interim protection for the region's interests during the lengthy process of adopting functional plans and then implementing them through local plan amendments; and 6) Local planning officials, the source of the planning problems, delegated far too much power on the RPAC while the role of citizens was minimized.

Mr. Liberty reviewed his written testimony and six points listed above. Mr. Liberty reiterated No. 6 and stated that local government officials were the source of the planning problems the RUGGOs were attempting to correct, and were given too much power on the RPAC while the role of citizens has been minimized. He noted the testimony of elected officials given at this meeting which said a deal had been made at UGMPAC that should not be changed. He said such a deal was made before any public hearings had been held. He said the Council, as elected officials including representatives of the citizens directly elected by them, were being told the Council could not change any aspect of the RUGGOs if they chose to do so. He said the Council should be responsible to the citizens. He said local elected officials had no legitimate oversight over local land use planning.

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Mr. Liberty urged the Council vote nay on Ordinance No. 91-418A as written. He said the composition of UGMPAC should be reformed to give citizens a majority vote. He said the RUGGOs should be referred back to the reformed UGMPAC for the purpose of adopting amendments for correction of the problems as identified above. He said the Transportation & Planning Committee and the Council should discuss and vote on each set of amendments proposed by the UGMPAC. He said if the Council accepted arguments given at this meeting that legislation should be accepted as written, then Metro was on the road to transforming itself back into a council of governments. He said if the Council adopted the RUGGOs as written at this meeting, a precedent would be set.

Councilor Gardner noted Mr. Liberty's comments on the relationship between the functional plans and the RUGGOs. He asked if the functional plans could give the RUGGO enforcement powers enough to see that the regional goals were met throughout the region. Mr. Liberty said that would be less likely to happen if the RUGGOs were adopted in current form because Metro had made its goals advisory in nature and said if it was difficult to make changes now, it would be politically impossible to adopt plans that directly impacted on their ability to unilaterally decide what was the best interests of the region.

Councilor Bauer noted officials on RPAC were elected by citizens and asked if that was sufficient for citizen representation needs on RPAC. Mr. Liberty said it was not sufficient and said the Council should build a constituency for its own plans and objectives. He said if RPAC was comprised entirely of citizens, Metro would be obliged to educate citizens and engage them in dialogue on the issues. He said LCDC had a local advisory committee as well as a citizens committee both of equal weight and authority, and said the Council should use that model for the RUGGOs.

Mary Tobias, Tualatin Valley Economic Development Corporation (TVEDC) representative, 10200 SW Nimbus, Tigard, Charter Committee member, said the TVEDC represented businesses throughout western Portland, Washington County and parts of Clackamas and Yamhill Counties. She said the TVEDC supported the RUGGOs as written and she had participated on the technical advisory committee. She said local governments had concerns over timing, intent and mandatory versus consensus approach. She said TVEDC believed the RUGGOs demonstrated a great deal of consensus after a long, involved and evolutionary process. She said that evolutionary process should continue. She said Metro had brought all parties together to debate multiple drafts. She said all parties had conceded as well as gained points. She said if Metro

went from a consensus to a mandatory document, changing the "shoulds" to "shalls," that the document should be sent back to the UGMPAC because those changes would represent a major shift in the document as written. She said TVEDC had questions about adoption timing involving policy issues related to completion of the Charter Committee's work. She said the concepts of employment centers and urban reserves should continue to be debated because they had important future ramifications. She said it was important to have citizen input, that citizens should not represent narrow special interests and be representative of the broadest possible constituency.

Councilor Devlin discussed previous testimony given on adoption of the RUGGOs and timing with the Charter Committee's work. He said state statutory language required Metro to create the RUGGOs. He said the Charter Committee could change Metro's current structure, but could not modify a state requirement already mandated on the District. Ms. Tobias said there was no mandate to change what Metro was doing in advance. She said there was debate in the region over what the Charter Committee could and could not do. She said the Charter Committee had suggested the possibility of statutory language in addition to charter language if the Committee felt that might best suit the region in the future. She said that possibility was open to the Charter Committee.

Councilor McLain asked Ms. Tobias how to achieve citizen participation on a broad level. Ms. Tobias said that was difficult to achieve. She said large organizations that represented large constituencies could be contacted and told that various issues would affect them and that their participation was important. She said communication should be written in non-technical language and efforts to educate the public on public participation should be made.

Mike Houck, Audubon Society of Portland, 5151 NW Cornell Rd., Portland, concurred with Mr. Liberty's testimony with regard to participation by the local governments. He said if local government representatives were correct, there was no point to the public hearing process. He asked how adding three citizens to RPAC would dilute the impact of cities on that body. He said Audubon had held a series of hearings with the National Park Service and heard from 300 citizens on the Metropolitan Greenspaces Program who had provided insightful regionally based recommendations to Metro on the program. He said local governments had put together an excellent Goal 5 program, but noted that came about 10 years after the adoption of comprehensive plans. He said Mr. Liberty and others had expressed concern because it took at least 10 years for adopted



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plans to take effect especially if they were advisory in nature. He agreed with Mr. Liberty's suggested amendments and proposals for benchmarks. He said an implementation schedule should be adopted so that citizens would know what was implemented and when.

Mr. Houck distributed his letter dated September 26, 1991. Mr. Houck discussed Objective 8. Air Quality on page 13. He asked why the statement "Air quality shall be protected and enhanced so that growth can occur" had been included. He asked why Objective 13. Transportation 13.i) stated "reduces reliance on a single mode of transportation through development of a balanced transportation system which employed highways, transit, bicycle and pedestrian improvements, and system and demand management, where appropriate." He asked why "where appropriate" had been added because it would not be inappropriate to achieve any of those goals. He asked why "should" had been used throughout the document when the word "shall" should have been used.

Mary Kyle McCurdy, 1000 Friends of Oregon staff attorney, 1000 Friends of Oregon representative on UGMPAC, 534 SW Third Avenue, Suite 300, Portland, noted the 1000 Friends of Oregon written testimony dated September 6, 1991 printed in the supplemental packet. She urged the Council to enact any amendments at this meeting or a future Council meeting. She did not recommend returning the RUGGOs to UGMPAC for review of those amendments. She said the substantive portion of the RUGGOs, particularly Goal II, were excellent and would provide a road map to deal with quality of life goals and issues including open spaces, affordable housing, pedestrian-friendly environments, decreased congestion, and the preservation of farm and forest lands. She said the RUGGOs lacked the teeth to implement its stated goals and objectives, but said it was important to adopt them because a potential 500,000 people were predicted to move into the region by the end of this century. She said citizens were seeing their quality of life deteriorate and did not particularly care what governmental entity enforced the RUGGOs. She said the RUGGOs should clearly state Metro would adopt functional plans which would be implemented by counties and cities in their comprehensive plans and time lines should be established for adoption of those functional plans. Ms. McCurdy said 1000 Friends proposed Metro designate the areas for which functional areas should be developed within six months and designate that functional plans be adopted within five years. She said those were reasonable time frames. She said the definition of areas and activities of regional significance should be more clearly stated because they were what the functional plans would address. She said the "shalls" had been changed to "shoulds" and that prior mandatory language should be returned to the document. She

said while functional plans were being developed, the RUGGOs should apply in the interim to land use decisions of regional significance because it could take 10 years for some of the functional plans to be incorporated in local comprehensive plans. She said with an estimated 500,000 citizens moving in to the region, implementation could occur too late.

Ms. McCurdy said the RPAC was charged with the primary duty of developing functional plans. She said 1000 Friends believed RPAC should be made up primarily of citizens rather than local elected officials because 1) Metro's constituents were citizens of the region, not local elected officials; 2) Metro should hear directly from citizens; and 3) That it was critical for citizens to be kept directly apprised of the RUGGOs for the RUGGOs to be successful. She said local elected officials could serve on a body equal to RPAC or on one body that included them and citizens. She said local elected officials would have many occasions for input on functional plans through various outlets. She said citizens were often left out of the process until the very end. She disagreed with the premise that if Metro made any changes to the RUGGOs at this time, local governments would be offended. She said input from citizens must come early and often to have any impact and urged the Council to adopt the RUGGOs at this meeting. She said the Council should not worry about the Charter Committee's future conclusions but take action now.

Bill Atherton, 1670 Fircrest Drive, Lake Oswego, distributed proposed amendment language which he said could address many of the issues raised at this meeting by other testifiers. He proposed on page 25, Objective 17. Urban Growth Boundary that the following language be added at the end of 17.2.1): "No amendment to the UGB shall become final without approval by a majority of the electorate of the Metropolitan Service District." He said UGB decisions should be brought before the citizens to vote on. In his hand-out, Mr. Atherton also suggested the addition of the following language at the end of 17.2.2) Locational Adjustments: "No locational adjustment shall become final without approval by a majority of the electorate in the political subdivision responsible for the comprehensive plan area affected by the proposed adjustment."

Mayor Tom Nelson, City of Estacada, distributed and read for the record Resolution 1991-9, A Resolution Declaring the City of Estacada's Position on the Metropolitan Service District's Charter Committee. The resolution read as follows: "Whereas, the City of Estacada is not convinced that the goals of Metro are necessarily parallel to those of the City of Estacada, and Whereas, the City of Estacada resolves to recommend to Metro that any action on formal adoption of the RUGGO draft document be

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deferred until the general public vote on the Metro charter clarifies future Metro roles and responsibilities. Now Therefore, Be It Resolved, by the City Council of the City of Estacada that the City of Estacada recommends to Metro that any action on formal adoption of the RUGGO draft document be deferred until the general public vote on the Metro charter clarifies future Metro roles and responsibilities. Adopted by the Estacada City Council this 15th day of August, 1991."

Robert McQuain, Oregonians in Action (OA) executive director, 8255 SW Hunziker Rd., Suite 200, PO Box 230637, Tigard, distributed "Statement by Oregonians in Action to the Council of the Metropolitan Service District Regarding Proposed Urban Growth Goals and Objectives" dated September 26, 1991, signed by OA's legal counsel Bill Moshofsky and planning consultant, Dale Johnson. He commended the Council and all of the participants in the process for their efforts to develop the RUGGOs. He said OA supported a strong Metro to deal effectively with land use concerns of genuine metropolitan significance. He said they supported the concept of having goals and objectives spelled out to guide plans and regulations, but did have some concerns about the lack of definitions for, and vagueness of, many terms. He said it was important to make terms as clear and unambiguous as possible. He said there were many references to "urban" and "rural" but said those terms were not defined and cited other examples which required specificity. He said the RUGGOs contained no mechanisms to include land owners in the process although some citizen involvement was included. He said the RUGGOs did not clearly state that open spaces, natural areas wildlife and similar resources were to be acquired by purchase and not by regulation. He said Objective 9 implied the regulatory process only would be used. He expressed concern that Objective 11 on housing did not address livability issues. He said livability was as important as affordability and that the term livability should be defined. He said Objective 12 should be clarified to ensure that plans for development were limited by the ability of local governments or districts to provide and maintain the public services and facilities required to serve the projected plans. He said they were concerned with Objective 15 provisions relating to urban reserves. He said no consideration was being given to the interests of affected landowners who could end up in urban reserve areas and said there was no provision for compensation. He expressed concern about Objective 17. He said it was linked to State Goal 2 which was restrictive and said Metro should relieve the rigidity of the criteria to be used in expanding the UGB. He said the definition of "Exception" in the glossary was too restrictive.

Eric Carlson, City of Beaverton, PO Box 4755, Beaverton, said Beaverton was not completely pleased with the RUGGOs but would support them as written. He said with regard to the use of "shall" and "should" that at the third or second to the last meeting of the UGMPAC there was discussion on language use. He said after discussion and comment by 1000 Friends of Oregon more "shalls" had been inserted and the RUGGOs did have more teeth than was originally anticipated.

Betty Attebury, Sunset Corridor Association, (SCA) appreciated the opportunity to give input during the process over the last two years. She said SCA supported the RUGGOs and its list of planning activities. She said SCA believed RPAC should be reflective of a partnership among the local jurisdictions because implementation was achieved at the local level and local jurisdictions were responsible to the taxpayer. She said to ignore, or not to have, elected officials on the RPAC seemed to ignore the cities and the counties and their responsibilities. She said RPAC should remain as proposed by UGMPAC. She expressed concern about urban centers and what they meant. She said planning must consider the market place when defining urban centers otherwise dollars would be wasted.

Persons or groups unable to testify at this meeting submitted testimony and/or documents with their comments on Ordinance No. 91-418A. Those and all other documents referred to in the minutes have been filed in the Council Department Ordinance file and are available for review or photocopying purposes.

Presiding Officer Collier asked if anyone else present wished to testify on Ordinance No. 91-418A.

Mr. Polani asked to raise an issue he omitted in his testimony given earlier at this meeting. Mr. Polani said if City of Portland density criteria was applied to the rest of the region, that criteria would solve many of the problems the RUGGOs were attempting to solve.

No one else appeared to testify and Presiding Officer Collier closed the public hearing.

Councilor Gardner commented on testimony given. He noted some testifiers asked what urban reserves meant, especially on farm and forest lands. He wished to clarify that the RUGGOs made it priority to protect farm and forest lands. He said another testifier discussed the relationship between the metropolitan area and surrounding areas. He said the RUGGOs stated the use of greenbelts should be explored to create clear distinctions between city entities. He said the RUGGOs would ask that

satellite cities be created to help absorb expected population growth. Councilor Gardner commented on RPAC which he said would function as a planning commission for Metro. He said membership as currently written contained a majority of elected officials and some citizens. He said one amendment proposed was to add three citizens by removing three city seats.

Councilor McLain discussed her proposed amendment for Agenda Item No. 7.1, Resolution No. 91-1489A and said her amendment resulted from hours of public testimony given by citizens. She said it was important to have as much citizen input as possible and noted local governments had been able to give input throughout the two-year process. She said citizens had expressed many times their wish for more representation. She said local elected officials under her amendment would have more votes than the City of Portland and would have the majority of votes on RPAC. She said citizens should at least have a voice on RPAC. She said her proposed amendment would increase the representatives of the citizens of each county from one to two; delete the references to representatives from the largest city in each county; and provide for selection of citizen representatives by the Regional Citizen Involvement Coordinating Committee created in the RUGGOs rather than by caucuses of RPAC county members. Councilor McLain said the amendments would require changes to Article III, Section 1(a) and Section 2(a), (b) and (d) of the proposed RPAC bylaws.

Councilor Gardner said the Transportation & Planning Committee at its September 24 meeting recommended changing RPAC membership from 17 to 18 members by adding a representative from the metropolitan area members of the Special Districts Association. He said if Resolution No. 91-1489A was adopted per that amendment Ordinance No. 91-418A should be amended to reflect that amendment also. He referred to his September 26, 1991 memorandum "Proposed Amendment to Ordinance No. 91-418A" to incorporate the underlined language in Section 2.1 - Regional Policy Advisory Committee Composition: "The Regional Policy Advisory Committee (RPAC) shall be chosen according to the by-laws adopted by the Metro Council. The voting membership shall include elected officials of cities, counties and the Metro Council as well as representatives of the State of Oregon, the metropolitan area members of the Special Districts Association, and citizens. The composition of the Committee shall reflect the partnership that must exist among implementing jurisdictions in order to effectively address areas and activities of metropolitan significance, with a majority of the voting members being elected officials from within the Metro District boundaries."

First Motion to Amend: Councilor Gardner moved, seconded by Councilor Bauer, to amend Ordinance No. 91-418A as detailed in the previous paragraph.

Councilor Hansen said she would vote nay on the amendment because although she agreed on the need for broader citizen representation, she believed SDAO would be better represented on a technical policy advisory committee or in some other technical advisory capacity. Councilor Devlin said he would support the amendment reluctantly because there had been many requests from other groups to be represented including Tri-Met. Councilor Bauer concurred with Councilor Devlin, but said that articulate testimony was received at the September 24 Transportation and Planning committee meeting on how the SDAO representative would represent a large portion of citizens. Councilor DeJardin agreed with Councilor Hansen and said SDAO representation would be specialized and should serve in a technical advisory capacity instead. He noted their request for representation came at the end of a two-year process to develop the RUGGOs. Presiding Officer Collier expressed her support for SDAO also, but could not support the amendment because of the large number of requests received for representation and because she preferred RPAC membership stay at an odd number.

Vote on First Motion to Amend: Councilors Bauer, Devlin and Gardner voted aye. Councilors Buchanan, DeJardin, Hansen, McLain, Van Bergen, Wyers and Collier voted nay. Councilors Knowles and McFarland were absent. The vote was 7 to 3 opposed and the motion failed.

Second Motion to Amend: Councilor Hansen moved, seconded by Councilor McLain, to amend Ordinance No. 91-418A, Exhibit A, page 9, Objective 4., 4.2.1) and 4.3.1) by adding Mr. Liberty's language so 4.2.1) and 4.3.1) would each read as: "adopt and amend comprehensive plans[+] to conform to functional plans adopted by Metro:"

Councilor Devlin said if the proposed amendment related only to the RUGGOs, he could support it, but if the language applied to all functional plans, he could not support it. Councilor Hansen said she preferred as broad an interpretation as possible. Councilor McLain supported the amendment and referred to the RUGGOs Section 4.1.5) which stated Metro shall "coordinate the efforts of cities, counties, special districts and the state to implement adopted strategies." She said the amendment language was needed for reciprocal commitment by local governments.

Vote on Second Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilor Van Bergen voted nay. Councilors Knowles and McFarland were absent. The vote was 9 to 1 in favor and the amendment passed.

Third Motion to Amend: Councilor Hansen moved, seconded by Councilor Wyers, to add Mr. Liberty's proposed schedule for adopting and implementing functional plans: "5.4 - Functional Plan Development and Implementation Schedule" and Mr. Liberty's proposed Sections 5.4.1), 5.4.2), 5.4.3) and 5.4.4).

Councilor Devlin said Larry Shaw, Legal Counsel, had explained to the Transportation & Planning Committee why it was not desirable to incorporate an implementation schedule at this time. He asked Mr. Shaw to explain that to the full Council at this meeting. Councilor Wyers asked from whose perspective it was not advisable to include an implementation schedule. Councilor Devlin said General Counsel was supposed to advise the Council of possible implications. Councilor Wyers said the Council should debate the issue to determine the policy it should take. Councilor Devlin said the Transportation & Planning Committee was supportive of benchmarks and timelines to be incorporated through Metro's budget and other processes. He said to incorporate an implementation schedule in the RUGGOs would be to state something that Metro did not know it could comply with in the future. He said implementation of actual goals and objectives was dependent on funding.

Councilor Van Bergen said such amendments should be published and advertised to the public before being voted upon. Councilor Wyers disagreed and said the legislation before the Council had been extensively advertised and commented upon.

Councilor Gardner said he could not support the amendment because the first two sections meant Metro would mandate itself without knowledge of its future. He said Section 5.4.3) was difficult to support because it was a mandate that the cities, counties and UGMPAC had never commented upon or reviewed. He said if Metro wanted to incorporate a one-year implementation time line, the local governments should review it first. Councilor McLain agreed with Councilor Gardner and said the first two language suggestions were appropriate, but said it was not appropriate to mandate back to the local jurisdictions without opportunity for comment. She agreed on the need for benchmarks and said if they were not added at this meeting, they should be incorporated soon.

Restatement of Third Motion to Amend: Councilor Hansen restated the third motion to amend Ordinance No. 91-418A by incorporating Mr. Liberty's proposed 5.4.1) and 5.4.2) language sections only.

Vote on Restated Third Motion to Amend: Councilors Buchanan, Hansen, McLain, Wyers and Collier voted aye. Councilors Bauer, Devlin, DeJardin, Gardner and Van Bergen voted nay. Councilors Knowles and McFarland were absent. The vote was 5 to 5 and the motion failed.

Fourth Motion to Amend: Councilor Hansen moved, seconded by Councilor McLain, to add Mr. Houck's suggested language to Objective 7, 7.1 Planning Activities, second paragraph so that language would read as follows: "Identify the future resource needs and carrying capacity of the region for municipal and industrial water supply, irrigation, fisheries, recreation, wildlife, environmental standards and aesthetic amenities..." Under the same motion, Councilor Hansen moved to amend Objective 8. Air Quality to read: "Air quality shall be protected and enhanced so that as growth occurs, human health is unimpaired."

Vote on Fourth Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilor Van Bergen voted nay. Councilors Knowles and McFarland were absent. The vote was 9 to 1 in favor and the amendment passed.

Fifth Motion to Amend: Councilor Hansen moved, seconded by Councilor Wyers, to amend Objective 13. Transportation per Mr. Houck's letter to delete "where appropriate" at the end of Section 13.i).

Vote on Fifth Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilor Van Bergen voted nay. Councilors Knowles and McFarland were absent. The vote was 9 to 1 in favor and the amendment passed.

Councilor Van Bergen said he would vote nay on any amendments made to the ordinance and said support from local officials would disappear because of any amendments made.

Councilor McLain said it was never too late to improve a public policy document and said amendments being made were based on extensive testimony given by the public.



Councilor Devlin said the amendments already passed would likely be acceptable to local jurisdictions. He said the RUGGOs were substantially the same as the document recommended by UGMPAC.

Councilor Gardner concurred with Councilor Devlin and said he wanted a budget commitment to identify resources for the implementation schedule.

Vote on Main Motion as Amended: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilor Van Bergen voted nay. Councilors Knowles and McFarland were absent. The vote was 9 to 1 in favor and Ordinance No. 91-418B was adopted.

## 7. RESOLUTIONS

### 7.1 Resolution No. 91-1489A, A Resolution Adopting By-Laws for the Regional Policy Advisory Committee

Main Motion: Councilor Gardner moved, seconded by Councilor Devlin, for adoption of Resolution No. 91-1489A.

Presiding Officer Collier opened a public hearing.

Mayor McRoberts testified again and reiterated Goal I, Objective 1. Citizen Participation, "Metro shall establish a Regional Citizen Involvement Coordinating Committee to assist with the development, implementation and evaluation of its citizen involvement program..." She said she saw that committee and RPAC operating as equal partners.

Eric Carlson testified again and said local comprehensive plans had been adopted after a great deal of citizen participation and in compliance with state law. He urged the Council to vote nay on Councilor McLain's proposed amendment and said the Council provided representation for citizens of the region.

Presiding Officer Collier asked if any other persons present wished to testify on the resolution. No other persons appeared to testify and Presiding Officer Collier closed the public hearing.

First Motion to Amend: Councilor McLain moved, seconded by Councilor Hansen, to amend Resolution No. 91-1489A per her September 26 memorandum and discussion detailed on page 21.

Councilor Gardner said the resolution would establish RPAC's bylaws which had resulted from a long process of consideration and debate and said RPAC had been modelled on JPACT. Councilor McLain said the amendment would increase citizen involvement. Councilor Wyers favored the amendment. Councilor Bauer supported additional citizen members, but preferred that committee numbers change. Councilors Gardner and Devlin both said they did not support the amendment for various reasons. Councilor Devlin said the amendment's intent was good but that there were other ways to achieve citizen participation.

Vote on First Motion to Amend: Councilors Buchanan, Hansen, McLain and Wyers voted aye. Councilors Bauer, Devlin, DeJardin, Gardner, Van Bergen and Collier voted nay. Councilors Knowles and McFarland were absent. The vote 6 to 4 opposed and the amendment failed.

Second Motion to Amend: Councilor Gardner moved, seconded by Councilor Wyers, to amend Resolution No. 91-1489A per the first motion and vote to amend Ordinance No. 91-418B detailed on page 21 to delete the SDAO representative and to change committee membership number to 17 from 18.

Vote on Second Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Knowles and McFarland were absent. The vote was unanimous and the amendment passed.

Third Motion to Amend: Councilor Gardner moved, seconded by Councilor Wyers, to increase the number of Metro Councilors serving on RPAC from two to three for a committee membership total of 18.

Councilor Gardner said three Councilors serving on RPAC would better serve the goals of geographic diversity. Councilor Devlin supported the amendment and said the Transportation and Planning Committee supported the amendment also. He did not believe an even-numbered membership would present problems. Councilor McLain said her amendment was an attempt to balance local elected officials with citizens and said adding another Metro Councilor would not serve that purpose especially since RPAC was supposed to be an advisory body to the Council.

Vote on Third Motion to Amend: Councilors Buchanan, Devlin, DeJardin, Gardner and Wyers voted aye. Councilors Bauer, Hansen, McLain, Van Bergen and Collier voted

nay. Councilors Knowles and McFarland were absent.  
The vote was 5 to 5 and the motion failed.

Fourth Motion to Amend: Councilor Devlin moved, seconded by Councilor DeJardin, to amend Resolution No. 91-1489A, Exhibit A, Article 12 to eliminate the two-thirds vote requirement to change the RPAC bylaws to a simple majority of the committee.

Councilor Devlin said UGMPAC did not approve the amendment when it was discussed. He said the language was badly written and was taken from the JPACT bylaws. Councilor Wyers said the amendment if passed could have huge ramifications. Councilor Gardner did not support the amendment. He said any RPAC change would have to be ratified by the Council anyway. Councilor McLain said she would vote nay on the amendment.

Vote on Fourth Motion to Amend: Councilor Devlin voted aye. Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted nay. Councilors Knowles and McFarland were absent. The vote 9 to 1 opposed and the amendment failed.

Vote on Main Motion as Amended: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Knowles and McFarland were absent. The vote was unanimous and the Resolution No. 91-1489B was adopted.

Presiding Officer Collier recessed the meeting at 10:02 p.m. The Council reconvened at 10:12 p.m.

## B. NON-REFERRED RESOLUTIONS

### B.1 Resolution No. 91-1496, For the Purpose of Expressing Council Intent to Amend Metro's Urban Growth Boundary for Contested Case No. 91-1, Dammasch (Public Hearing)

Presiding Officer Collier announced the Council would consider Resolution No. 91-1496 in its capacity as a quasi-judicial decision-maker.

Main Motion: Councilor DeJardin moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1496.

Ethan Seltzer, Regional Planning Supervisor, gave staff's report. He said Resolution No. 91-1496 was a resolution of intent to amend the UGB after action by the Boundary Commission. He said

after the Boundary Commission took action, staff would forward an ordinance to the Council for consideration. Mr. Seltzer said the amendment involved 184 acres west of Wilsonville. Mr. Seltzer introduced Metro Hearings Officer Larry Epstein. Mr. Seltzer entered for the record a proposed amendment to Resolution No. 91-1496. He said in this type of proceeding, the Hearings Officer gave his/her report and recommendations, the parties to the case had the opportunity to enter exceptions to the report or recommendations, and/or any concerns they might have about the conclusions the Hearings Officer had reached. Mr. Seltzer said one party to the case had entered an exception to a concern raised by the Hearings Officer related to the consistency of the amendment compared to state agricultural Goal 3. He said staff's amendment would amend the resolution to insert a condition for approval to uphold a provision of the Clackamas County Comprehensive Plan and ensure that no connections were made to the proposed sewer line outside the UGB.

Metro Hearings Officer Larry Epstein gave his report and recommendations and explained the amendment. He said the boundary request concerned 184 acres west of Wilsonville the site of the Dammasch Hospital and the Callahan Center. He said both facilities were outside of the UGB and staff's requested action would include both facilities within the UGB. He said the 184 acre site was part of a 490 parcel owned by the State of Oregon and that the remainder of the State's property, approximately 300 acres, would remain outside of the UGB and would continue to be zoned farm use if the Council granted the amendment request.

Mr. Epstein said there were several reasons to grant the proposed amendment. He said the facilities in question were intended for urban use. He said the Callahan Center was originally built as a workers' rehabilitation center to accommodate approximately 200 workers. He said the State vacated the facility in 1986 and because they vacated it, the State lost its right to use the facility for an urban purpose. He said the facility was a non-conforming use in an exclusive farm use zone. He said if a non-conforming use facility was vacated for a period longer than one year, the non-conforming use could not be re-established. He said the Callahan Center, a \$5 million, 125,000 square foot facility, essentially could only be used for agricultural purposes or for agricultural use allowed in the exclusive farm use zone. He said such requirements made the facility relatively useless and wasted an existing economic resource. He said including the facility within the UGB would allow the State to petition for urban plan designations and zoning that would allow the facility to be used for a useful purpose. He said that Dammasch Hospital, a 350,000 square-foot facility, had more than 800 full-time residents and employees, was largely urban use and

had been established before there was any zoning in that area. He said it would have been appropriate to include both facilities within the UGB when an urban area was created, but that it was not done.

Mr. Epstein said both facilities discharged their sanitary sewage to a private treatment plant on-site which discharged its effluent into an adjoining creek. He said that creek did not have sufficient flow to accommodate the effluent and as a result, the site was suffering water-quality problems. He said to solve those problems, the State wanted to extend the Wilsonville sewer system to both properties, but to do so the sewer would have to cross land that was zoned exclusive farm use and would continue to be zoned exclusive farm use even if the Council granted this petition. He said such issues had resulted in the amendment before the Council.

Mr. Epstein said Clackamas County's Comprehensive Plan contained a policy which stated sewer connections should not be made to lands zoned exclusive farm use. He said also that Clackamas County and the City of Wilsonville had an urban growth management agreement that stated urban services would not be provided to lands outside the urban growth boundary or lands zoned exclusive farm use. He said both those policies would be sufficient to support a finding that sewer connections could be made in exclusive farm use from the line that would be extended to serve the Callahan Center and Dammasch Hospital. He said the amendment before the Council would add further weight to those policies and add Metro's backing to those policies by stating that it was Metro's intent in granting the petition that the Council did not intend to allow any sewer connections to be made to the intervening EFU land. He said it was not his recommendation that the Council attach that condition although he saw no reason why the Council could not do so. He said the policy in the Urban Growth Management Agreement and Comprehensive Plan of Clackamas County was enough to address the issues, but said if the Council attached the further condition to the petition it would add further weight to those existing policies. He said as a practical matter, he was not sure how the Council could enforce the condition if it was imposed. He said to make a sewer connection to EFU lands, the party that requested such a connection would need Boundary Commission approval. He said if the Boundary Commission approved that connection, the party or parties in opposition would have to pursue legal remedies.

Mr. Epstein said the main reasons for the proposed UGB amendment were to recognize the Callahan Center and Dammasch Hospital as urban uses and to correct the existing environmental problem caused by a lack of sewer service to the two facilities. He said

it could facilitate sewer connections to the facilities to have the property in question included within the UGB. He said sewer services could potentially be connected to the facilities without amending the UGB, but said it would require the State to pay double the rate for the sewer connection because that was the City of Wilsonville's policy and that Wilsonville was unwilling to modify that policy for the State. He said by amending the UGB and annexing the properties to Wilsonville, the State could then obtain sewer services without paying twice the going rate thus achieving a more efficient use of state resources.

Councilor Bauer asked if only the area shaded in Exhibit A would be annexed both to the City of Wilsonville and to Metro District boundaries. Mr. Epstein said it would and the area in question would touch Wilsonville on the east edge of the subject property. Councilor Bauer asked if that would qualify Dammasch residents as residents of Wilsonville for luxury tax purposes. Mr. Epstein said he was not sure if the annexation would make Dammasch residents permanent citizens of Wilsonville.

Councilor DeJardin asked if any land would be exchanged as had been the case in other UGB petitions voted upon by the Council. Mr. Epstein said in minor locational adjustments land was swapped to minimize the amount of land added to the UGB because that also reduced the burden of proof required to justify the amendment. He said this case provided for an addition to the UGB only which made it a major amendment. He said because it was considered a major amendment it was subject to all statewide planning goals rather than just some factors from goals that played in minor locational adjustments. He said this adjustment involved the addition of 184 acres only.

Councilor McLain expressed further interest in the condition and asked whether Metro had some way to implement that type of a condition. She said looking at the map and hearing testimony on the issue, she was concerned how the decision would affect the boundary property outside the UGB without the condition, and felt concern about how all the statewide goals would affect the boundary position and sewer connection. She asked for Legal Counsel's opinion on the petition.

Larry Shaw, Legal Counsel, believed that while Metro had never done this type of amendment before, and that while Metro statutes were not explicit, that Metro did have the right to attach a condition of approval to an action by the Council to a UGB amendment. He said cities and counties had the right to attach conditions of approval to their land use decisions under their comprehensive plans and that Metro also had the right also to attach a condition in this case. He said Metro would enforce the

condition through litigation if other use petitions were received such as sewer connections, golf courses or other items.

Presiding Officer Collier asked if the Council should accept the condition as presented by staff to amend the resolution. Mr. Shaw said the Council should accept the condition although he said it was arguably not necessary to complete the findings.

Presiding Officer Collier opened the public hearing.

Mary Kyle McCurdy, 1000 Friends of Oregon staff attorney, said 1000 Friends was the party which raised the exception to the Hearings Officer's report and said the Council did need the condition to comply with State Goal 3. She said 1000 Friends agreed with suggested amendment language to the resolution. She said in addition to compliance with Goal 3, 1000 Friends found that the Clackamas County Comprehensive Plan could have contradictory provisions in it as to whether or not public facilities outside the UGB may have attachments to them. She said the County promised they did not interpret it to allow extensions outside the UGB, but said 1000 Friends thought the language ambiguous enough that resolution language to clarify the condition was deemed to be necessary. She said the Boundary Commission would be involved only if a requested sewer extension was of a certain size. She said 1000 Friends believed the language was essential for Metro to be a part of any future applications that might arise to be hooked up to that extension. She said 1000 Friends' concern was primarily with any premature urbanization of farm and forest land outside the UGB.

Councilor Wyers asked if 1000 Friends was supportive of the petition as a whole. Ms. McCurdy said the situation as a whole was unique. She said any UGB expansion made 1000 Friends nervous but that they recognized this petition was unique because of the sewage problem. She said 1000 Friends was nervous because part of the State's proposal relied on a particular occupant of the Callahan Center and understood that situation had changed. She said 1000 Friends had raised that issue, although not in their exception to the report. She said the State's proposal relied on Gloria Monty Productions occupying the Callahan Center which was no longer the case. She said the situation regarding the sewage was unique and they did not object to the UGB amendment. Councilor Wyers asked if the State could pay the double assessment to get the sewer. Ms. McCurdy said 1000 Friends raised that issue as well as whether or not the state could get a waiver from the City of Wilsonville but said neither option was considered. She said the State would have to pay higher fees because the City of Wilsonville would not consider the waiver.

Mary Dorman, land use consultant, 6131 NE Alameda, Portland, represented the State of Oregon, Department of General Services and also Dammasch State Hospital for this application. She said the State supported the Hearings Officer's findings and recommendations in this case and wanted to state for the record that the City Council of Wilsonville and the Clackamas County Commission supported the amendment and said the State had worked closely with all the involved parties throughout the process. She said the situation was unique and would not set a dangerous precedent for future UGB amendments. She said with regard to the sewer line connection, the original application said the State was willing to accept a policy or deed restriction to restrict hook-ups to the portion that extended outside the UGB and said that was offered without knowledge of what existing policies were in the Clackamas County Comprehensive Plan. She said if that policy was not in place, the State was willing to make the offer anyway. She said the State's position was similar to that stated by the Hearings Officer in that the existing plan policies in Clackamas County Comprehensive Plan did address the issue and the property remaining outside the UGB was under Clackamas County's land use jurisdiction and would be governed by their Comprehensive Plan, if not within the Metropolitan Service District Boundary. She said the issue had been adequately covered and said in conversations with County Planning, staff indicated their interpretation of their policy was that no hook-ups would be allowed whether or not it was an approved farm or non-farm use under the EFU statutes which included items such as golf courses.

Jim Sitzman, Department of Land Conservation and Development, said since the Callahan Center had lost its non-conforming use status and could not legitimately be used for any purpose close to its \$5 million value and its kind of structure. He said Oregon Technical Institute (OTI) had looked at the facility as a possible northern campus. He said the current issues arose then of how to get services such as sewer attached to the facilities. He said OTI chose another location and those efforts then stopped. He said Gloria Monty Productions expressed interest in the property and then the State then took the initiative to clarify the issues and services provided regardless of who would ultimately tenant the building. He said the facility still needed appropriate zoning as well as the sewer and water connections. He said the problem had been long-standing in nature.

Presiding Officer Collier asked if anyone else present wished to testify. No one else appeared to testify and Presiding Collier closed the public hearing.



Councilor Bauer noted on Exhibit A the area that would become part of Wilsonville and part of the UGB. He said the amendment would leave agricultural land surrounded on three sides by urban areas. He believed the amendment was well intentioned and appropriate.

Motion to Amend: Councilor Bauer moved, seconded by Councilor Buchanan, to amend Resolution No. 91-1496 with staff's language in Be It Resolved (additional amendment language underlined): "That the Metropolitan Service District, based on the findings in Exhibit B, attached and incorporated herein, and the following condition of approval expresses its intent to adopt an Ordinance amending the Urban Growth Boundary as shown in Exhibit A within 30 days of receiving notification that the property has been annexed to the Metropolitan Service District, provided such notification is received within six (6) months of the date on which this resolution is adopted" and to add: "Be It Further Resolved, That to assure compliance with statewide Goal 3 per finding V.C.2, and in compliance with longstanding Clackamas County Comprehensive Plan Agriculture Policy 4.0 prohibiting new usable sewer facilities on agricultural lands extension of the proposed sewer from Wilsonville Road across agricultural land to the subject property shall be installed and shall remain as a transmission line only with no additional connections on agricultural lands."

Vote on Motion to Amend: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and the motion passed.

Vote on the Main Motion as Amended: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Resolution No. 91-1496A was adopted.

6.2 Ordinance No. 91-424, For the Purpose of Approving the Revision of Metro Code Section 4.01.060 Revising Admission Fees at the Metro Washington Park Zoo (Public Hearing)

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

Presiding Officer Collier announced Ordinance No. 91-424 was first read on September 12, 1991 and referred to the Finance and

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the Regional Facilities Committees for consideration. The Finance Committee considered the ordinance on September 19 and the Regional Facilities Committee considered the ordinance on September 24. Both committees recommended the ordinance for adoption to the full Council.

Motion: Councilor Hansen moved, seconded by Councilor DeJardin, for adoption of Ordinance No. 91-424.

Councilor Hansen gave the Finance Committee's report and recommendations. She said the increase had been anticipated and budgeted for, but said rather than raising the ticket fees by \$1.00 per person, Zoo staff believed they could manage with a \$.50 per ticket increase. Councilor Hansen said it was not pleasant to raise Zoo ticket fees but said the Zoo still gave good value for the rates it would charge.

Councilor Bauer gave the Regional Facilities Committee's report and recommendations. He said the Committee discussed the impact the increased rates would have on Zoo patrons but noted the ticket prices would still be competitive with other zoos nationally.

Presiding Officer Collier opened the public hearing.

Roger D. Jennings, Friends of the Zoo (FOZ) board member, 3151 NW Vaughn, stated FOZ supported the fee increase.

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

Councilor Buchanan said the Zoo was the only family-related function Metro offered, but said he would support the fee increase because the Zoo needed the additional funds. He hoped the requested increase would be the last one for a long time.

Councilor McLain said she would vote for the ordinance if the Council amended the ordinance to delete Section 4.01.060(5)(B): "Metro Councilors and the Metro Executive Officer shall be entitled to free admission."

Motion to Amend Main Motion: Councilor McLain moved, seconded by Councilor Wyers, to amend Ordinance No. 91-424 with the recommended deletion listed above.

Councilor Bauer noted Councilors went to the Zoo often on Metro business to attend meetings. Councilor Wyers noted Councilors were invited to the Zoo for various functions such as the

Zoolights Festival. Councilor DeJardin said Councilors could pay admission if that was their individual preference. Councilor Buchanan noted he served on the Zoo Committee for two years and had to go to the Zoo often and said it was easier to perform Metro business with a pass.

Motion to Amend Main Motion: Councilors Gardner, McLain, Wyers and Collier voted aye. Councilors Bauer, Buchanan, DeJardin and Hansen voted nay. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was 4 to 4 and the motion failed.

Vote on the Main Motion: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, Wyers and Collier voted aye. Councilor McLain voted nay. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was 7 to 1 and Ordinance No. 91-424 was adopted.

6.3 Ordinance No. 91-425, An Ordinance Amending Ordinance No. 91-390A Revising the FY 1991-92 Budget and Appropriations Schedule for the Purpose of Funding an Amendment to the R.W. Beck Contract (Public Hearing)

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

Deputy Presiding Officer Gardner announced Ordinance No. 91-425 was first read on September 12 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on September 19 and recommended it to the full Council for adoption.

Motion: Councilor Wyers moved, seconded by Councilor Hansen, for adoption of Ordinance No. 91-425.

Councilor Wyers gave the Finance Committee's report and recommendations. She said Ordinance No. 91-425 was companion legislation to Resolution No. 91-1503. She explained R.W. Beck would perform testing on the compost product to determine the product was adequate for sale. She said the contract had exceeded its originally allocated amount of \$150,000 and the ordinance would authorize the transfer of \$100,000 from the Waste Reduction Division budget to the Solid Waste General Account to allow R.W. Beck to finish the job. She said Resolution No. 91-1503 would exempt the remainder of the contract from competitive bidding and allow R.W. Beck to finish the contract.

Presiding Officer Collier asked if anyone present wished to testify on the ordinance. No persons appeared to testify and the public hearing was closed.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Ordinance No. 91-425 was adopted.

6.4 Ordinance No. 91-426, For the Purpose of Approving the Revision of Metro Code Sections 2.02.180, 2.02.185, 2.02.200, and Adopting the Management Compensation Plan

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

Presiding Officer Collier announced Ordinance No. 91-426 was first read on September 12 and referred to the Governmental Affairs Committee for consideration. The Governmental Affairs Committee considered the ordinance on September 19 and recommended it to the full Council for adoption.

Motion: Councilor DeJardin moved, seconded by Councilor Hansen, for adoption of Ordinance No. 91-426.

Councilor DeJardin gave the Governmental Affairs Committee report and recommendations. He explained the ordinance and its companion resolution constituted the compensation package for non-represented employees, specifically covering vacation and administrative leave. He said the ordinance would make benefits for non-represented employees equivalent with represented employees on vacation time.

Presiding Officer Collier asked if anyone present wished to testify on the ordinance. No persons appeared to testify and the public hearing was closed.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Ordinance No. 91-426 was adopted.

7. RESOLUTIONS (Continued)

7.2 Resolution No. 91-1494B, For the Purpose of Authorizing the Execution of a Sale Agreement for the Acquisition of the Sears Facility

Removed from the agenda.

7.3 Resolution No. 91-1505B, For the Purpose of Authorizing the Issuance of Metro Headquarters Project Design/Build RFQ/RFP

Removed from the agenda.

7.4 Resolution No. 91-1507, For the Purpose of Exempting the Headquarters RFQ/RFP Process from Competitive Bidding Process Pursuant to Metro Code 2.04.041

Removed from the agenda.

Presiding Officer Collier recessed the Council of the Metropolitan Service District and convened the Contract Review Board of the Metropolitan Service District to consider Agenda Item Nos. 7.5 and 7.6.

7.5 Resolution No. 91-1504, For the Purpose of Authorizing Exemption to the Requirement of Competitive Bidding Pursuant to Metro Code 2.04.041(c) and Approving Portland General Electric as a Sole Source Contractor Pursuant to Metro Code 2.04.060

Motion: Councilor Buchanan moved, seconded by Councilor Wyers, for adoption of Resolution No. 91-1504.

Councilor Buchanan gave the Regional Facilities Committee report and recommendations. He said it was a sole source contract because PGE was the only possible provider and that PGE would perform an efficiency review at the Zoo to develop a conservation program for the Zoo in its use of electricity and gas.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Resolution No. 91-1504.

7.6 Resolution No. 91-1503, For the Purpose of Authorizing an Exemption to the Requirement to Solicit Competitive Proposals for Amendment No. 2 to the Contract with R.W. Beck & Associates, Providing Additional Performance Test Monitoring for the Riedel Compost Facility

Motion: Councilor Wyers moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1503.

Councilor Wyers noted Resolution No. 91-1503 was the companion legislation to Ordinance No. 91-425 and referred to her report on that ordinance.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Resolution No. 91-1503.

Presiding Officer Collier adjourned the Contract Review Board and reconvened the Council of the Metropolitan Service District.

7.7 Resolution No. 91-1498, For the Purpose of Adopting the FY 1992 to Post 1995 Transportation Improvement Program and the FY 1992 Annual Element

Motion: Councilor Gardner moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1498.

Councilor Gardner gave the Transportation & Planning Committee's report and recommendations. He said Resolution No. 91-1498 would adopt the FY 1992 to Post 1995 Transportation Improvement Program (TIP) and the FY 1992 Annual Element. He said the resolution incorporated scheduling and cost updates that had already taken place based on policy decisions made via previous resolutions adopted. He said such decisions related to the current high-capacity transit studies, some adjustments to the use and programming of interstate transfer funds and UMTA funds, and dealt with the State of Oregon's position on the re-authorization of the Surface Transportation Act. He noted Andy Cotugno, Director of Transportation, told the Committee the resolution also dealt with the issue of whether Metro's regional transportation program was in interim conformity with new requirements contained in the Clean Air Act.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Resolution No. 91-1498.

7.8 Resolution No. 91-1506, For the Purpose of Adopting a Management Compensation Package

Motion: Councilor DeJardin moved, seconded by Councilor Hansen, for adoption of Resolution No. 91-1506.

There was no Councilor discussion or questions on Resolution No. 91-1506.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and Resolution No. 91-1506.

7.2 Resolution No. 91-1467A, For the Purpose of Adopting Rules Establishing Procedures Relating to the Conduct of Council Business

Removed from the agenda.

4. CONSENT AGENDA

4.1 Minutes of June 13, 1991

4.2 Resolution No. 91-1508, For the Purpose of Approving a Request for Proposals Document for Establishing an Employee Assistance Program and Waiving Council Approval of the Contract and Authorizing the Executive Officer to Execute the Contract Subject to Conditions

4.3 Resolution No. 91-1501A, For the Purpose of Amending the FY 92 Unified Work Program to Include the I-5/I-205 Portland/Vancouver Preliminary Alternative Analysis

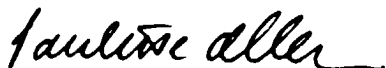
4.4 Resolution No. 91-1509, For the Purpose of Authorizing the Executive Office to Execute a Contract with CTR for the Purchase of Computer Hardware, Software and Services and a Contract with First Portland Leasing for the Financing of Said Purchase and Completing the Strap Computer Project

Motion: Councilor Gardner moved, seconded by Councilor DeJardin, for adoption of the Consent Agenda items as listed above.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, McLain, Wyers and Collier voted aye. Councilors Devlin, Knowles, McFarland and Van Bergen were absent. The vote was unanimous and the Consent Agenda was adopted.

There being no further business, Presiding Officer Collier adjourned the meeting at 11:20 p.m.

Respectfully submitted,



Paulette Allen  
Clerk of the Council