

## MINUTES OF THE METRO COUNCIL REGULAR MEETING

January 19, 1995

Council Chamber

Councilors Present: Ruth McFarland (Presiding Officer), Rod Monroe (Deputy Presiding Officer), Jon Kvistad, Patricia McCaig, Susan McLain, Don Morissette, Ed Washington

Councilors Excused: None

Also Present: Executive Officer Mike Burton

Presiding Officer McFarland called the meeting to order at 2:00 p.m.

### 1. INTRODUCTIONS

None.

### 2. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS

None.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

### 4. ORDINANCES -- SECOND READINGS

#### 4.1 Ordinance No. 95-583, Amending Chapter 2.01 of the Metro Code Relating to Council Organization and Procedures; and Declaring an Emergency

Casey Short, Senior Council Analyst, reported on Ordinance 95-583A, stating that the purpose of the Ordinance is to bring the Code into conformance with the fact that there are now seven Councilors rather than 13. Presiding Officer McFarland stated that action on the Ordinance will be held over until supporting legislation has been drafted, and that all of the pieces will be considered as a group.

Councilor Monroe inquired about the procedures to be followed if the office of Presiding Officer was vacated mid-term. Dan Cooper, Metro General Counsel, said staff would prepare a report to the Council clarifying these procedures. Councilor Monroe then asked if the requirement that an

Ordinance be read at a previous meeting could be overcome with a suspension of the rules in an emergency. Mr. Short answered affirmatively, and outlined the legal requirements for doing so. Councilor Washington asked for and received clarification of language that says fewer Councilors than a quorum may compel absent members to attend. Councilors Morissette and Kvistad asked for clarification regarding approved absences. Mr. Cooper responded briefly, referring to a previously adopted Ordinance that set in place procedures for the Council to declare an office vacant. Councilor McLain asked about job descriptions, and expressed concern about the fact that Clerk of the Council does not exist but is mentioned in the Ordinance. Mr. Cooper indicated the language is not inconsistent with current staff assignments.

## 5. RESOLUTIONS

Presiding Officer McFarland convened the Contract Review Board.

### 5.1 Consideration of Resolution 95-2064A, Declaring Novell to be a Metro Local Area Network Standard and Thereby Authorizing a Sole Source Relationship with Novell Network Pursuant to State Price Agreement No. 3215 (Action Requested: Motion to Adopt the Resolution)

***Motion:** Councilor McCaig moved for adoption of Resolution No. 95-2064A.*

Prior to the meeting, Councilor McCaig distributed Resolution No. 95-2064A for consideration at the meeting. She gave a brief presentation of Resolution No. 95-2064A. The contract will provide maintenance for Metro software. There is only one firm that delivers the kind of maintenance needed for the existing software. Metro is issuing a sole source contract to the State of Oregon to purchase Novell software maintenance services.

***Vote:** Councilors McCaig, Morissette, Monroe, Washington, McLain, Kvistad and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

### 5.3 Consideration of Resolution No. 95-2073, Authorizing an Exemption from the Competitive Bid Process and Authorizing Issuance RFP #94R-35-SW for Purchasing Diesel Fuel (Action Requested: Motion to Adopt the Resolution)

***Motion:** Councilor Kvistad moved, seconded by Councilor Washington for adoption of Resolution No. 95-2073.*

Councilor Kvistad discussed the amended version, Resolution No. 95-2073A, and reported that Metro has an opportunity to realize savings on fuel purchases by entering into a sole-source agreement with a vendor for reasons stated in Exhibit C to the Resolution. The Resolution will authorize an RFP to establish a contract that will extend the current contract 14 months. At the end of the 14 month period of evaluation, there will be either a bid process or a series of yearly

extensions with a three extension maximum. Councilor Kvistad indicated the cost of the contract is about \$900,000 annually.

John Houser, Senior Council Analyst, pointed out that since the RFP is for a multi-year contract, the contract extension will be subject to annual Council approval. The specific language modifications comprising Councilor Kvistad's amendments were distributed with the amended version, and are part of the official meeting record.

***Motion to Amend Main Motion:*** Councilor Kvistad moved, seconded by Councilor Washington to substitute Resolution No. 95-2073A for Council consideration.

***Vote on Main Motion as Amended:*** Councilors Morissette, Monroe, Washington, McLain, Kvistad, McCaig, and McFarland voted aye. The vote was 7/0 in favor, and the motion passed unanimously.

***Vote:*** Councilors Monroe, Washington, McLain, Kvistad, McCaig, Morissette, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.

Presiding Officer McFarland adjourned the Contract Review Board.

5.5 Consideration of Resolution No. 95-2058, Allocating I-205 Busway Withdrawal Funds to South/North Environmental Impact Statement and Preliminary Engineering and Airport Ground Access Study and Rescinding Tri-Met Obligation to Repay Previous I-205 Buslane Withdrawal Grant (Action Requested: Motion to Adopt the Resolution)

***Motion:*** Councilor Monroe moved, seconded by Councilor Kvistad for adoption of Resolution No. 95-2058.

Executive Officer Burton stated the resolution provides allocation of \$12,605,958 of the I-205 Buslane Withdrawal funds to support the South/North Transit Corridor project. He gave a brief history of prior legislation relating to the Resolution.

Andy Cotugno, Metro Planning Director, provided further history on Metro's actions to date, and gave a brief overview of the factual background and analysis of the proposed legislation, which is included as part of the staff report to the Resolution, and is part of the meeting packet.

Councilor Monroe agreed that the bus lane improvements are not currently warranted on the I-205 Corridor. He expressed concern about losing out on Federal funds if action is not taken quickly. He said appropriating these funds for the South/North Light Rail project will reflect an increased emphasis and commitment to the project, thereby improving the likelihood of obtaining ISTEA funds.

***Vote:** Councilors Washington, McLain, Kvistad, McCaig, Morissette, Monroe, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

5.6 Consideration of Resolution No. 95-2072, Endorsing the Oregon Transportation Finance Package (Action Requested: Motion to Adopt the Resolution)

***Motion:** Councilor Monroe moved, seconded by Councilor Kvistad for adoption of Resolution No. 95-2072.*

Executive Officer Burton gave a presentation on the Oregon Transportation Finance Package. Council was asked to endorse the package which establishes a comprehensive, multi-modal funding strategy for consideration by the 1995 Oregon Legislature. He gave an overview of the factual background and analysis of the package which is included as part of the staff report to the Resolution and is included in the meeting packet.

The Council discussed the effectiveness of the package. It was recommended that more creative funding mechanisms be explored in the future.

***Vote:** Councilors McLain, Kvistad, McCaig, Morissette, Monroe, Washington, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

5.7 Consideration of Resolution No. 95-2076, Adopting the Metro 1995 Oregon Legislative Process, Principles and Priorities (Action Requested: Motion to Adopt the Resolution)

***Motion:** Councilor Monroe moved, seconded by Councilor Washington for adoption of Resolution 95-2076.*

Executive Officer Burton briefed the Council on Resolution No. 95-2076 adopting the Metro 1995 Oregon Legislative Process, Principles, and Priorities. He explained the state legislative process and introduced an amendment to the Resolution under consideration.

Councilor McCaig asked about Section "C" of Exhibit A, entitled "Legislative Priorities." She said, while she supports the Executive's agenda, it is important for Council to forward their own agenda. Councilors Morissette and Kvistad expressed concern over the portion of Section "C" pertaining to Boundary Commission membership.

Following discussion of these issues, it was decided to postpone adoption of Section "C" of Exhibit A until Council has an opportunity to address their priorities in a future work session. Sections "A" and "B" of Exhibit A will move forward with the resolution.

***Motion to Amend Main Motion:** Councilor McCaig moved, seconded by Councilor McLain to amend Resolution No. 95-2076 to exclude Section "C" of Exhibit A to the Resolution.*

Following discussion, Councilor McCaig withdrew her motion to amend the main motion and replaced it with the following:

**Motion to Amend Main Motion:** Councilor McCaig moved, seconded by Councilor Kvistad for adoption of the Executive's amendment to Exhibit A, Section "3" of Resolution No. 95-2076.

**Vote on Main Motion as Amended:** Councilors McCaig, Morissette, Monroe, Washington, McLain, and McFarland voted aye. Councilor Kvistad abstained. The vote was 6/0 in favor, with one abstention and the motion passed.

**Motion to Amend No. 2:** Councilor McCaig moved, seconded by Councilor McLain to amend Resolution No. 95-2076 to exclude Section "C" of Exhibit A to the Resolution.

**Vote on Motion to Amend No. 2:** Councilors McCaig, Morissette, Washington, McLain, Monroe, and McFarland voted aye. Councilor Kvistad abstained. The vote was 6/0 in favor, with one abstention and the motion passed.

**Vote:** Councilor McCaig, Morissette, Monroe, Washington, McLain and McFarland voted aye. Councilor Kvistad abstained. The vote was 6/0 in favor, with one abstention and the motion passed.

Noel Klein of Western Advocates distributed a package of Oregon Legislative background to Councilors. A copy of this package is included as part of the meeting record. Mr. Klein gave a briefing on the first week of legislative action.

**5:2 Consideration of Resolution No. 95-2074, Changing the Election Date of the Submission to the Voters of a General Obligation Bond Indebtedness to Proceed with the Acquisition of Land for a Regional System of Greenspaces (Action Requested: Motion to Adopt the Resolution)**

**Motion:** Councilor McCaig moved, seconded by Councilor Morissette for adoption of Resolution No. 95-2074.

**Motion to Amend Main Motion:** Councilor McCaig moved, seconded by Councilor Morissette to substitute Resolution No. 95-2974A for Council consideration.

Councilor McCaig gave a report on Resolution No. 95-2074A which changes the election date for the Greenspaces bond measure from March to May 16. Exhibit A is the re-drafted ballot title. Exhibit B is the ballot measure language for the voter's pamphlet. Councilor McLain asked if the Cornelius project will be added to the list of local projects. Presiding Officer McFarland directed staff to correct the omission of The City of Cornelius from the document.

***Vote on Main Motion as Amended:** Councilors Morissette, Monroe, Washington, McLain, Kvistad, McCaig, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

Presiding Officer McFarland opened a public hearing.

George Ward , 510 SW Third, Suite 433, Portland, OR 97204, appeared to speak before the Council on Resolution No. 95-2074. A copy of his prepared comments is included in the official meeting record.

Presiding Officer McFarland closed the public hearing.

***Vote:** Councilors Monroe, Washington, McLain, Kvistad, McCaig, Morissette, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

5.4 Consideration of Resolution No. 95-1995, Certifying that Tri-Met's Joint Complementary Paratransit Plan Update for 1995 Conforms to Metro's Regional Transportation Plan (Action Requested: Motion to Adopt the Resolution)

***Motion:** Councilor Monroe moved, seconded by Councilor McLain for adoption of Resolution No. 95-1995.*

Mr. Cotugno spoke to the Resolution, stating that Tri-Met is in compliance with the paratransit plan established by Metro, he added that Tri-Met is currently several years ahead of Federal guidelines for paratransit.

***Vote:** Councilors Washington, McLain, Kvistad, McCaig, Morissette, Monroe, and McFarland voted aye. The vote was 7/0 in favor and the motion passed unanimously.*

## 6. COUNCILOR COMMUNICATIONS

Presiding Officer McFarland informed the Council that, as agreed upon earlier, a work session is scheduled for Friday, January 27 from 12:00 p.m. to 3:00 p.m. to discuss legislative priorities

Councilor Monroe reported that Executive Officer Burton will address the City Club Friday, January 20. He also informed the Council that the Oregon Senate Transportation Committee will meet that same day at the Portland Chamber of Commerce.

Councilor McCaig distributed a draft schedule for the budget process. Following discussion it was decided to schedule a work session on Friday, February 17, from 10:00 a.m. to 5:00 p.m. to review Executive Officer Burton's proposed budget. Another work session will be scheduled for Tuesday, February 14 from 12:00 p.m. to 2:00 p.m. to discuss general budget strategy. If any

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one wishes to suggest further modifications to the schedule, they should speak to Councilor McCaig.

Councilor Kvistad spoke of a Tigard leadership conference scheduled to come to Metro for an overview of regional government. He also related serious concern about the application and nomination process for the Citizens Advisory Committee of the Regional Transportation Plan. He wants to reorganize the way nominations are handled for that committee. Councilor McLain said that there is still time for Councilor Kvistad to effect that process.

With no further business before the Council, Presiding Officer McFarland adjourned the meeting at 5:13 p.m.

Prepared by,

Lindsey Ray  
Council Assistant