

MINUTES OF THE COUNCIL INTERGOVERNMENTAL RELATIONS COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

October 11, 1988

Committee members present: Councilors Jim Gardner (Chair),  
Tanya Collier (V. Chair), Tom  
DeJardin, David Knowles and Richard  
Waker

Committee members absent: None

Also present: Councilor Corky Kirkpatrick

Chair Gardner called the meeting to order at 5:35 p.m.

1. Minutes of September 27, 1988

Motion: Councilor DeJardin moved approval of the minutes  
of September 27, 1988.

Vote: A vote on the motion resulted in the four  
councilors present voting aye. Councilor Knowles  
was absent.

2. Consideration of Ordinance No. 88-261, Amending Chapter 3.01  
of the Metro Code to Clarify Standards and Procedures for  
Identifying Protected Agricultural Land

Director of Planning and Development, Rich Carson, introduced  
Patrick Lee, newly-hired Planning and Development Department  
Regional Planning Supervisor. Mr. Carson said Planning and  
Development staff would perform a comprehensive review and  
revision of the Metro Code Urban Growth Boundary (UGB)  
requirements as part of its periodic review process. However,  
because the department had received a petition for locational  
adjustment that raised issues regarding exclusive farm use (EFU)  
designated lands, they chose to address this issue separate from  
the comprehensive review.

Mr. Carson said the proposed ordinance had been sent to 1000  
Friends of Oregon, Oregon Department of Land Conservation and  
Development (DLCD), and planning directors in the metropolitan  
area; and comments had been received from Multnomah County  
Planning Director Lorna Stickel and Gresham Community Development  
Director John Andersen. He said Ms. Stickel had proposed  
language changes to clarify definitions, and Mr. Andersen had  
requested the Committee delay proceedings because he had received  
his copy of the ordinance on the meeting date and had not had time  
to review it.

Patrick Lee said the ordinance would develop a procedural avenue whereby petitioners for locational adjustments who had EFU land they believe to be committed to non-farm use could be exempt from the standard for protection of agricultural land (Goal #3). Mr. Lee said clarifying language proposed by Multnomah County had been incorporated in the substitute version of Ordinance No. 88-261 which he had distributed to the Committee, and it was the substitute version for which approval was being requested. In response to Committee inquiries, Mr. Lee stated 1000 Friends of Oregon had made no comment on the proposed changes; DLCDC had been notified within the 45-day prior notice requirement, and Planning and Development staff had discussed the proposed changes with the Portland Field Office Land Conservation and Development Commission (LCDC) representative, Jim Sitzman. It was also noted that, notwithstanding adoption of the proposed ordinance, final approval of locational adjustments would continue to rest with the Council.

There was no public testimony.

Motion: Councilor Waker moved to recommend the Council adopt Ordinance No. 88-261.

Vote: All committee members voted aye.

The motion carried unanimously.

3. Consideration of Resolution No. 88-996, for the Purpose of Transmitting District Legislative Proposals for the 1989 State Legislative Session to the Interim Task Force on Regional Metropolitan Government

Council Analyst, Jessica Marlitt, referred the Committee to her memo to them dated October 11, 1988 regarding the resolution. Ms. Marlitt explained the resolution supported and transmitted the following legislation approved by Council to: 1) amend the Metro governance structure (Resolution No. 88-980); 2) provide Metro revenue-raising authority (Resolution No. 88-973); 3) remove legal impediments to the merger of Tri-Met and Metro (Resolution No. 88-943); 4) recommend a merger of the Boundary Commission with Metro, providing the Commission has authority over staff and limited appeals to the Metro Council (Resolution No. 88-934) and 5) allow the Metro Council to reapportion itself and fully use the Voters' Pamphlet for District measures (Resolution No. 88-916). Also transmitted by Resolution No. 88-996, Ms. Marlitt said, were two bills not adopted by resolution, one to amend ORS 701.015, relating to business licenses (approved by the Intergovernmental Relations Committee), and one to amend ORS 268.180 to clarify the

Intergovernmental Relations Committee  
October 11, 1988  
Page 3

Metro Council's contracting authority (approved by the Finance Committee).

Councilor Knowles said he thought the contracting authority issue had been addressed by existing language in ORS 268 stating ". . . carrying out the duties and powers of the executive officer subject to the personnel and contract ordinance that's adopted by the council." (emphasis added) Council Administrator Donald Carlson said Metro General Counsel Dan Cooper had opined contracting was an administrative function, and therefore, the executive need not obtain Council approval prior to entering into a contract. The intent of the bill to amend ORS 268.180 was to specify Council could opt to require prior approval. In response to Committee concern regarding who would be lobbying for the legislation, Council Administrator Carlson said he would obtain clarification from Government Relations Manager Greg McMurdo and develop a tracking system to report activity on the legislative package to Council or its committees.

Motion: Councilor Knowles moved to recommend the Council adopt Resolution No. 88-996.

Vote: A vote on the motion resulted in all Committee members voting aye.

The motion carried unanimously.

There was no further business, and the meeting was adjourned at 6:05 p.m.

Respectfully submitted,



Gwen Ware-Barrett  
Council Committee Clerk

IGR10.11