

MINUTES OF THE METRO COUNCIL GOVERNMENTAL AFFAIRS COMMITTEE

August 19, 1993

Council Chamber

Committee Members Present: Sandi Hansen, Terry Moore, Jim Gardner, and Mike Gates

Committee Members Excused: Judy Wyers

Councilors Also Present: Richard Devlin, Ruth McFarland, and George Van Bergen

1. Consideration of August 5, 1993 Governmental Affairs Committee Meeting Minutes

Councilor Moore and Councilor Gardner made corrections to the minutes as follows:

Page 1, Agenda Item No. 3, paragraph 1 was changed to read

"Gail Cerveny, Chair, MCCI, presented a report to the Committee, noting the ~~Committee Council~~ had requested MCCI ~~conduct a survey requesting citizens to consider this issue and make a recommendation to the Council. The MCCI conducted a survey of citizens and organizations asking that they indicate their preference regarding times for the Council and Council Committees to meet. She recalled that in a recent Council meeting the survey showed the 5:30/6:30 p.m. times received 61% of the polling, 4:00/4:30 p.m. with controversial subjects at a later time received 33% of the polling, and a 2:00 p.m. meeting time received 6%.~~"

Page 2, paragraph 1, was changed to read:

"4) Councilor Moore suggested setting October 1, 1993 as the start date for the new time schedule to begin."

Motion: Councilor Moore moved to approve the minutes of the August 5, 1993, Governmental Affairs Committee meeting minutes as corrected.

Vote: Councilors Hansen, Moore, Gardner and Gates voted aye.

The vote was unanimous and the motion passed.

2. Communications from Local Governments

No communications.

3. Ordinance No. 93-507, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Transferring \$10,000 from the General Fund Contingency for a Voluntary Contribution to Assist in the Funding of the Institute of Portland Metropolitan Studies (IPMS)

Don Rocks, Executive Assistant, presented the staff report, and said the proposed resolution would provide for the transfer of \$10,000 from the General Fund Contingency to support the IPMS. He said in April 1991 the Metro Council endorsed the concept of the formation of the Institute, and noted the Executive Officer was a member of the Board. Mr. Rocks said Ethan Seltzer, formerly of the Metro Planning Department, had been named as the Director of the Institute. Mr. Rocks noted Dr. Seltzer said one of the objectives of the Institute was to give local governments and the citizens of the region a better understanding of the overall perspective of the region and links between cities and suburbs having to do with the economic vitality of the region. Mr. Rocks said IPMS framed the definition of region as a five county region inclusive of Clark County, Washington.

Mr. Rocks responded to Chair Gates and said the IPMS would augment the responsibilities of Metro as another source for information for Council deliberations, and noted a research agenda was forthcoming in the fall.

In response to Councilor Hansen, Mr. Rocks explained the differences between IPMS and FOCUS, noting the IPMS was designed to be broader and to have the participation of more than governments only

Councilor Hansen asked for clarification that the \$10,000 in funding was for this year only. Mr. Rocks said subsequent funding would be predicated upon the success of the work of the IPMS, and noted IPMS was in search of funding from the private sector as well.

Councilor Moore indicated she favored Metro support of IPMS. She compared the FOCUS 1993 Draft Management Plan and from Resolution 91-1435 establishing the IPMS. Councilor Moore said the difference between funding for IPMS and FOCUS appeared to be the number of counties included. She said she saw a great amount of similarity between the two organizations. Councilor Moore favored financial support of IPMS, which she believed was intended to be a neutral forum, in preference over FOCUS.

Chair Gates confirmed to the Committee that dues to FOCUS had not yet been paid.

In response to Councilor Gardner, Mr. Rocks indicated he would provide clarification regarding Councilor presence on the Board of IPMS and the manner by which that Councilor might be named.

Chair Gates opened a public hearing. No citizens appeared to testify. Chair Gates closed the public hearing.

Councilor Gardner commented regarding the perception of the duplicative nature of the two groups. He noted whereas, FOCUS was established by local governments as a forum for themselves to meet and discuss items of mutual interest and concern, the IPMS intended to focus on regional issues for research and study as well as communications improvement.

Motion. Councilor Hansen moved to recommend Ordinance No. 93-507 to the full Council for adoption.

Councilor Hansen indicated she did not see a conflict, but would be interested to discuss the FOCUS issue further.

Vote: Councilors Hansen, Moore, Gardner and Gates voted aye.

The vote was unanimous and the motion passed.

Motion: Councilor Moore moved that payment of FOCUS dues be suspended immediately if they were being paid.

Chair Gates requested privilege from Councilor Moore that discussion regarding Councilor Moore's concerns be undertaken with the Presiding Officer prior to consideration of such a motion, and requested Councilor Moore withdraw the current motion.

Councilor McFarland suggested the matter be placed on an agenda with opportunity for testimony.

Chair Gates indicated the Accounting Department would be notified to withhold payment of FOCUS dues until such discussion had occurred, if such payment had not already been made.

Casey Short, Council Analyst, indicated he would bring the matter to the attention of the Council Administrator and the Presiding Officer.

Motion Withdrawn: Councilor Moore withdrew her motion.

4. Resolution No. 93-1836, For the Purpose of Establishing Meeting Times for the Council and Council Standing Committees

Casey Short, Council Analyst, presented the staff report, and said the proposed resolution was drafted at the direction of the Governmental Affairs Committee following discussion at the August 5, 1993, Committee meeting. He noted the resolution would establish a change for Standing Committee meeting times from 4:00 p.m. to 4:30 p.m. and Council meeting times from 4:00 p.m. to 5:30 p.m. with controversial items scheduled for at least 30 minutes after the beginning of either a Council or a Committee meeting.

Mr. Short noted a request was being made of MCCI Steering Committee that the day on which they meet be changed in order to accommodate better scheduling for the JPAC and Planning Committee meetings.

Chair Gates noted that it was the request of the Presiding Officer and one Councilor that the matter be deferred until after a Council retreat to take place in late September. Chair Gates noted a change for the schedule to be implemented starting the first of the year, 1994, rather than October, was suggested.

Councilor Gardner recommended the last sentence the third paragraph in Exhibit A be stricken, which read "Items of significant public interest, as determined by the Committee Chair, shall be scheduled on the Committee agenda to begin at 5:00," and was redundant to a sentence in Section 2 under BE IT RESOLVED in the proposed resolution. Mr. Short agreed.

The Committee discussed conflicts in individual Councilors' schedules as impacted by the proposed changes in the resolution as well as noting a year had passed since the item was first heard.

Motion: Councilor Moore moved to recommend Resolution No. 93-1836 to the full Council for adoption.

The Committee and other Councilors continued discussion of the proposed schedule and proposed implementation date.

Motion to Amend: Councilor Hansen moved to amend Resolution No. 93-1836 to change the implementation date to January 1, 1994.

Mr. Short noted that as a matter of course a new resolution would be adopted in January, 1994 setting meeting times, which would override action taken at this time.

Vote on Motion to Amend: Councilors Hansen, Moore, Gardner and Gates voted no.

The motion to amend failed.

Vote on Main Motion: Councilors Hansen, Moore and Gardner voted aye. Chair Gates voted no.

The motion passed.

5. Status Report on Negotiations with Multnomah County on Transfer of Operations of Regional Parks and Expo Facilities

Dick Engstrom, Deputy Executive Officer, presented the staff report, and noted Jennifer Sims, Director of Finance and Management Information was unable to attend due to illness.

Charles Ciecko, Director, Parks Services Division, distributed a packet of information regarding Multnomah County Parks Services Division, and highlighted the Division's park features.

Julie Weatherby, representing the Parks Services Division, presented a slide display showing marine facilities in the County, cemeteries under the jurisdiction of the Division, as well as historical sites, Blue Lake Park, Glendoveer Golf Course, Oxbow Park, Beggar's Tick Marsh. She noted the Natural Area Protection Management Plan, under which guidelines the Division operated, was compatible with Metro's Greenspaces plan. Ms. Weatherby highlighted park programs, e.g., the Salmon Festival, "Especially For Kids" hosted at Blue Lake Park each summer and other summer activities.

In response to Chair Gates, Mr. Ciecko said discussion of the proposed transfer had been ongoing for the last two years, and noted funding was lost due to Ballot Measure 5. He said the County was looking to the future and an opportunity to join Metro in pursuit of the Greenspaces vision for both regional parks and natural areas. He believed the Multnomah County Parks and the Greenspaces plans were complementary. He said a successful consolidation could set a precedent for future consolidations and could enable stabilization of funding, the spreading of costs; establishment of consistent management policies, maintenance standards and fee structures, facilitation of access to events, and reduction of duplication, resulting in more services for citizens. Mr. Ciecko said user fees for special events, a dedicated tax source, and enterprise operations could be funding sources.

Chair Gates said his understanding was that if the Memorandum of Understanding (MOU) went forward and an Intergovernmental Agreement was established, Multnomah County Parks and operations thereof, inclusive of personnel, as a department, would shift over to Metro. In response to Chair Gates, Mr. Ciecko said the Division was not linked to Expo, and said Vance Park, a 20 acre piece in Gresham, a gravel resource, would remain in Multnomah County Parks Division. Mr. Ciecko hoped Metro would follow through with the forwarding of a bond measure or another funding source to operate and maintain the system.

In response to Councilor Hansen, Mr. Ciecko said the total property value involved was about \$26 million, and highlighted the revenue agreements and sources from Glendoveer Golf Course. He said a figure of \$700,000 was projected revenue for FY 1993-94.

Councilor Devlin clarified he understood neighborhood parks would be turned over to local jurisdictions in the near future and were currently being maintained for health and safety only. Mr. Ciecko concurred.

In response to Councilor McFarland, Mr. Ciecko said results gathered from parks data indicated an average of 35% of visitors to the parks were from outside Multnomah County.

Mr. Engstrom presented the MOU and highlights thereof, noting the MOU was not an Intergovernmental Agreement, but said intents, assumptions, and terms were set out for clarity of understanding. He noted the MOU provided for a two-phase consolidation, and said the principles in the MOU. Mr. Engstrom noted the September 1, 1993, date for transfer in the MOU was not attainable, and suggested a new date certain be proposed.

Mr. Engstrom said a proviso in the MOU was stated for suspension of swimming if necessary. Mr. Engstrom noted also a new fund was intended, the Natural Areas Acquisition and Protection Fund.

Mr. Engstrom noted a proposal to manage and operate EXPO through its Metropolitan Exposition-Recreation Commission, and said the MOU provided for continuance of space and expertise availability for the Multnomah County Fair through a contract with the Multnomah County Fair Board. He said no problems with negotiations in this regard had been encountered in the process.

In response to Councilor McFarland, Betsy Williams, Director of Department of Environmental Services, Multnomah County, said although previous financial problems had been encountered with the Fair, support had been garnered this

year and the Fair had make a small profit, even though attendance was down due to poor weather and lack of big name entertainment

Mr. Engstrom discussed the transfer of County employees budgeted in the County Recreation Fund, Metro authority to set user fees and excise tax, and noted no increases for County Facilities user fees or excise taxes prior to July 1, 1994, were provided for in the MOU

Mr. Engstrom highlighted the components of a proposed transition team in order to ensure a smooth transition of services

Chair Gates referenced page 4, Section D and asked if any contract was outstanding and unknown Mark Williams, Senior Assistant Counsel, indicated he placed the language in the MOU as a precautionary measure, and said he was not specifically aware of any existing contract the County was a party to which would not allow transfer without consent of the party.

Councilor Van Bergen asked if any LID's existed which Metro would assume in the proposed transfer. Councilor Devlin said a sewer assessment was built into the budget projection for Glendoveer. Councilor Van Bergen asked if the sewers at Glendoveer surrounded the entire course. Mr. Engstrom said his understanding was that the sewer went down Glisan Street only

Chair Gates indicated he would be interested to know if benefits for personnel with Multnomah County were greater or lesser than for personnel under Metro employ.

Chair Gates referenced a memorandum from Mr Short sent to Mr. Engstrom outlining a conversation between Mr Short and himself in which it was hoped discussions of the proposed transfer would cover issues resolved in negotiations and not involved in the draft MOU This document has been made a part of the permanent meeting record.

Councilor Gardner asked regarding the improvements identified by Neil Saling, Regional Facilities Director, estimated at \$400,000 and declared as immediately necessary.

Mr. Engstrom said the question of necessary improvements for health, safety, and ADA requirements was to be addressed at an upcoming meeting on Monday, August 23 by a group of experts. He said he hoped to have better information following that meeting

Councilor Devlin discussed the ADA health and safety requirements as listed in the master plan for Expo, noting some had been done in the previous year and some were still to be accomplished. He discussed also the Natural Areas master plan and related funding issues.

Chair Gates recessed the meeting for 10 minutes.

Chair Gates reconvened the meeting at 6:50 p.m.

Jack Adams, 28027 S.E. Orient Ave, Gresham, Oregon, said he opposed the consolidation, and discussed an agreement existed regarding Pacific International Livestock Exposition (PIE) for animal shows, which he felt contained legal barriers to the proposed transfer. He believed the County could not transfer ownership as proposed under the MOU

In response to Chair Gates, Mr. Adams did not believe Metro would be interested in continuing the relationship with PIE, nor did he believe Multnomah County was responsible for Metro's failed regional parks program Chair Gates noted legal questions would be addressed as part of the discussions for the proposed transfer.

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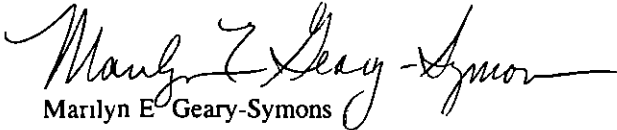
Chair Gates said the draft time line should be pursued for the time being with future follow up discussion. He directed Mr. Engstrom to draft a resolution for the purposes of approval of the MOU to be brought before the Committee, while recognizing that the MOU was a conceptual document and was not binding

Chair Gates requested Paula Paris, Personnel Manager, distribute available information to all Councilors concerning employee issues as compared between Multnomah County and Metro.

Chair Gates said he did not wish to formally adopt the schedule but agreed to its veracity on the whole.

There being no further business, the meeting adjourned at 7.10 p.m

Respectfully submitted,

A handwritten signature in cursive script, reading "Marilyn E. Geary-Symons". The signature is written in black ink and is positioned above the typed name and title.

Marilyn E. Geary-Symons
Committee Recorder

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