

# MINUTES OF THE METRO COUNCIL MEETING

May 20, 1999

Council Chamber

Councilors Present: Rod Monroe (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, David Bragdon, Jon Kvistad

Councilors Absent:

Presiding Officer Monroe convened the Regular Council Meeting at 2:11 p.m.

## 1. INTRODUCTIONS

**Councilor Washington** introduced Graham Cole, a kindergartner at Boyce Elliott Grade School. Councilor Washington indicated he used to work at the school and announced that Graham Cole had won the Metro's Earth Day contest. Councilor Washington read the ceremonial resolution into the record and presented the plaque to Mr. Cole.

**Councilor Washington** also introduced Mrs. Pace, the Principal for Boyce Elliott Elementary School, and Graham's parents and grandmother.

**Graham Cole** called for questions. Councilor Washington asked Graham where he got the idea to make the poster. Mr. Cole responded that he just got an idea in his head and did it.

## 2. CITIZEN COMMUNICATION

None.

## 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

## 4. AUDITOR COMMUNICATIONS

None.

## 5. MPAC COMMUNICATION

**Councilor McLain** had no additional information.

## 6. METRO LEGISLATIVE UPDATE

**Mike Burton, Executive Officer**, spoke about Resolution No. 99-2800 concerning the gas tax. He said that this would be before council today. He reviewed the house bill concerning the gas tax. Metro had been asked to take a position on the bill, it would be coming up for a vote in the legislature very soon.

**Presiding Officer Monroe** called for a motion to suspend the rules to consider Resolution No. 99-2800. It took five votes to suspend the rules.

**Motion:** **Councilor Kvistad** moved to suspend the rules to consider Resolution No. 99-2800.

**Seconded:** **Councilor McLain** seconded the motion.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed with Councilor Washington absent from the vote.

12.5 **Resolution No. 99-2800**, For the Purpose of Endorsing House Bill 2082 to Increase State Transportation Revenues.

**Motion:** **Councilor Kvistad** moved to adopt Resolution No. 99-2800.

**Seconded:** **Councilor Park** second the motion.

**Councilor Kvistad** said, from a regional level, transportation funding was critical. Funding had hit a point where we were desperate for basic money to fill potholes and to do basic maintenance. He fully endorsed this resolution. He felt Bob Montgomery, Chair of the Transportation Committee in Salem, had done a masterful job of having this bill before the house. He believed that the funding package was good for the region. He urged support of the Council.

**Presiding Officer Monroe** personally thanked Representative Montgomery of the House Transportation Committee and Representative Strobeck of the House Revenue Committee. Both of these representatives were far sighted in their work on this measure. He also urged the council to support the resolution, urged the full house to support the measure and expressed a wish that the Senate supported the bill in total as well.

**Councilor Bragdon** said during their discussion last week on the Transportation Improvement Plan, some of the local jurisdictions indicated that due to the short fall in state gas taxes some of which were shared locally, that they were bound to turn to the federal flexible fund to do road maintenance. Some of the local jurisdictions indicated that they preferred not to do this but until the state came through with some funding, they had no alternative. He asked, if this bill passed at the state level, would there be a mechanism for local jurisdictions to use some of this money to back fill and use federal flexible funds for non-road items?

**Mr. Andy Cotugno**, Transportation Planning Director, said that JPACT had discussed this last Thursday. What JPACT requested was that when the dust settled and we knew what happened with the legislature that they come back and visit that very question. They could then see where the increases were, what it allowed the jurisdictions to do and did it impact any of the projects where Metro had allocating funds. They would consider the possibility of moving some of the funds or completing some projects that were partially funded. JPACT anticipated coming back and reexamining the whole question of where was this money going to flow to and how did it effect all of the projects that had been allocated funds.

**Councilor Bragdon** said he was supportive of this resolution and would be voting yes.

**Councilor Atherton** asked about the \$.02 that would be used to prepare bonds for construction. Did this only go for expansion of the roadway system or could the money be used for maintenance and preservation.

**Mr. Cotugno** said he thought it was earmarked specifically for modernization not maintenance and preservation. The other portions of the funds, the \$10, the weight-mile taxes and the other \$.04, would be used for maintenance and preservation, but the \$.02 would be used to retire bonds for a modernization program and was earmarked in that fashion.

**Councilor Atherton** asked, the revenue that would be generated by that \$.04 plus the registration fees, would those provide sufficient funds to maintain the infrastructure here in the region.

**Mr. Cotugno** said they didn't have numbers from legislative revenue on how the money got distributed, so he couldn't give a direct answer. It certainly helped a lot, but it was a stop-gap measure. Regardless of how much came into the cities and counties, it was still a resource that would lose ground to inflation and fuel efficiency over time, so five years out that gap would reappear. They did not have the numbers yet on how much of the gap it filled.

**Councilor Atherton** said to get a frame of reference for how deep that hole was, we had had conversations that \$.01 of gas tax here in the region would generate a little over \$5 million in revenue that we could use for maintenance. We had come up with a number that seemed solid, at least \$25 million per year, probably more, in unmet maintenance needs in the region, so that would be \$.05 or \$.06 right there that would be needed for maintenance and preservation.

**Mr. Burton** added, that number was only for city and county roads' needs, it did not include the state system roads.

**Councilor Atherton** said we were really not fixing the problems, only helping it. The one concern he expressed was going into debt to do the new projects. We had been talking for some time about having growth pay its own way, that there be other ways to do that, and when we had an unfunded maintenance need, he wanted to reconcile this \$.02 to go into debt to build new roads when we didn't have enough to do maintenance .

**Mr. Burton** said that Councilor Kvistad might be in a better position to answer that as a matter of policy for the state. The newspaper reported that the governor had expressed some hesitation. The State of Washington passed a billion dollar revenue bonded for roads and it was expending money further out as the revenues came in from gas. His response was that we were in such a terrific mine on these projects right now that we had to get to them. The revenues would be assured by the gas taxes coming in, but five years down the road it was going to present another problem as we were using that. That was one of the cruxes of this, when you used revenue bonding you did get a big hit up-front, but later on you were going to have to pay that back, and that was going to use those revenues. He was glad to see that it was \$.02 in addition to the \$.04, rather than some of the proposals that he had heard to use part of the basic \$.04 or even some of the existing gas tax for bonding. This would be, essentially new money, but the funding issue remained.

**Councilor Kvistad** said statewide there was a \$5 billion unmet need for transportation. There were 3 million people in the state of Oregon. We had a deficit need of about \$1500 for every person in the state just to bring state infrastructure up to a standard level, of roads that function, with curbs, we were not talking new highways. Many of the people on the House side had at least added that \$.02 for that \$.04 bonding package that allowed us get to some of those needs early, but even with that it was \$600 million, which was a lot of money in the big picture, but \$600 million just scratched the surface of the unmet need. If we were to talk about new roads and highways and a bigger package we had a 25 year forecast of up to 14 billion potentially statewide. It was difficult when you were in Salem to raise taxes for infrastructure, but this in particular was

something that was critical for us to even be able to function. It was not really a land use issue other than land use and transportation were tied together. It was a critical package that must be moved forward and we had to have something from Salem this session. It still had to get through the Senate, which was one of the reasons the Council was considering endorsement.

**Councilor Atherton** appreciated Councilor Kvistad's clarification, his concerns were that we say "need" or was it a want. There was a critical need for funds for the maintenance of the existing infrastructure but when it came to going into debt and spending more money and saddling children with debt and future users with debt this got to be a problem. He felt that there was a way to cure this, one would be to allow a process in this legislation, if that was necessary, where the beneficiaries of the new projects would contribute to it in much the same way that we found in our Priorities 2000 process that we had been going through. Many of the applicants, people wanting projects, came into this room and said we were doing an LID, we were contributing to this with SDCs, growth was paying its way, or at least a portion of it, making a contribution. He asked if there was a way in this legislation that we could build that in so that those contributions would be made over time as development took place, moneys would go back into this fund, pay down those bonds. Those moneys would subsequently become available, if there was an excess, to use for maintenance of the existing system. He suggested collecting those SDCs, LIDs to pay back that money. He thought it was an appropriate process and asked whether it was ever discussed in Salem.

**Councilor Kvistad** said in the perfect world and at level zero, meaning that their basic needs were funded, instead of 5 billion under level zero, then the approach that Councilor Atherton suggested for new projects and programs would tie in, but this was just getting the state up to the standard. For example, imagine an LID program in Lake Oswego versus in John Day. If you were trying to bond rural roads sometimes we forgot that statewide—we live in a rural state, most highways and roads were rural in nature, the farmers that lived there and used that—we eat the food that was grown there and the grain that was grown there was used to create jobs, but paying for some of those rural roads was next to impossible for rural jurisdictions, except for where we all paid for using the roads as part of a user fee, which was what a gas tax was. Councilor Kvistad admitted to being fiscally conservative and he didn't love taxes, looking at the need that was out there, the unfunded need here, the long-term unfunded need, he saw these basic needs as a base, core, critical statewide need, of which some of that money was for our region. This funding would cover basic maintenance for roads to the coast, in eastern Oregon, in the mountains in Southern Oregon, the package statewide and bonding against that revenue was critically important to fund roads that were in horrible states of repair everywhere. Here in this region he suggested different things could be done to look at how we crafted policy on regional transportation issues, but statewide it was a much bigger picture and the hole was much deeper.

**Councilor Atherton** said he could understand Councilor Kvistad's argument in terms of unfunded need where we had exceeded the capacity of the infrastructure today and we needed to build that up rapidly and use debt to accommodate that, that was reasonable. He would be perfectly comfortable if it were the full \$.06 to maintain the existing infrastructure, then we would look for other processes to build this up. He saw the point about picking up the unfunded need in the capacity we needed right now to relieve congestion. He said Councilor Kvistad's discussion about the rural parts of the state and the agriculture, that became interesting, because often people had critiqued that because what we were doing with these roads was providing subsidies to country living. If we were truly for agriculture let us make a deal on that and make sure that it stayed agriculture and it was not just rural subdivisions. He appreciated the conversation.

**Councilor Park** said we needed to recognize this as a user fee even though it was proposed as a tax. Just the fact that we had so much need we had been driving on yesterdays dollars or the good will of the prior people who had put the dollars ahead of us. We just needed to put that back into the infrastructure for the children, for the people following us that would be doing this, so this was a measure that he supported.

**Councilor Washington** was supporting this resolution. The state and the region were so far behind that we never seemed to quite get there. This was a good step in the right direction, it was not perfect, but nothing every was in this business.

**Councilor Kvistad** said having the council having this conversation and putting our voice behind the men and women in Salem, both Republican and Democrat, was a positive. Everyone in the legislature recognized that the Council didn't have a political affiliation, we were a non-partisan council, we had spent a long time working on these transportation issues. Stepping up to the plate, partnering with the men and women in Salem, was a positive thing for us and for the region.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

**Mr. Burton** noted several bills and asked Mr. Cooper to review the specifics.

**Mr. Dan Cooper** said that

- SB 1062**, which was a purchase of conservation easements, authorizations for the greenspaces program had now passed both houses and was on its way to the governor's desk.
- SB 1031**, the transfer from the Multnomah County Commission to this Council the authority to approve annexations to the Metro, was pending on the third reading calendar in the house and was working its way to the top as the house was considering a large volume of bills at this time.
- SB 838**, a bill for partitioning EFU land for park purchases and **SB 964**, pool chlorine bill, were both the subject of hearings and possible work sessions in the house committee, House Water and Environment Committee Friday afternoon, Councilor McLain and Mr. Cooper would be down there to testify. Yesterday Councilor McLain, Mr. Cooper, and Mr. Phelps talked to a number of the committee members, and did not expect that they would have a problem getting those bills out of committee and onto the house floor.
- SB 1187**, which exempted exception lands from Goal 14, was the subject of a hearing before that same committee Friday afternoon. Councilor McLain would be testifying to reflect this Council's opposition to the bill. We also had the opportunity to speak to committee members about that bill yesterday while we were working down there. He
- SB 87** the 20 year land supply for economic development purposes was continuing to be the subject of meetings between interested parties Creec, 1000 Friends, DLCD, and others. There was continued work on a proposed package of amendments that would take the amendments that were done with our involvement on the senate side into a house committee and add some provisions to state law that would make a number of the parties much more comfortable with the bill. Metro continued to monitor that to make sure that the bill would only require Metro to do that which it was committed to doing anyway on whatever time frame Metro was following, and it still had that status. One of the significant changes would be that the bill would direct local governments that were the subject of the requirements to first take measure to improve the efficient use of land within their Urban Growth Boundaries and to take those steps before considering any

amendment to UGBs as a result of determining there was a need for employment land. As of this morning there was probably going to be language added that reflected the state's current hierarchy that any UGB amendments were directed toward exception lands first and EFU land only as a matter of last resort. Those pieces of bill continued to progress and it became more and more like 2040 for every large city and not just Metro. **Councilor Atherton** asked Mr. Cooper about SB 1187, why it should apply only to the larger cities and not to the smaller ones.

**Mr. Cooper** said that topic had been discussed, and in part it was a reflection that current law required all cities to consider economic development as part of periodic review, and the sense of it was that if they were going to mandate that somebody do something they were going to stop someplace, so the big guys got hit on first.

**Councilor Atherton** said he could see a large adverse impact. If we started to look at the larger cities as places people worked, and we fled those areas and went to live in smaller towns that didn't have those kinds of mandates.

**Presiding Officer Monroe** asked if Mr. Cooper knew anything further on the prison siting.

**Mr. Cooper** said no.

#### 7. **FOURTH ANNIVERSARY OF THE METRO OPEN SPACES LAND ACQUISITION PROGRAM.**

**Mr. Burton** said this the fourth anniversary of the Open Spaces Parks and Stream Bond Measure. This was one of the true success stories of Metro. He noted a map which showed where the purchases had been and some of the current open spaces. The 4404 acres that were indicated on there had made a significant contribution to the open spaces in reference to what already existed in this particular region. He called attention to the report, page 15 (a copy of which may be found in the permanent record of this meeting), Metro had obtained about 69% of our goal, our goal was to obtain about 6000 acres, with only 51% of the bond money. That didn't mean that we might get out there and begin to find later that more land was more expensive, but the tracking system that the department had used, and our acquisition team had been doing a great job in getting us those prices and those lands that we had brought in. On page 14 he noted the administrative costs was only 3.8%, and if you included land transactional expenses, which you normally wouldn't, it was a total of less than 10% administrative and acquisition costs. That was another outstanding achievement by the department in keeping administrative costs low. The open spaces program was successful in a number of ways, due to the citizen support for this program and the department's ability to carry this program out. Charlie Ciecko, department chair, and Jim Desmond, head of the open spaces program, Nancy Chase and the acquisition teams had done an outstanding job.

**Charlie Ciecko**, Regional Parks and Greenspaces Department Director, said he remembered the day well, shortly after the bond measure passed and Mr. Burton was going over the estimates that had been included in the measure, and they had 13 or 14% identified for bond issuance costs and administrative costs, and Mr. Burton informed department staff that in no way would administrative expense exceed the 10%. His motivation had spurred the department along to keep those costs down, so they thanked him for that. On May 16, 1995, voters approved Measure 26-26, the Open Space Parks and Streams Bond Measure by a margin of almost two-to-one. This \$135.6 measure, which was focused primarily on land acquisition was the largest of its kind ever approved in the state of Oregon and was one of the largest of its type ever approved in the

country. Four years had passed and he was pleased to be able to report that over 4400 acres had been acquired in 146 willing seller transactions. Included were more than 27 miles of stream and river frontage which was appropriate and timely considering the plight of salmon and steelhead here in the Portland metro area. Also, it included thousands of acres of valuable wetlands, meadows, and upland forests. These lands would be important elements of the regional system of parks, natural areas, open spaces, trails and greenways for wildlife and people that was envisioned in the Greenspaces Master Plan as well as the Regional Framework Plan. He was pleased to say that they were on schedule and under budget. They were confident that they would meet and exceed the goal of 6,000 acres that was identified in the bond measure. Equally important was the significant progress that had been made by our local partners in implementing the 100 local share projects that were identified in the bond measure.

To date 65 of these projects had been completed. In previous progress reports they had highlighted success which had included the public process which recommended the components and size of the bond measure, the sale of the bonds, the value of the workplan established by council which delegated certain responsibilities to the executive officer which allowed them to be competitive in what was typically a private side business. Finally, the refinement plans which the Council adopted for each of the target areas, together these actions had created a foundation for success, which had made this program a national model. The department was contacted on a regular basis and were very proud of the progress to date. He recognized the staff in Open Spaces. They convinced landowners to become willing sellers, most of the acquisitions were not people who had put their land on the market. They had been approached, they had been sold on a vision and an idea, and that took a lot of commitment and passion. The department was fortunate to have staff that were very capable in that regard. They negotiated the contracts, they did diligence and they closed the deals. Many of the faces the Council recognized and knew, however others worked quietly behind the scenes. He introduced the staff.

**Councilor Washington** asked Mr. Ciecko what uplands were.

**Mr. Ciecko** said they were those areas that were neither wetlands nor riparian, they were well-drained drier sites, hill sites, forested areas in particular, meadows as well.

**Jim Desmond, Regional Parks and Greenspaces Department**, gave a slide presentation (a copy of the slides may be found in the permanent record of this meeting) about the Open Spaces program. They did this slide show all over the region several times weekly. They got a great response wherever they went and had tremendous support throughout the region. The bond measure had two parts, the regional and local, the left side of the slide was the regional, which was the \$110 million, all of which was earmarked for land acquisition, with the exception of the Peninsula Crossing Trail where we did a capital project. The distinct thing about this measure was that it specified 14 target areas and 6 regional trailways and greenways, and said that all of the money would be spent there. This was in contrast to the failed 1992 bond measure, the \$200 million that did not have that kind of specificity, and the Council's direction had been a key element of the success of the program. The local share was administered by Metro, who distributed the money to the 26 cities, counties and park providers in the region. Those funds could be spent for either land acquisition or for capital improvements in existing parks. There were 100 specific projects identified in the bond measure. The advantages and goals of land acquisition were to provide access to nature, future recreational opportunities such as access to waterways, birdwatching, picnicking, hiking, clean air and water, protect our nice vistas, protect natural areas for fish, wildlife and people, and resources for future generations, both forested and water resources. We had acquired 69% of the goal stated in the bond measure, he thought of that as a minimum goal, and hoped they would exceed it. They had expended about 51% of the

available funds which included the interest that the fund earned. The bonds were sold on day one, so Metro had had some interest earnings within the federal limitations on that. To put the administrative costs in perspective, the city of Gresham had their own bond measure, it was a smaller jurisdiction and a smaller bond measure, they just issued a report on their bond measure, and their administrative expenses had run about 18%. The Nature Conservancy's, which was considered the most successful national land acquisition-conservation group, administrative expenses had run about 19%.

**Councilor Washington** commented to the Open Spaces staff, he thought that this was a great example of an unbelievable program. To get this in the composite was wonderful. They had done a great job. He had followed this closely and felt very fortunate that his district had benefited from these efforts, he thanked all of the staff. These activities would be measured when all of us were gone.

**Councilor McLain** added to Councilor Washington's comments. She had asked originally that they add the local share projects to the map, she had already used the map with two or three groups and they had enjoyed and appreciated seeing the coordination of those projects with the regional ones and the local share ones. She believed that the Open Spaces Land Acquisition Report to Citizens was an excellent piece of work. The detail that this staff always came up with of working with volunteers, viewing a flood as an opportunity, and their thoughts of future negotiations, etc. had always been miraculous. They had great leadership and fantastic workers.

**Councilor Atherton** reported about his recent experience. Six weeks ago in Clackamas County with the Greenspaces Department a group of citizens had taken the initiative to form a local improvement district to tax themselves to purchase some parklands. They had some tentative agreement from the city, but it was still not quite enough, and they were frustrated in their discussions with city staff, because they were worried that Metro would coerce them or take over their project if Metro were involved. This person called me up, within five minutes he was talking to Mr. Desmond, six weeks later, this evening they were going to celebrate a success, and they couldn't believe it. Mr. Desmond cut through the problem areas, found a solution, and in six weeks it had gone from being a no-go project where citizens were active and interested and putting their money on the line, to a success.

**Councilor Kvistad** said to the staff, over the last year or two there had been some miraculous things happen in terms of making some of these deals, some of these were impossible. There had been decades of other jurisdictions trying to get properties into public use. He was impressed with some of the things they accomplished, and to work with sellers who would never in a million years sell their property to a government, and here we were with some of these spectacular properties. He was very proud of the staff.

**Councilor Bragdon** said while we were celebrating, redeeming the promise made in 1995, but really redeeming the promise was the next step beyond acquisition. He asked what the public opinion was about these accomplishments and to get these properties in shape for human and non-human use, was there a number for the costs of redeeming the properties.

**Mr. Desmond** said the public support was very strong but there was concern about the future. We had explained that we were land-banking and how the program worked, that Metro didn't have a dedicated funding source for the future of these parks at this time. There seemed to be concern about that, but an understanding that the bond measure was aimed at acquisition, that the bond measure was very clear about that. The crescendo over that question would increase over the next few years, so there was concern but no panic at this point. In terms of the order of



magnitude, the department did have those figures, a master plan alone for any of these sites was somewhere in the vicinity of \$75-90,000, just to do the plan, much less to implement it. There were existing master plans for our existing parks that were not even close to fully implemented. So, the order of magnitude was definitely in the millions of dollars collectively.

**Mr. Ciecko** said they had made some very crude assumptions based on properties that we currently had that have been recently master-planned. They had some development numbers, extrapolating these and basing this on some assumptions, they were assuming that the properties that they expected would stay with Metro, because there was not another local partner out there that would appear to be willing or capable at this time, somewhere around \$25-30 million to construct the infrastructure to allow and support the public use.

**Mr. Burton** said he thought that this was one of the useful subjects to have on our agenda for our goal-setting. One of the things you looked at down the road was, having had a fairly good idea of what those needs might be, prioritizing and figuring out which ones Metro wanted to do and how, was another question. The third question was then how to provide the resources to do that. He knew that in the meetings he had had around the region, as this matter came up people felt very good about it, but all of us needed to remind everyone that there was an on-going, long-term view that needed to be taken until the public gave us a consensus about how they felt about that, and obviously the support we had for the initial measure was such that that was not going away.

**Presiding Officer Monroe** suggested they talk about this at the retreat on Monday and Tuesday.

**Councilor Park** said he felt very lucky to be involved in this. He asked Mr. Ciecko about the cost of annual maintenance.

**Mr. Ciecko** said he thought it was about \$4-6 million for operation and maintenance as well as environmental education programs. This was a reflection of the level of service that Metro provided in current parks and natural areas that we operate.

**Mr. Burton** closed by saying that not all of these negotiations had been easy. The staff had had to face difficult negotiations, but they always kept their eyes on the prize.

**Presiding Officer Monroe** said that this was one of the things that made his job fun. He thanked the entire staff.

## **8. 1998 YEAR END REPORT ON RISK MANAGEMENT.**

**Scott Moss, Administrative Services Assistant Director**, said they were celebrating their eighth year of having a risk management division at Metro. The Risk Management Division consisted of Bill Jemison, Nancy Meyer who handled benefits, and Margaret Sprinkle who did a little bit of everything. Their goals were to save money, promote safety, and be prepared for emergencies. He noted a color presentation from the department dated May 20, updated from the one the councilor's packet. He asked Mr. Jemison to run through some of the highlights of the report.

**Mr. Bill Jemison**, drew the council's attention to report (a copy of which may be found in the permanent record of this meeting). Most departments had dropped in claims throughout 1998, Metro 39 claims last year, as opposed to the average of 50. MERC, REM and the Zoo had the big drops.

**Mr. Moss** said the Risk Management Program costs about \$1.1 million annually. They had been charging departments \$300-400,000 and using reserves to make up the difference. The reserves were from savings over earlier years. The reserves would be depleted, in terms of excess reserves, next year, so they were going to have to increase the allocation to be more in line with what actual costs were running. They benchmarked against other governments according to the Risk Management Organization, and their costs were half of what other governments ran.

**Councilor Washington** asked Mr. Moss if MERC, REM and the Zoo were getting better.

**Mr. Moss** said he thought the claims were improving considering the growth in each of these divisions. Their claims were coming down. If you looked at it in terms of their growth and the number of employees and the number of visitors it was actually very good news.

**Councilor Atherton** asked Mr. Moss about workers compensation costs for government generally and Metro. Did that include governments that had police functions and fire functions.

**Mr. Moss** said the benchmark was done by the Risk Management Organization and they benchmarked all governments, including those that had fire and police.

**Councilor Atherton** said if we had those kind of functions we might have those higher costs.

**Councilor Park** asked about the cost to self insure Metro.

**Mr. Moss** responded that we would not had to increase the entire amount, 41% came from interest earnings. They wouldn't have to charge departments that amount, so the cost would be the \$500-600,000 rather than the current \$300-400,000.

## 9. CONSENT AGENDA

9.1 Consideration meeting minutes of the May 13, 1999 Regular Council Meeting.

**Motion:** **Councilor McLain** moved to adopt the meeting minutes of May 13, 1999 Regular Council Meeting.

**Seconded:** **Councilor Washington** seconded the motion.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

## 10. ORDINANCES - FIRST READING

10.1 **Ordinance No. 99-798**, Amending the FY 1998-99 Budget and Appropriation Schedule in the Solid Waste Revenue Fund by Transferring \$6,592,000 from Contingency to Materials and Services in the Regional Environmental Management Department for Prepayment of Fixed Payments as Set Forth in Change Order No. 24 to the Waste Transport Services Contract; and Declaring an Emergency.

**Presiding Officer Monroe** assigned Ordinance No. 99-798 direct to the Metro Council. He indicated that the Council would discuss the ordinance at one of their informal times, and they would do this on all items that went directly to Council.

10.2 **Ordinance No. 99-807**, For the Purpose of Creating a Metro Parking Policy and Amending Chapter 2.14 of the Metro Code.

**Presiding Officer Monroe** assigned Ordinance No. 99-807 to the Metro Operations Committee.

## 11. ORDINANCES - SECOND READING

11.1 **Ordinance No. 99-803**, For the Purpose of Amending Chapter 3.09 of the Metro Code Relating to Local Government Boundary Changes and Declaring an Emergency.

**Motion:** **Councilor McLain** moved to adopt Ordinance No. 99-803.

**Seconded:** **Councilor Bragdon** seconded the motion.

**Councilor McLain** said that we actually did an ordinance that was related to this in December of 1998, and that ordinance was set up to relate to the procedures and criteria for this regional government and our local governments to make boundary changes. The amendments provided, in this particular document, those amended items, those technical items, small policy items that we actually cleaned up after that vote. This particular ordinance and the ordinance she just mentioned were both necessary after the boundary commission was dissolved. We had to have one in place by January of 1999. There were four items that were cleaned up in this particular ordinance. Those items include:

- The definition of what was a final decision. The need to changes this from the original definition was identified to make sure that we knew when the appeal to the regional commission could be made in jurisdictions that require voter approval. That was cleaned up and our local partners as well as the lawyers from the local jurisdiction had been working with a subcommittee from MPAC as well as with Mr. Cooper on these issues and they had agreed to that language.
- Notice period. This was to clarify the additional types of notice that could be provided at the discretion of the jurisdiction. This provided a specific minimum notice for special districts, which was important to get into those newsletters that were from some of these organizations that only had one newsletter monthly or might meet within that time frame.
- Expedited process. This was noted as being necessary. There were some very important specifics to clean up on this process. This section established a clear process where annexations for all of the property owners and at least 50% of the electors had petitioned for the change.
- Review criteria. There was a need to continue some conversation on the review criteria as it was substantially written, and it was rewritten to clean up some of the issues that both Metro and the local jurisdictions had in this section.

This had passed muster with the subcommittee of MPAC and it was a unanimous vote to go forward from our MPAC partners at their meeting. It also had been in front of the growth management committee meeting where it passed out 3-0. She added that Mr. Cooper or she would be happy to answer any questions.

**Presiding Officer Monroe** opened a public hearing on Ordinance No. 99-803. No one came forward. Presiding Officer Monroe closed the public hearing.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

## 12. RESOLUTIONS

12.1 **Resolution No. 99-2780**, For the Purpose of Amending the Water Resources Policy Advisory Committee Bylaws to Delete and Add A Voting Position and Add Notification Procedures.

**Motion:** **Councilor Bragdon** moved to adopt Resolution No. 99-2780.

**Seconded:** **Councilor Atherton** seconded the motion.

**Councilor Bragdon** said that this resolution would change slightly the composition of the Water Resources Policy Advisory Committee as well as the procedures for filling vacancies by publicizing them more. The Natural Resources Conservation Service of the federal government would remain a participant in the process, but would be a non-voting seat, and the West Multnomah Soil and Water Conservation District would become a voting seat as other Soil and Water Conservation Districts in the region already were. The changes to the procedures in appointments were simply to publicize the vacancies on WRPAC agendas in advance for more public discussion, and for the Growth Management staff to keep a list of interested parties in that. The committee itself approved of these by-laws changes unanimously.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed

12.2 **Resolution No. 99-2781A**, For the Purpose of Appointing Elizabeth Callison to the Water Resources Policy Advisory Committee.

**Motion:** **Councilor McLain** moved to adopt Resolution No. 99-2781A.

**Seconded:** **Councilor Kvistad** seconded the motion.

**Councilor McLain** said in this particular set of by-laws we had asked each one of the agency, citizen groups, or specialists that we believed were important as members of this committee to bring forward a name to be the representative of their group. In this particular resolution we had had the Western Soil and Water Conservation District of Multnomah County bring forward the nominee of Elizabeth Callison. They had appropriately sent a formal letter to the department and to Councilor McLain as chair of WRPAC, and she brought forward that nomination for a do-pass recommendation.

**Motion:** **Councilor Park** moved to table Resolution No. 99-2781A

**Seconded:** **Councilor Washington** seconded the motion.

**Vote:** The vote was 4 aye/ 2 nay/ 1 abstain. The motion passed with Councilors Atherton and McLain voting no and Councilor Bragdon abstaining from the vote.

**Presiding Officer Monroe** said that he would write a letter to the Western Soil and Water Conservation District and ask them to submit another nominee.

12.3 **Resolution No. 99-2784**, For the Purpose of Confirming Lydia Neill and Barbara Edwardson to the Metro 401(k) Employee Salary Savings Plan Advisory Committee.

**Motion:** **Councilor McLain** moved to adopt Resolution No. 99-2784.

**Seconded:**      **Councilor Washington** seconded the motion.

**Councilor McLain** asked Mr. Cotugno to do this particular presentation.

**Andy Cotugno** said he was pleased to introduce two proposed nominees for the council's ratification on the Metro 401(K) committee. In this capacity they would be new to the committee. They were Lydia Neill from Growth Management Services and Barbara Edwardson from Parks. Both brought terrific capabilities to this group. This was a five-member committee that oversaw the 401(K) salary savings plan. Our objective with the committee was to have a good mix of people from represented and non-represented groups within Metro and from different buildings or sites within Metro so that there was good agency representation. Kathie Brodie from the Zoo was leaving the 401(K) committee, Bruce Burnett from MERC was staying on, Mr. Cotugno and Howard Hansen from this building were staying on, Gerry Uba from Growth Management was leaving the 401(K) committee, and they were picking up a Parks staff person and a Growth Management staff person, so they kept good representation. Barbara brings financial expertise and past experience with a similar committee in Springfield. The program so far had been quite successful, and they were happy to have new blood to help the committee out and carry it into the next generation. There was a new round of education programs coming up in June. Vanguard representatives would be on site to visit with staff and give them information about how to effectively plan for their future.

**Councilor Washington** asked Mr. Cotugno what role he played on the committee.

**Mr. Cotugno** said he chaired it and that members of the committee got no monetary perks for being on the committee.

**Councilor McLain** closed by saying the nominees were outstanding in their own departments and would serve well here.

**Vote:**              The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

12.4    **Resolution No. 99-2793**, For the Purpose of Appointing Michael Weinberg to the Water Resources Policy Advisory Committee.

**Motion:**            **Councilor Park** moved to adopt Resolution No. 99-2793.

**Seconded:**        **Councilor McLain** seconded the motion.

**Councilor Park** said he hadn't spoken with Mr. Weinberg, but had spoken with a member of the Clackamas County Soil and Water Conservation District. He was an officer of that group. He had been active in water issues, he was a water specialist in Southern Oregon. For the last four years he had attended meetings of the Clackamas County Soil and Water Conservation District, however it had only been into this last year that he actually became a member of that group. He brought a type of enthusiasm, was a committee builder and he would be a good committee member of WRPAC.

**Councilor McLain** said that in the last two or three months he had been attending the WRPAC meeting to get up to speed on these issues.

**Councilor Park** urged and aye vote.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

### 13. COUNCILOR COMMUNICATION

**Presiding Officer Monroe** asked Mr. Stone to give instructions for the retreat.

**Mr. Jeff Stone, Chief of Staff**, said they were working with a facilitator and it would include all of the councilors discussed. The consultant was coming up with a preliminary agenda for the group. Starting time was 12:00 with lunch at the Kennedy School, at 33<sup>rd</sup> and Killingsworth.

**Councilor Washington** looked forward to the retreat.

### 14. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 4:06 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
052099c-01	5/20/99	For the Purpose of Endorsing House Bill 2082 to Increase State Transportation Revenues	TO: Metro Council FROM: Mike Burton	Res No 99-2800
052099c-02	May 1999	Four years and 4,400 acres Metro's Open Spaces Land Acquisition Report to Citizens	TO: Metro Council FROM: Metro Open Spaces Program	
052099c-03	5/20/99	Metro Open Spaces, Parks & Streams Bond Measure map	TO: Metro Council FROM: Metro Open Spaces Department	
052099c-04	5/29/99	1998 Year End Report on Risk Management	TO: Metro Council FROM: Mike Burton	