

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 2, 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 Absent: None

Presiding Officer McFarland called the meeting to order at 2:15 PM.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSENT AGENDA

Councilor Washington requested that the Council minutes of October 12, 1995 be amended to change the wording of his motion regarding Ordinance No. 95-616A from minimum to maximum.

***Motion:** Councilor McCaig moved, seconded by Councilor Washington for approval of the consent agenda, with amendments to the minutes as noted above.*

***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. INFORMATIONAL ITEMS

5.1 Report by the Auditor, Alexis Dow: Regional Parks and Greenspaces; Glendoveer Cellular Site Lease

Alexis Dow, Metro Auditor, appeared to report on her audit of the Regional Parks and Greenspaces department and her observations relating to the Glendoveer cellular site lease agreement. The lease agreement allows GTE Mobilnet to operate a cellular communications transmission facility at Glendoveer Golf Course. Ms. Dow undertook the study in response to an inquiry of a Metro area citizen. A copy of this report, which

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includes the background, analysis, recommendations, and the Executive Officer's response, as well as other key elements, is included as part of the meeting record.

Councilor Kvistad asked that Mike Burton, Executive Officer, or his designee be available to answer questions when Ms. Dow makes her presentations to the Council. Jennifer Sims, Chief Financial Officer, informed the Council that she was present at Executive Officer Burton's request to address any questions.

Councilor McLain asked that audits go first to the appropriate Council committee, this case, either Regional Facilities, or Governmental Affairs to allow for Council input and discussion. Presiding Officer McFarland said she will follow through on Councilor McLain's request.

5.2 Regional Urban Growth Goals and Objectives

Presiding Officer McFarland opened a public hearing.

Councilor McLain gave a brief overview of the 2040 process. John Fregonese, Growth Management Director, and Mark Turpel, Senior Program Supervisor, were present and available to answer specific questions.

(Editor's note: public hearing testimony was transcribed by temporary Metro Council staff person David Aeschilman. Mr. Aeschilman's notes are presented below in their entirety.)

1. Alan Malone, Friends of Cooper Mountain, 19238 SW Heightsview, Aloha OR 97007.
"I would like to address the Metro Council on Cooper Mountain and its status on urban reserve. The purpose of me coming here today is to familiarize the Metro Council with the opinions and concerns of the property owners of Cooper Mountain area regarding the placement of Cooper Mountain into the urban reserve study area. The concerns of the property owners focus on three main subjects: First, the density assumptions developed for Region 2040 Growth Concept Plan indicate an anticipated density of 1,156 additional dwellings in our area. We are deeply concerned that the infill possibilities of Cooper Mountain have been greatly and gravely over-calculated by Metro staff and independent consultants to Metro. We would like to bring to the Metro Council's attention the fact that many, if not most properties on top of Cooper Mountain that were developed on RR5 land are covered by restrictions on their deeds that will prohibit the subdivision of lots. We feel that this is a significant subject of legal concern that should be looked at Metro Council and Staff. Furthermore, in discussions with Metro staff personnel, it is apparent that the assumption exists that property sizes of one acre will be subject to subdivision within the twenty-year scope of the study. Many of the properties would not be dividable unless existing homes are demolished or moved due to their placement on the lots. It is questionable whether existing or future owners would be willing to do this. A petition signed by 191 Cooper Mountain owners certainly suggests individuals would not willingly make this choice. The resulting checkerboard pattern that may be formed by the attempted in fill of Cooper Mountain urban reserve area would be highly disruptive to the nature of our neighborhood and would not preserve an existing stable and distinct neighborhood. This would not be in the spirit of Goal II of the Regional Urban Growth Goals and

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Objectives (RUGGOs). Second, we would like to bring to your attention the existence of agricultural, mining and timber industries in or adjacent to the study area. Cooper Mountain Vineyard is considered to be a prime Oregon agricultural resource. This is an unique feature to our community and should not be considered for development. This is an active winery, producing wine. This wine can be found on the local shelves of our supermarkets. The rock quarries of Cooper Mountain should also be considered when looking at a reserve status for this area. Cobb Rock and Baker Rock are actively mining and blasting on the west slope of Cooper Mountain. A land use district B encompasses all land on either side of Grabhorn Road, well into the proposed urban reserve study area. Home built in this area will have severe building requirements and restrictions. The south slope of Cooper Mountain consists of farm and forest lands that are under active use. The land bordering Kemmer Road has been recently clear cut under the State Forest Practices Act. We strongly feel that this land should remain farm and/or forest use or be considered for acquisition into the Greenspace Program. Replanting and regeneration as well as maintaining the remaining forested lands on the south slope of Cooper Mountain is consistent with Regional Urban Growth Goals and Objectives (RUGGOs), growth management Objective 21, Urban/Rural Transition. Finally, we feel that our area should be considered for rural reserve designation. We need to maintain the agricultural industry of the vineyards; we need to eliminate conflicts with forest use and other farm uses; we can help meet regional goals and needs for open space and wildlife habitat and help to clearly separate urban from rural land. All of these reasons and others are clearly in agreement with the definition of 'rural reserves' in the amended Regional Urban Growth Goals and Objectives (RUGGOs). Thank you for your attention."

2. Bill Resnick, Portland Jobs With Justice, 1615 SE 35th Place, Portland OR 97214. "I am authorized to speak on 2040. We urge you to hold the line with no expansion of the Urban Growth Boundary (UGB). We also urge you to adopt policies that not only reduce concentrations of poverty but also direct development and resources to the people who need them. The Urban Growth Boundary (UGB) decision seems to me to be quite simple, at least as a policy matter. This country has conducted a fifty-year experiment in encouraging suburban sprawl. If we can continue to fuel suburban growth, as most studies have done, we will surely get similar outcomes; that is, urban and inner suburban disinvestment and blight, congestion, environmental decline, wasted resources, as well as subsidies to the affluent. Ultimately, suburbanization generates social patterns where people abandon community concerns and intensify the search for private security, going further and further into the countryside in a futile effort to find comfort. We have to hold the line on the Urban Growth Boundary (UGB) and avoid malignant growth. Then comes the hard part: How to direct development to revive urban communities and regional livability? It seems to us that you have taken the first step; that is, adopting Objective 21 of the Regional Urban Growth Goals and Objectives (RUGGOs). It seems to me that is only a first step. Because we have to begin directly addressing the fundamental driving force right now in this society, that is the polarization of income, the marginalization of much of America's working class. Some have termed it the Brazilianization of this country. For the past twenty years, the rich have been getting much richer; stupendously richer. Most people are working harder for less with increasing insecurity and perhaps 1/3 of people are falling into deep

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poverty, even more among children. No city or region will be livable if substantial and increasing numbers of people are unable to get work that enables them to raise a family and live in dignity. It seems to me that unless we, in particular our political leaders, do something about income polarization and decline for most people, we will continue to keep expanding prisons while cutting schools and parks and environmental restoration. I understand that dealing with polarization of income is not your primary objective and responsibility but it seems to me that you are not helpless and that you are not without considerable influence and there are many things you can do. One thing, it seems to me, is make clear in your documents, the real problems this region faces about income polarization and that is not now the case. We have submitted testimony on that throughout this process. A second thing you can do is think about contracting standards to eliminate low wage, no benefit companies from consideration for public contracts. You can support increases in the minimum wage and all working class wage and benefit levels. You can adopt policies and resolutions that stop reckless tax breaks to get high tech but in fact low-wage companies and that process generates a race to the bottom as more and more cities are forced to compete in the tax break derby. You can speak, in fact, for a progressive taxation and job creation and very different ways of managing the US economy. You can also promote a through-going process of democratization so that participation in decision-making is built into the fabric of life for all citizens. In conclusion, we urge you to hold the line on the Urban Growth Boundary (UGB) and pursue the policies of development and incoming quality rather than reckless growth. Thank you."

3. Dorothy Cofield, Oregonians in Action, 8255 SW Hunziker Road, Tigard OR 97223.
"Many changes still need to be made. The most troublesome aspect for us is the fact that some land is going to be acquired by Metro Greenspace bond money and others are going to be acquired by regulation. I did talk to John Fregonese after the last hearing to find out the status of just acquiring land from willing sellers and really the difference is a philosophical one: At this point the Metro Council doesn't yet consider taking away some use by regulation, generating the need for compensation and we would suggest that the Council look very hard at that and what might happen in the future and make an effort to only acquire open space land by purchasing that land. That will perhaps keep Metro out of future litigation that it doesn't want to get involved in. The second problem for us in the Regional Urban Growth Goals and Objectives (RUGGOs) is treating all the agricultural resource land outside the Urban Growth Boundary (UGB) as productive farm and forest land. While we absolutely support protecting the good, productive land, all of it shouldn't be disallowed for rural living and there are many restrictions already in place in state law such as the Urban Growth Boundary (UGB) not allowing subdivisions, farm/forest conflicts, and right to farm laws that will protect existing farm and forest industries from the conflict of rural living. Third, we have a problem with the rural reserve concept. The idea of state-wide Goals 11 and 14, which is to have this orderly growth, if you have these rural reserves right outside the Urban Growth Boundary (UGB), and someday you have to add more land because of growth, you are going to have to leap-frog over those reserves which really conflicts with some of our other state laws and policies. Finally, we would like to state that we support keeping the planning activities out of the Regional Urban Growth Goals and Objectives (RUGGOs). We advocate keeping the Future Vision or even an abridged version out of

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the Regional Urban Growth Goals and Objectives (RUGGOs) document. I have specific and proposed amendments that I won't go through but hope that you will take the time to read. Thank you very much."

4. M'Lou Christ, 904 SE 13th Portland OR 97214, District Seven. "I appreciate your dilemma about how to accommodate and apparently huge number of newcomers and new households to the area. I think that the last paragraph in the Oregonian article is a key point: It was about encouraging local communities to speed up zoning and other measures to increase densities within the existing boundary. 'But a packet of fast-track measures is moving slowly because of disagreements over the details.' I urge you to put the horse back in front of the cart and delay any discussion of expansion of the Urban Growth Boundary (UGB) until zoning and other measures to increase densities are settled throughout the Metro region."
5. Kim Vandehey, landowner in urban reserve area, 17207 SW Siler Ridge, Aloha OR 97007. "I live on Cooper Mountain which is District 3. Every one says we don't want to be like California but that is exactly what we are doing. We want livability and we want everything that we have always had here but yet we allow businesses to come in with million-dollar tax breaks, bringing more people and building as well as more everything. Unlike some of the people who have testified today, I am a little different side. When we allow all these people to come in, we do this backwards. We let them come in, then we decide that we have a need to build more housing, then we do all of the infrastructure and then we plan. It is the backwards way. You are the regional government. You need to take charge and tell the cities and the counties what to do rather than work with them but you need to strong-arm them pretty much. The cities and the counties pretty much decide what they want to do. The cities and counties like to not do their planning and then suddenly come to grips with the fact that something has to be done by tomorrow and then just throw a dart. The other thing I want to say is we need logical, reasonable growth patterns so that all of us can plan ahead. At this point, we don't have that. The last time they did one of these growth boundary changes, in my area, they decided that they were going to stop a sewer line half way up a hill. That is not where a sewer line should stop. It should stop at the top of the hill or it shouldn't go that way at all. We do a lot of that in our area. I think it needs to stop. I think the place where it needs to stop is here with you. You are the regional government. You really need to strong arm some of these people and say 'Hey, we're not going to allow those kinds of things.' The other thing is when we logically start thinking about roads and transportation, everybody says we don't need anymore widening of the roads or anything but if you look in my area, and Beaverton, when we first moved out there, it was 45 miles per hour on all the roads. Now they don't allow people to front the roads, you have to have a cul-de-sac that comes in behind or a street that is off the road, and we keep lowering the speed limit. We are down to 30 miles per hour in some places where I frequently travel. It used to be 45 miles per hours. There are no more houses on the road than there were when I moved there. The problem is that it just keeps going on and on. We all would like a perfect place to live. Unfortunately, we have a lot of people in our society right now who are what they call 'NIMBIES' or 'not in my back yard.' I think what we need to do is decide what we actually need and where is the best place to put it and then just stifle those

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people. Unfortunately I think some of them are my next-door neighbors. I think what we need to do is when we decide that all the area inside the Urban Growth Boundary (UGB) is now up for grabs for building because we are not going to move the Urban Growth Boundary (UGB), then those people just need to sit down and be quiet or allow the Urban Growth Boundary (UGB) to move where we can adjust and buy land that would be cheaper for the urban greenspaces or whatever outside where it is cheaper. I guess that's it."

6. Lamont Brock, 630 SE Yamhill, Suite 202, Portland OR 97214. "I am a native Oregonian. One of the concerns that I have, being a members of the RCA, Rose City Astronomers and also for the Geological Survey and Planetary Society and UN Environmental Concerns. I believe that our Urban Growth Boundary (UGB) should be controlled as I had heard some testimony that we need to manage what we have instead of adding more. If we control the number of people coming into the area, we need not just quantity of people but we need quality to make the community work. I lived in the major urban areas of the San Francisco Bay area and the Los Angeles-Long Beach area which had runaway growth. We all know what problems they are facing down there. Here in the Pacific Northwest, we have a unique ecosystem which includes the forests and geological hazards with Mt. Hood and Mt. St. Helens and so on. The concern I would urge you to consider is that in the case of major disasters, we don't need a lot of people that would add to the casualties for any major calamities that may occur."
7. William Sloane, 4303 SW Chesapeake, Portland OR 97201. "I have concerns about the expansion of the Urban Growth Boundary (UGB). I think I am also hearing that there are a lot of people who think the counties are not working, trying to stay within the growth boundary. I own property in both Multnomah and Clackamas Counties. By zoning standards, my property in Clackamas County, could be made into flag lots; therefore, adding two more lots to the county. Now I realize that two isn't much but since that is all that I can help with, I would like to. If the counties pulled together and the regulations were applied evenly throughout the tri-county area, there might be a lot of developable property out there - perhaps 20% to 30%."
8. Dennis Tooley, US West Communications, 421 SW Oak, Portland OR 97204. "In Section 18, we would propose adding 'telecommunication as a recognized infrastructure that should be planned' as well as electric and gas as we move forward. The second proposal would take that language that includes telecommunications and energy transmission and distribution systems and place that as well under the definition of infrastructure."
9. Thomas Cropper, PO Box 18025, Portland OR 97218-0025. "I have the report from the Director of Growth Management Services and I see that there are two amendments on the front page. One you will find on page 27 which talks about Urban Vitality which creates alarm signals in my head because it speaks about areas populated by disproportionately high percentage of people living at or below 80% of the area's median income level. This reeks to me of gentrification and I am alarmed that this language is in here. I am suggesting holding the Urban Growth Boundary (UGB) at this

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time because the urban reserve areas may need study to protect the best farm land and forest land available. We need to identify these land before they are actually converted to something else. Also, I think that you need to define some of these terms in these reports. What does 'mixed use' mean? When you talk about vitality, you are talking about mixed use. That suggests to me zone changes. If people are subjected to zone changes, their values may go up and down. I have read a suggestion that a capital gains tax might be levied by Metro on 25% of the capital gains from zoning areas. This could be a tax on forced sales. Most of these sales might be on people who could no longer live in these areas. I am very alarmed by that. My last point is that the second amendment which is about new urban reserve areas, talks about adding new urban reserve areas to the one that are absorbed into the Urban Growth Boundary (UGB). When is this going to stop? I think that before you talk along these lines, you had better spell out your criterion of what is acceptable in the urban reserve areas."

Mr. Fregonese discussed the effects of the state legislation which specifies time limits upon actions taken by Metro with regard to the urban reserves.

Presiding Officer McFarland closed the public hearing.

6. ORDINANCES -- SECOND READINGS

6.1 Ordinance No. 95-618A, Amending the FY 1995-96 Budget and Appropriations Schedule to Recognize Grant Funds, Transfer \$5,000 From the Regional Parks and Expo Fund Contingency, and Authorize the Expenditure of Said Funds to Pay for Emergency Dredging at the M. James Gleason Boat Ramp; and Declaring an Emergency

Motion: Councilor Morissette moved, seconded by Councilor McCaig for adoption of Ordinance No. 95-618A.

Charles Ciecko, Director of Regional Parks and Greenspaces, gave a presentation on Ordinance No. 95-618A, which would amend the FY 1995-96 budget to provide for emergency dredging at the M. James Gleason boat ramp. A background and discussion of this ordinance is part of the committee report which is included as part of the meeting record.

Councilor Kvistad stated for the record his belief that it is inappropriate for Metro to operate boat ramps and cemeteries.

Vote: Councilors McCaig, Morissette, Monroe, McLain, Kvistad, and McFarland voted aye. Councilor Washington was absent. The vote was 6/0 in favor and the motion passed.

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6.2 Ordinance No. 95-620, Amending the FY 1995-96 Budget and Appropriations Schedule Transferring \$15,000 From Contingency and \$23,500 From Capital Outlay to Materials and Services in the Regional Parks and Greenspaces Department to Provide Funding for a Roof Replacement at Blue Lake Park's Curry Maintenance Building; and Declaring an Emergency

Motion: Councilor Monroe moved, seconded by Councilor McLain for adoption of Ordinance No. 95-620.

Councilor Monroe spoke to Ordinance No. 95-620, which would amend the FY 1995-96 budget to provide funds for re-roofing of Blue Lake Park's Curry maintenance building.

Vote: Councilors Morissette, Monroe, McLain, Kvistad, McCaig, and McFarland voted aye. Councilor Washington was absent. The vote was 6/0 in favor and the motion passed unanimously.

6.3 Ordinance No. 95-619, Amending the FY 1995-96 Budget and Appropriations Schedule to Implement the Open Spaces Work Program, Adding 7.63 FTE in Various Funds, Transferring \$87,180 From the General Fund to the Regional Parks and Expo Fund, and Transferring Appropriations Within the Support Services and Open Spaces Fund; and Declaring an Emergency

Motion: Councilor McCaig moved, seconded by Councilor Monroe for adoption of Ordinance No. 95-619.

Councilor McCaig spoke to Ordinance No. 95-619, which would implement the work program to provide refinement and acquisition of the open spaces program. A factual analysis and background can be found in the committee and staff reports to the ordinance which are included as part of the meeting record.

Vote: Councilors Monroe, McLain, Kvistad, McCaig, Morissette, and McFarland voted aye. Councilor Washington was absent. The vote was 6/0 in favor and the motion passed.

7. RESOLUTIONS

7.1 Resolution No. 95-2224, For the Purpose of Amending the FY 95-96 Unified Work Program to Include Development of Regional Framework Plan Elements for Transit Supportive Land Uses in Light Rail Station Areas and Corridors.

Motion: Councilor Monroe moved, seconded by Councilor Kvistad for adoption of Resolution No. 95-2224.

Councilor Monroe spoke to Resolution No. 95-2224, which would amend the FY 95-96 Unified Work Program to include development of Regional Framework Plan elements for transit supportive land uses in light rail station areas and corridors. Factual background and

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analysis can be found in the committee and staff reports, copies of which are included as part of the meeting record.

Councilor McCaig reported that she is married to an employee of a transit agency, and declared a potential conflict of interest for the record. Presiding Officer McFarland said she had researched the matter of potential conflicts of interest, and it is her understanding that individual councilors can declare a potential conflict of interest and then proceed to vote. Daniel Cooper, General Counsel, said the law provides that in the event of any potential conflict of interest, any member of the Council body who declares so on the record may then proceed to vote.

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

7.2 Resolution No. 95-2233, For the Purpose of Providing Comments on the Primary Regional Water Supply Plan

Presiding Officer McFarland said Resolution No. 95-2233 has been removed from consideration at the request of staff. Councilor McLain said consideration of resolution should be put off for one week to allow staff and the Council to further develop guidance for the technical steering group of the regional resource supply water plan.

7.3 Resolution No. 95-2227, Authorizing the Executive Officer to Execute Contract No. 904542 in the Amount of \$20,000 With the Wetlands Conservancy for Technical Assistance Services to the Greenspaces Restoration Grant Program

***Motion:** Councilor McCaig moved, seconded by Councilor Kvistad for adoption of Resolution No. 95-2227.*

Councilor McCaig spoke to Resolution No. 95-2227, which would authorize issuance of contract number 904542, with the Wetlands Conservancy for technical assistance services to the greenspaces restoration grant program. A factual background and analysis of the resolution can be found in the committee and staff reports, copies of which are included as part of the meeting record.

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

7.4 Resolution No. 95-2228A, For the Purpose of Authorizing the Executive Officer to Purchase Property Within Accepted Acquisition Guidelines as Outlined in the Open Space Implementation Work Plan

***Motion:** Councilor McCaig moved, seconded by Councilor Monroe for adoption of Resolution No. 95-2228A.*

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Councilor McCaig spoke to Resolution No. 95-2228A, which would authorize the Executive Officer to purchase open space property within accepted guidelines as outlined in the open spaces implementation work plan. Mr. Ciecko gave a presentation on the resolution. He said the specific portions of the work plan that are proposed to be delegated to the Executive Officer are the acquisition parameters, and the due diligence components.

Councilor McCaig gave her support to the work plan, however, she indicated she had two amendments to the resolution. The first amendment would address her concern that the work plan only calls for the Council to be notified of acquisitions by way of a quarterly report. Councilor McCaig maintained that this notification process was not sufficient or timely enough. Following input by Councilor Morissette, Councilor McCaig proposed the following language that would provide for speedy notice to the Council of each acquisition: "The Executive Officer or his/her designees shall notify the Council promptly following the execution of any purchase agreement." This language would be added to page 1 of Attachment "A" to the resolution, following the second to last paragraph.

According to Councilor McCaig, the second amendment would modify the exceptions process for properties that do not meet established acquisition guidelines. The modified process would give the Council the opportunity to review these exceptional acquisitions prior to a decision to purchase being made. She submitted the following language which would amend the resolution: "The acquisition committee's confidential recommendation shall be forwarded to the Executive Officer. The Executive Officer shall review the recommendation and determine whether he/she supports or opposes the recommendation. The Executive Officer shall convey this determination to the Council for review in executive session at its next regularly scheduled meeting. The Council will accept or reject the Executive Officer's recommendation. This information shall remain confidential."

Motion to Amend No. 2: Councilor McCaig moved, seconded by Councilor Kvistad to amend Resolution No. 95-2228A to modify the exceptions process as outlined above.

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

Motion to Amend Main Motion: Councilor McCaig moved, seconded by Councilor Morissette to amend Resolution No. 95-2228A to modify the notification process as outlined above.

Vote on Motion to Amend Main Motion: Councilors Morissette, Monroe, McLain, Kvistad, McCaig, and McFarland voted aye. Councilor Washington was absent. The vote was 6/0 in favor and the motion passed.

Councilor Morissette asked how the acquisition process dealt with hazardous materials. Jim Desmond, Open Spaces Acquisition Program Manager, responded that hazardous materials are dealt with in the due diligence process.

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Vote on Main Motion as Amended: *Councilors Morissette, Monroe, McLain, McCaig, and McFarland voted aye. Councilors Kvistad and Washington were absent. The vote was 5/0 in favor and the motion passed.*

7.5 Resolution No. 95-2221, For the Purpose of Authorizing Issuance of a Request for Proposals for Bond Counsel Services for the Period January 1, 1996 to December 31, 1998

Motion: *Councilor McCaig moved, seconded by Councilor Washington for adoption of Resolution No. 95-2221.*

Councilor McCaig spoke to Resolution No. 95-2221 which authorizes the Executive Officer to issue an RFP for bond counsel services for the period January 1, 1996 to December 31, 1998.

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

7.6 Resolution No. 95-2229, For the Purpose of Authorizing Issuance of a Request for Proposals for Financial Advisory Services for the Period January 1, 1996 to December 31, 1998

Motion: *Councilor McLain moved, seconded by Councilor Washington for adoption of Resolution No. 95-2229.*

Councilor McLain spoke to Resolution No. 95-2229 which authorizes the Executive Officer to issue an RFP for financial advisory services for the period January 1, 1996 to December 31, 1998.

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

7.7 Resolution No. 95-2230, For the Purpose of Authorizing Issuance of a Request for Proposals for Arbitrage/Rebate Management Services for the Period January 1, 1996 to December 31, 1998

Motion: *Councilor McLain moved, seconded by Councilor Washington for adoption of Resolution No. 95-2230.*

Councilor McLain spoke to Resolution No. 95-2230 which authorizes the Executive Officer to issue a RFP for arbitrage/rebate management services for the period January 1, 1996 to December 31, 1998.

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

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8. CONTRACT REVIEW BOARD

Presiding Officer McFarland recessed the Council Regular Session and convened the Contract Review Board.

8.1 Resolution No. 95-2223, Exempting the Procurement of the Chimpanzee Climbing Structures at the Metro Washington Park Zoo from Sealed Bids

***Motion:** Councilor McLain moved, seconded by Councilor Washington for adoption of Resolution No. 95-2223.*

Councilor McLain spoke to Resolution No. 95-2223 which would exempt the procurement of a chimpanzee climbing structure from sealed bids. A factual background and analysis of the resolution is included as part of the meeting record. Councilor McLain explained the reason for utilizing an RFP rather than an RFB is that zoo exhibit construction is highly specialized, and price cannot be the only consideration when contracting for such an exhibit.

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

Presiding Officer McFarland adjourned the Contract Review Board and reconvened the Council Regular Session.

9. COUNCILOR COMMUNICATIONS

Councilor Kvistad reported that at 10:00 AM this morning, the first greenspaces funds were released for the purchase of two parcels on the Tualatin River. The total amount of the purchases was \$65,000.

Councilor Morissette invited councilors to join him in attending a meeting about Saving the Stafford Triangle on Saturday, November 4, 1995 at 10:00 AM. He then asked Councilor McCaig about information he had received that Metro is targeting more efforts on open space acquisition outside the UGB. He stated he wants attention focused on land inside the UGB as well. Councilor McCaig responded that she does not think there has been any change in policy or philosophy, and that Metro is looking both inside and outside the boundary. She pointed out that once the Council locks into the money in the refinement, the priorities cannot be changed without prior approval from the Council.

Councilor Washington reported on the City/Metro Consolidation meeting held earlier in the day. He said a proposal has been forwarded, stating that [the consolidation issue] will be turned over to a private consortium. He invited the Council to attend the November 16 meeting at 7:30 am. Presiding Officer McFarland added that she had made it clear that she is not willing to relinquish all supervision by the elected body. She clarified that she had not voted to go to the private consortium. Councilor Kvistad asked for clarification of his

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understanding that Metro is leaning toward a decision that would transfer ownership of all facilities except the stadium to Metro; yet a new, independent body would be formed with some Council oversight. Presiding Officer McFarland said consensus was to have one government body, Metro, own and operate all of the facilities. She further stated that the stadium would be left where it is for five years for study. Councilor McLain said she is hearing this for the first time. She said that before the November 16 meeting, Council should discuss the issue to see where councilors stand. She also said another issue is that in the long-term funding discussions, councilors agreed not to change status of those particular facilities without a contingency plan that did not leave the public without facilities and without responsible public agencies involved. Presiding Officer McFarland clarified that there is not a proposal yet. She suggested that Doug Butler, Director of Administrative Services, appear before the Governmental Affairs committee or the full Council for a briefing. Councilor Washington will provide the meeting packet from earlier in the day and ask Lindsey Ray, Council Assistant, to provide copies to councilors. Executive Officer Burton said that the joint committee was simply examining options at this time.

There being no further business before the Council, Presiding Officer McFarland adjourned the meeting at 4:13 PM.

Prepared by,



Lindsey Ray
Council Assistant