

Minutes of the Metro Council  
February 9, 1995  
Council Chamber

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

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

1. Introductions

None.

2. Citizen Communications

None.

3. Executive Officer Communications

None.

4. Consent Agenda

4.1 Consideration of Minutes for the February 2, 1995 Metro Council Regular Meeting and the  
Minutes for the January 21, 1995 Metro Council Work Session  
2<sup>1/2</sup>

Motion: Councilor Washington moved, seconded by Councilor Morissette to approved the January 26,  
and February 2, 1995 Council Minutes.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

5. ORDINANCES SECOND READINGS

5.1 **Ordinance No. 95-586**, An Ordinance For the Purpose Of Amending The Metro Code Relating  
To Parking Regulation At Metro Facilities

Councilor Washington noted the item was previously before the Metro Council.

Motion: Councilor Washington moved, seconded by Councilor to adopt the Ordinance.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

5.2 **Ordinance No. 95-589**, An Ordinance Amending the FY 1994-95 Budget And Appropriations  
Schedule By Transferring \$6,500 From Materials and Services To Personal Services In The Building  
Management Fund For The Purpose Of Adding One Security Officer 1 Position In Lieu Of One Contract  
Security Officer; And Declaring An Emergency

Motion: Councilor Washington moved, seconded by Councilor Monroe to adopt the Ordinance.

Councilor Washington noted the purpose of the Ordinance was to replace a contract security officer with  
a paid Metro staff security officer. He noted the intent was to reduce the turnover of the contract security  
staff by hiring a Metro employee.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

6. RESOLUTIONS

6.1 **Resolution No. 95-2096**, For The Purpose Of Authorizing The Executive Officer To Execute  
An Intergovernmental Agreement Creating A regional Arts and Cultural Agency

Councilor Washington noted the item had previous discussion. He stated a memo dated February 6, 1995 prepared by Don Carlson, Senior Council Analyst was included in the record of the meeting.

Councilor McLain noted Mr. Carlson's memo posed a question regarding clarification of the distributing of funds. Dan Cooper, General Counsel, noted no direct transfer existed at this time to the entity. He noted the agreement stated each sponsoring jurisdiction would consider future allocations. He stated direct fund transfer or contract for services were both options for addressing the funding request.

Councilor Kvistad noted he supported the resolution but that operational and funding issues had not been addressed to date. He favored a letter of intent to be transmitted with the Resolution. In response to Councilor Washington, Mr. Cooper stated a letter would be appropriate. He noted the record indicated control of funding was a separate issue. Presiding Officer McFarland requested any letter be approved by the Council prior to release.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

#### 7. COUNCILOR COMMUNICATIONS

Councilor McLain reported on the February 8, 1995 MPAC meeting. She noted the Exclusive Farm Use (EFU) lands issue was discussed. She said the sentiment of the committee was to ask a subcommittee to review the issue as it approached a decision. She noted the 2040 study included discussion of the issue. She stated Metro's involvement was important and the decision would be a long process. She stated the issue would be approached with the urban reserve discussion that was a 20 year projection. She said the meeting was well attended.

Councilor Kvistad extended kudos to Lisa Creel, Senior Public Involvement Specialist, Friends of the Zoo, and Zoo staff for the tour of the Zoo held February 8, 1995. He extended additional kudos to Ms. Creel and Carol Kelsey, Executive Management Staff, for their involvement with a community project in Tigard.

Councilor Morissette noted the proposed TPAC Bylaws amendment by Councilor Kvistad at the February 7, 1995 Council Work Session had been forwarded to JPACT who consequently sent the proposal back to TPAC for discussion. He stated the EFU issue was an important and large issue. He stated many of the outcomes of the 2040 study would not be popular. He noted Metro needed to be prepared to have accurate numbers with regard to available lands.

Councilor Monroe stated TPAC would be discussing the proposed amendments to their bylaws. He discussed the EFU issue. He called for changes in state law to allow local discretion of changing EFU lands.

Councilor McLain noted urbanization forces farm practices to change. She noted the farm owners discussed the issues openly at the meeting.

Councilor McLain requested an executive session updating the status of the ongoing lawsuit against the Executive Officer. Presiding Officer McFarland noted some changes had occurred and agreed to schedule and executive session. She also agreed to meeting individually with Councilor.

Councilor McCaig said in the effort to save funds, she did not desire to have counsel present. Mr. Cooper noted an executive session could be held within the confines of Oregon Statute but that no decision could be made.

The Council held an executive session pursuant to ORS 192.660(1)(D)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Press Present: Kathy Stimick,Portland Cable Access

The Council held an executive session pursuant to ORS 192.660(1)(D)(b) To consider the dismissal or disciplining of .... an employee.

Press Present: Kathy Stimick,Portland Cable Access; and Keith Klippstein, Lake Oswego Review

8. LEGISLATIVE ITEMS

None.

With no further business before the Council, Presiding Officer adjourned the meeting at 3:45 p.m.

Prepared by,



Susan Lee, CMC  
Council Assistant

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**APPROVED**  
**Date** 02/16/1995 *AS REVISED*