

MINUTES OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

July 18, 1989

Council Chamber

Committee Members Present: Jim Gardner (Chair), Tanya Collier (Vice Chair), Tom DeJardin and Richard Devlin

Committee Members Absent: Larry Bauer

Chair Gardner called the meeting to order at 6:04 p.m.

1. Consideration of Minutes of June 6, 1989

Councilor Devlin noted page 4 of the minutes of June 6, 1989, read "Councilor Collier stated she would vote affirmatively at the Committee level at this meeting, but wished to reserve on her Council vote because she wished to hear Councilors Devlin and Van Bergen's opinions at the Council level." He noted he was present at the June 6 meeting and the clerk misquoted Councilor Collier, who said Councilor DeJardin, not Councilor Devlin.

Motion: Councilor DeJardin moved to approve the minutes of June 6, 1989, as corrected.

Vote: Councilors Collier, DeJardin, Devlin and Gardner voted aye. Councilor Bauer was absent. The vote was unanimous and the minutes were approved as corrected.

2. Consideration of Resolution No. 89-1119, Amending the FY '90 Unified Work Program (UWP) to Incorporate a Bi-State Transportation Study

Andy Cotugno, Director of Transportation, explained the "JPACT Position Paper -- Bi State Transportation Study" adopted by the Metro Council April 1989 identified the scope of land use and transportation planning activities that should be addressed relative to bi-state transportation. He said the Unified Work Program (UWP) amendment would initiate transportation planning activities and the land use planning activities identified in the Bi-state Position Paper and addressed through the Urban Growth Management Program. He said the budgetary impact of the work program would fall largely on C-TRAN, the Clark County transit district, with minor impacts on WDOT, ODOT, Portland and Tri-Met beyond what was reflected in adopted local budgets.

Mr. Cotugno said the resolution was consistent with the budget. He said staff defined the consultants' scope of work to minimize budget impact. He said the resolution would amend the UWP so that other jurisdictions would have a piece. He said the resolution was forwarded by JPACT as well as other committees.

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Councilor Devlin asked if the budget impact extended into FY 1990-91. Mr. Cotugno said yes. Jessica Marlitt, Council Analyst, explained Metro would spend \$20,000 on the project.

Motion: Councilor Collier moved to recommend the full Council adopt Resolution No. 89-1119.

Vote: Councilors Collier, DeJardin, Devlin and Gardner voted aye. Councilor Bauer was absent. The vote was unanimous and the motion passed.

3. Resolution No. 89-1118, Authorizing an Exemption to Metro Code Chapter 2.04.044 Competitive Bidding Procedures and Authorizing a Sole Source Agreement with Bergman Photographers for the Purchase of Aerial Photographs

Mel Huie, Senior Regional Planner, explained Metro's contract with the Audubon Society (Audubon) was null and void. He said the Metro sole source contract with Bergman Photographs was preferable. He said the vendor kept sole ownership of the negatives, rights and royalties in exchange for \$8,000 to \$10,000 off the contract cost. Councilor Collier asked if Audubon had been paid. Mr. Huie replied they were not paid and noted agreement with Audubon was null and void once the contract was signed with Bergman Photographers.

Councilor Devlin noted the short timeline and said the previous arrangement assure the pictures would be taken during the spring when foliage was full. Rich Carson, Director of Planning and Development, said the previous arrangement was difficult because it involved too many parties. Councilor Collier said she did not like sole source contracts and had stated that for four years. Ms. Marlitt said it was clearly inappropriate to have a sole source contract with Audubon. She said Audubon would have retained the negatives but charged the full price. Councilor Collier again expressed objections to sole source contracts. Mr. Carson said difficulties arose when local governments said they wanted to pay the money to Metro and not Audubon.

Larry Shaw, Legal Counsel, said no other vendor could have provided a similar product.

Mike Houck, Audubon Society, said arrangements were made in this manner because Metro did not have the funds to implement the project in the spring. Therefore Audubon guaranteed Bergman Photographers would be paid out of funds raised in order to have the pictures shot. He said the project was critical to expediting Metro's natural areas inventory. Councilor Collier said she would vote aye on the resolution. Chair Gardner said Councilor Devlin would present the resolution at the Council meeting July 27, 1989. He noted Councilor Bauer served on the Bi-State Committee and could present Resolution No. 89-1119 at the Council meeting. He noted

both resolutions would be placed on the Council Consent Agenda because of their unanimous support.

Motion: Councilor DeJardin moved to recommend the full Council adopt Resolution No. 89-1118.

Vote: Councilors Collier, DeJardin, Devlin and Gardner voted aye. The vote was unanimous and the motion passed.

#### 4. Staff Update on Natural Areas Inventory and Analysis Workplan

Mr. Huie explained the Natural Areas Inventory and Analysis Workplan. He said Phase I of the project was the aerial photography acquisition. He said Phase II covered inventory, site visits, mapping/overlays and initial analysis. He said Phase III involved entering data into Metro's Regional Land Information System (RLIS) database and additional analysis. Mr. Huie said Phase III was not yet covered by the budget. He said staff was ready to move onto Phase II.

Joseph Poracsky, Portland State University, the Phase II had all sorts of applications with regard to land use issues. Mr. Carson said the project would be a benchmark for the region. Councilor DeJardin said there were more natural areas in the Metropolitan area than he had anticipated. He said the Natural Areas Inventory was a great project.

#### 5. Water Quality Issues Report -- Staff Review of FY89-90 Water Quality Analysis Workplan

Pat Lee, Regional Planning Supervisor, distributed "Water Quality Issues Report;" Resolution No. 89-1121, For the Purpose of Endorsing the Water Quality Issues Report; and a letter to Richard J. Nichols, Administrator, Water Quality Division, the Department of Environmental Quality (DEQ) from Thomas E. Wilson, Chief, Office of Water Planning, U.S. Environmental Protection Agency (EPA), Region 10. The letter approved recertification of Metro as a Water Quality Management Planning Agency under Section 208 of the Clean Water Act.

Mr. Lee explained the resolution would endorse the Water Quality Issues Report. Mr. Carson discussed the report briefly. Councilor Collier commended staff on work presented. She said Metro had waited years to see the report. Mr. Carson noted some local jurisdictions expressed wariness about Metro assuming a role in water quality issues.

Councilor Devlin said it was important that local jurisdictions understood this was a legitimate role for Metro to assume and that state and federal authorities had requested Metro take a more active role. Councilor DeJardin noted Presiding Officer Ragsdale wanted validation of the Metro Council's role in suggesting the resolution be adopted.

Mr. Lee gave an update on the annual "208" Water Quality Management Plan (per Section 208 of the Federal Clean Water Act). Mr. Lee said staff would update Metro's water quality database and incorporate changes forwarded by each water jurisdiction. With regard to Metro's role in water quality planning and local jurisdictions' new projects, Mr. Lee said the key issue was the programs' financing. Councilor Collier asked what issues other jurisdictions had raised and Mr. Lee noted three areas of concern: 1) Washington County was concerned about Metro's involvement and wished to ensure progress made to date was not interrupted; 2) The City of Portland did not oppose involvement but looked forward to more definition of Metro's goals; and 3) Most locals desire to see a cooperative approach to issues, but were wary of duplicative efforts. He said Metro should attempt to fill the voids in regional planning and coordination. Mr. Lee said he explained to Metro's Water Resources Policy Advisory Committee that Metro was not the water policy authority but could play a role in regional consensus. Mr. Lee also discussed storm water system issues briefly and noting local jurisdictions had expressed interest in Metro working to help clarify new federal and state stormwater rules.

Motion: Councilor DeJardin moved to recommend the full Council adopt Resolution No. 89-1121.

Vote: Councilors Collier, DeJardin, Devlin and Gardner voted aye. The vote was unanimous and the motion passed.

ADDITIONAL AGENDA ITEM

6. Consideration of Resolution No. 89-1120, For the Purpose of Expressing Appreciation to Sharron Kelley for Services Rendered to the Council of the Metropolitan Service District

Ms. Marlitt distributed the resolution and explained it was to express appreciation to Councilor Sharron Kelley for services rendered to Metro for seven years. Ms. Kelly was elected to the Multnomah County Board of Commissioners June 27, 1989, and resigned from the Council July 7, 1989.

Motion: Councilor Collier moved to recommend the full Council adopt Resolution No. 89-1121.

Vote: Councilors Collier, DeJardin, Devlin and Gardner voted aye. The vote was unanimous and the motion passed.

Chair Gardner adjourned the meeting at 7:39 p.m.

Respectfully submitted,



Paulette Allen  
Committee Clerk/#1C:IGR89.199