

## MINUTES OF THE METRO COUNCIL MEETING

May 6, 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 2:07 p.m.

### 1. INTRODUCTIONS

None.

### 2. CITIZEN COMMUNICATION

None.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

### 4. AUDITOR COMMUNICATIONS

**Alexis Dow, Auditor and Mr. Kennedy**, presented her report on Purchasing Benchmarks and Opportunities, May 1999. The study benchmarks Metro's purchasing processes. There were over 100 private and public organizations in the study, a very good base for comparison. She explained that benchmarking was a diagnostic management tool, not an absolute measure. It was used to look at what a population of companies or organizations was doing to find out how successful they were and then comparing what Metro had done to those that were deemed successful. She had worked with the Hackett Group on the project, a group known for benchmarking, with a database of over 1300 organizations. She said that benchmarking started in the private sector and was a pragmatic approach. To be an innovator and figure out the best way of doing something, it was very costly, so the private sector found out that if they looked at their competitors and saw that they were doing something successful, they copied it. This allowed innovation without necessarily being on the bleeding edge. The concept of benchmarking had been used in the public sector in recent years. At the federal level there was the Government Performance and Results Act used in all federal government agencies. Oregon had its own benchmarks programs which had been legislated to set expectations, benchmarks, and performance measures. Many of the agencies reported significant operational improvements once they had gone through this process. Benchmarking allowed Metro to build on the experience of others, to look at their experience and to try and emulate their success. It helped Metro work smarter toward more effective results, enhancing the agency's accountability and public trust.

She reviewed benchmarking requirements: the history, public sector, achievements, and comparisons. When Metro did their benchmarking study and compared Metro's purchasing processes to the others in the study there were some areas where Metro did very well, others where Metro didn't do quite so well, and some that were inconclusive. When the Auditor looked

at the favorable comparisons there were two in particular: Metro's use of purchasing cards and low computer systems costs. In the area of purchasing cards, this was measured for purchases under \$1000. [See record for visual aids]. Purchases would be made on-line as of March 1, they would like to reduce the paperflow further. Her recommendations were included in the report and summarized in her Recommendations note (a copy of which may be found in the permanent record of this meeting). They found that the recommended standards were more in line with what they were doing. They should monitor the contracts once they entered into the arrangement. They hadn't stopped to see if they were actually getting what they negotiated for. She pointed out differences in Metro and the organizations that were utilized for comparisons, therefore Metro would never get to be best of class. There were areas that Metro could improve.

**Presiding Officer Monroe** said that a discussion on this report had been scheduled at the Council/EO Informal on May 11<sup>th</sup>. Ms. Dow and Mr. Warner would be there. They would discuss the recommendations, which to implement and if so when and how.

**Councilor McLain** asked questions that she expected to be answered at the meeting on May 11<sup>th</sup>. She questioned Ms. Dow's comment concerning purchase orders being on line. She wondered how this effected the small and minority businesses that might not be on line. The second concern had to do with efficiency, was centralization good or bad as far as a cost ratio. The reference to management costs touched on this. Metro wanted to make sure that it was not only FTE , but efficient, effective, and accountable. She didn't see any assumptions or development in the accountability they were looking for. Some accountability issues may be more costly, but if the issues were important, we were willing to have that system be more expensive if we got that accountability.

**Ms. Dow** responded that they were recommending that utilization of electronic medium be utilized whenever possible, but that didn't mean 100%. In terms of efficiency, within the body of recommendations there were suggested steps that could be implemented to ensure that there was no lessening of accountability. This was management time, but that time should be used in the most effective way possible. Within recommendation #1 there were specific recommendations of what steps should be taken to monitor it so that there was no loss of effectiveness.

**Councilor McLain** wanted a more thorough conversation concerning efficiency and accountability issues. She felt that they were looking too much at money versus legalities, processes, efficiency. She wanted more discussion of their assumptions of what their efficiency and accountability structures looked like and what they meant.

**Presiding Officer Monroe** thanked Ms. Dow for the presentation.

## 5. MPAC COMMUNICATION

**Councilor McLain** said they had an important meeting about the Metro Code amendments that would be before council soon. Mr. Cooper and the legal staff had taken on the responsibility of additional work, and they were going to be working with legal staff from the different jurisdictions to talk about some of the major policy issues. They would formulate language to come back to MPAC and the Growth Committee in the month of May. There were five or six major issues tagged by the Metro Technical Advisory Committee. These included 1) dealing with the actual approval process and the urban reserve plan, who and when did they approve it, 2) what did the detail get us and what did we want, how much didn't we want as far as detail in that particular vehicle. She felt that everyone in the meeting gave good information, thoughts, and creative ideas. She noted that Mr. Dan Cooper would be meeting with MPAC on Monday and

hoped to have something to the Growth Committee in a general sense on the 12<sup>th</sup> of May, and would be going back to MPAC and future meetings on May 26<sup>th</sup>.

## 6. METRO LEGISLATIVE UPDATE

**Mr. Dan Cooper, Legal Counsel**, said they would focus on the four Metro bills still pending. SB 1031, the boundary change bill, and SB 1062, the conservation easement bill, were having public hearings and possible work sessions today in the House General Government Committee. The outlook was favorable for both of those bills to be on their way to the House floor soon. SB 838, the Metro bill on partitioning EFU land when we buy open space, was on the Senate's calendar for a floor vote and had been for a day or two. It was working its way up in the queue. SB 964, the pool chlorine bill, had not been scheduled for a Senate floor vote, but it was in line for doing so, it was out of committee. SB 615, the bill that would have exempted all cities under 25,000 population from all rules related to transportation planning, had been amended to instead of a total exemption, create permission for LCDC to grant waivers from some or all of the transportation planning rules for cities under 10,000 if they chose to do so. Mr. Benner said that they had no intention to waive any transportation planning rule for any small cities inside of the Metro boundary, because they viewed Metro as being one region that was subject to one set of rules, so that was a favorable result.

**Councilor Atherton** asked if the Government Operations Committee of the House had responded to the letter, and the letters from many other cities, about a hearing on the 20 year land supply.

**Mr. Cooper** responded that the bill did not receive any public hearing, notwithstanding numerous requests, it was therefore subject to some extraordinary lifesaving efforts, it was probably not going anywhere.

**Councilor Atherton** asked if they received a response from the legislature on their letter.

**Mr. Jeff Stone**, Chief of Staff, said no. There were a couple other bills that were of interest. SB 87 received a hearing which was deemed raucous, there would be another hearing on Monday afternoon. It had already passed the Senate. He thought Council should be aware that there was acrimony by the City of Portland about SB 3336, the hotel/motel tax. He did not know what would happen with it.

**Mr. Cooper** said he had no great detail to add.

**Presiding Officer Monroe** said that bill allowed the hotel/motel people to keep 5% of the tax they collected as a collection fee, it would cost the city of Portland \$500,000 annually, and the Mayor had expressed concern over this.

**Councilor Park** asked about SB 1187.

**Mr. Cooper** said they were preparing information for Mr. Phelps, they anticipated that the bill would be scheduled for floor vote in the Senate in a week. It was still between the committee and the floor, there were no further developments at this point.

**Councilor Park** asked if he knew which way it was going.

**Mr. Cooper** said he had not received a report from Mr. Phelps, and didn't know.

**Councilor Kvistad** asked how bills regarding gun shows would affect the Expo. State law required that the property be open to those events, but what did the proposals mean to our management on operation of those events if they were held on our property.

**Mr. Cooper** said he didn't know for sure in the conversations they had had with MERC about guns and gun shows in particular. He didn't think they believed the instant spot check for all gun sales would have any major consequence for their revenues at the Expo center. The law would not alter the total preemption of any local rule making or ordinance authority over those gun shows, so we would still be in the same legal circumstances we were in. The guns shows would have one more requirement to comply with but he didn't think MERC thought that would make them go away.

**Councilor Kvistad** said his concern was that in terms of operations and requirements, there would be no financial impact to us. He suggested Mr. Phelps track it.

**Mr. Cooper** said they would track it and asked Mr. Williams what his thoughts were if SB 700 became law.

**Councilor Bragdon** asked about the bill that preempted inclusionary zoning that was supposed to make some motion this week.

**Mr. Cooper** said he thought that bill came out of committee to the House floor and had not yet been voted on. There were amendments proposed by the proponents of the bill that elaborated the bill would not affect incentive and density bonus and other constitutional means of allowing for inclusionary zoning. The bill, as introduced, prohibited local governments and Metro from requiring sales of homes at prices, so the local government would not be allowed to set the selling price for the houses or to require sales to particular classes of individuals. Those were matters that were beyond the scope of anyone's view of what mandatory inclusionary zoning might do if it were adopted under some of the proposals that were being considered by this council when it was looking at the affordable housing issue. The bill did get amended to say many of the things that the council was considering would continue to be options that were available and expressly not prohibited by the legislation. They had tried to make sure that it did not get amended in a way that would be more harmful, and it had not been.

**Presiding Officer Monroe** asked about the prison siting and whether Brady Adams has signed the Umatilla bill.

**Mr. Cooper** said the bill was introduced. SB 3 had been enrolled and was probably at the governor's office. SB 1317 was introduced by Senator Metsger and was a bill that would mandate the siting at Day Road. 1317 had not been scheduled for any hearings yet. The decision was still being made in the capital building.

**Presiding Officer Monroe** asked if the Metsger bill was similar to the Jerry Krummel bill?

**Mr. Cooper** said the wording was identical.

**Presiding Officer Monroe** asked if they were expecting a veto shortly and that would get things moving again.

**Mr. Cooper** said he thought that was the prevalent view of what would happen.

**Councilor Park** asked about the gas tax.

**Mr. Cooper** said there was no answer to the gas tax. You still had to pay what it was, but it hadn't gone up.

**Presiding Officer Monroe** said that the status was that it was still in the House Revenue Committee.

## 7. CONSENT AGENDA

7.1 Consideration meeting minutes of the April 29, 1999 Regular Council Meeting, 12/8/99 Council Finance Committee and 4/14/99 Council Budget Work Session.

**Motion:** **Councilor McLain** moved to adopt the meeting minutes of April 29, 1999 Regular Council Meeting, 12/8/98 Council Finance Committee and 4/14/99 Council Budget Work Session.

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

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

## 8. ORDINANCES -FIRST READING

8.1 **Ordinance No. 99-805**, For the Purpose of Amending Metro Code Chapter 5.02 to Extend the Sunset Date for the Regional System Fee Credit Program to June 30, 2000, and Declaring an Emergency.

**Presiding Officer Monroe** assigned Ordinance No. 99-805 to Regional Environmental Management Committee.

## 9. ORDINANCES - SECOND READING

9.1 **Ordinance No. 99-796**, For the Purpose of Authorizing a Transfer of Metro Yard Debris Processing Facility License No. YD-0197 from Scotts Hyponex Corporation to Clackamas Compost Products, Inc. to Continue Operations at an Existing, Approved, Yard Debris Processing Site.

**Motion:** **Councilor Park** moved to adopt Ordinance No. 99-796.

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

**Councilor Park** said this was discussed extensively in Solid Waste at REM. There had been some public testimony that the continuation of an ongoing facility that had been approved with an on-going company would be fine.

**Councilor Atherton** asked where the facility was located.

**Councilor Park** said he had not been out to the site but the address was 11620 SE Capps Road in Clackamas.

**Mr. Marv Fjordbeck**, Legal Counsel, said that was what the application said.

**Councilor Atherton** asked if it was a facility adjoining residential neighborhood. He asked if anyone had come to the committee and spoken about this facility.

**Councilor Park** said he did not believe that there had been any controversy.

**Councilor Washington** said they just changed the name from Hyponex Transfer Metro Yard Debris, it was not a new site, it was a transfer of title. No one came to testify.

**Mr. Fjordbeck** said this was a facility that was approved in 1998.

**Presiding Officer Monroe** opened a public hearing on Ordinance No. 99-796. No one came forward. Presiding Officer Monroe closed the public hearing.

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

9.2 **Ordinance No. 99-801**, For the Purpose of Transferring the Solid Waste Franchise for Operation of Citistics Reload/Materials Recovery Facility from Citistics, Inc., to USA Waste of Oregon, Inc.

**Motion:** **Councilor McLain** moved to adopt Ordinance No. 99-801.

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

**Councilor McLain** reviewed that this ordinance approved a name change, changing this from the Miller's operation to USA Waste Oregon Inc. It was called Citistics Reload/Materials Recovery Facility from Citistics, Inc. They had probably reviewed this particular site in the last year and a half more than any other site that had come before this council and the council before it. There were a number of issues that they had checked out very carefully, including land-use permits, DEQ permits, and everything else that you would have to have a facility of this sort. They were not reviewing that right now, they were simply changing to USA Waste of Oregon, Inc., because they had purchased this particular sight. She offered to answer any other questions.

**Councilor Kvistad** said many of the neighbors and neighborhood groups in his district had expressed concerns about this facility. He said they all took this seriously and they knew where the sight was. Mr. Miller worked with the city on the siting. Many of the concerns were concerns that the city needed to address, but the Council needed to be sensitive to them and understand that those concerns were there. The change of ownership did not concern him but he would recommend that the REM Committee and the Council keep in mind that this was a sensitive location and the Council needed to be apprised of citizen concerns.

**Councilor McLain** responded to Councilor Kvistad's comments. No one on the REM Committee would disagree with what he had said. No matter who the owner, Metro was still committed to make sure they were managing the franchise in an appropriate way for the safety and well-being of the community. We made that commitment when we put the franchise forward in its first form and we certainly made that same commitment today. It was important for us to remember that how we did that was through the careful wording of the franchise itself making sure that all of the land-use conditions and DEQ conditions were going to be carried out as they were at all of our facilities. She appreciated Mr. Kvistad bringing up the neighborhood issues and concerns because she believed the franchise did everything possible to make sure they dealt with the issues

that were appropriate to Metro. Beaverton had also put conditions that were appropriate to the jurisdiction of Beaverton.

**Presiding Officer Monroe** opened a public hearing on Ordinance No. 99-801.

**Mr. Henry Kane**, 12077 SW Camden Lane Beaverton OR 97008 said he submitted a prepared statement, and had submitted an earlier prepared statement, which dealt in part with the environmental horror that was the Forest Grove Transfer Station. He asked that the Metro Council by resolution or an amendment include that this franchise was subject to the conditional use permit issued by the City of Beaverton. He had spoken to Mayor Drake and the mayor had made it clear that all that the city wanted was what it allowed. The city had no inkling that Metro would issue a garbage transfer station. The city did not want a garbage transfer station that would change downtown Beaverton, with some of the highest real estate values in the state, into an environmental disaster area. Assuming the council put that provision in, the new owner would not be able to say "I have a garbage transfer franchise." He had asked the representative of the franchise three to four times last night whether they would change the use to be a garbage transfer station if Metro granted them a garbage transfer station franchise. The question was never answered. If this protective language was not in, the first thing that the new owner would do was start turning it into another Forest Grove Transfer Station. Some of our people went to Forest Grove and you could smell that public nuisance two to three blocks away. He would be happy to answer questions. LUBA had been sitting on this issue since December 3, 1998.

**Councilor McLain** appreciated Mr. Kane's input. First, Metro was making sure that we were legally taking care of the responsibilities that was under Metro's authorities, we couldn't go beyond that. That authority dealt with some of the land use configurations that Mr. Kane was just talking about. The second issue was his reference to the 'environmental horror' in describing the Forest Grove Transfer Station.

**Mr. Kane** repeated his comment that the Forest Grove Transfer Station had created, in the surrounding residential, and other areas an environmental disaster area.

**Councilor McLain** said she lived in Forest Grove, she passed and used the transfer station for self hall. She appreciated that there was always a challenge in making sure that this type of operation was a good neighbor. But, they had very high standards and the neighborhood groups as well as the city and Metro had a monitoring committee making sure that this facility was a good neighbor. She appreciated the comments, but wanted to make sure she was on record as indicating that the company, city and Metro were working to make sure that the neighbors out there felt good about their neighbor being the Forest Grove Transfer Station.

**Mr. Kane** said that the record was to the contrary. He had read the report, the only way that disaster area could be mitigated would be enclosing it in one building with air controls, scrubbers, and the like. There was no way that that would be done, he has never heard and he had been reading the literature, of a facility like this being put into a downtown metro area, two blocks from city hall, and across the street from a very expensive, multi-million dollar office building complex. He suggested and urged that we avoid problems down the road, either put in one sentence that "it is subject to the conditional use permit" because otherwise they would say "our franchise says garbage transfer station, we were going put it in because recycling did not pay." All they were reporting was thirty or forty tons a day, and that was economic.

**Mr. Joe Cassin**, Waste Management Inc., 7227 NE 55th Ave Portland OR 97218, thanked the council, came forward to repeat that the permit that was being issued would not turn this into a

Forest Grove that was open to the public. It was strictly to take in no more than 100 tons per day of mixed loads, and it was only for waste that pertained to that of TVWR and Miller's franchised area. You were only going to see the one truck going in there, which was Miller's. He made a commitment last night to the neighborhood association that he was going to attend the next meeting and as many meetings as he needed to take care of any issues that they had. To date he had not heard any complaints and they had been open for five months. He thought things were going well. He invited everyone out to take a look at the facility when they were actually up and operating, which was any time.

**Presiding Officer Monroe** closed the public hearing and called for the vote.

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

## 10. RESOLUTIONS

10.1 **Resolution No. 99-2763**, For the Purpose of Reallocating Multnomah County Local Share Funds Among Existing Projects.

**Motion:** **Councilor Washington** moved to adopt Resolution No. 99-2763.

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

**Councilor Washington** said this resolution dealt with the Multnomah County local share. When the Open Spaces Bond Measure was passed, \$25 million of that was allocated to the local park, such a Tualatin Valley, Multnomah County, and various other ones. Multnomah County had \$3 million worth of funds that was their local share. Metro took over Multnomah County parks and was given the authority through that transfer to take care of the local share. There was a hubbub, but this was just the local share allocation. He wanted Mr. Ciecko to let the Council know where it was going to go and deal with the issue of the small concern they had regarding a piece of our property out by Smith and Bybee Lake.

**Mr. Charlie Ciecko**, Regional Parks and Greenspaces Director, said they were requesting reallocation Multnomah County local share from projects we had either been able to complete under-budget or with funds from other sources, to a variety of badly needed capital improvements at both Oxbow Regional Park on the Sandy River and Howell Territorial Park on Sauvie Island. Ms. Nelson-Kent would talk about the needs of those parks, he wanted to stress that this reallocation would not, in any way, impact our ability to meet any promise that had been made to voters in the Measure 26 package.

**Ms. Heather Nelson Kent**, manager of the Planning and Education Division of Regional Parks and Greenspaces, said she had a couple of exhibits to show the level of maintenance and upgrading which was needed. Upgrading of Oxbow Park included a number of additional project which included new vault toilets and restroom facilities for the campgrounds, expansion of the pumphouse and provision for a water treatment facility that would filter the water.

**Councilor Washington** commended Ms. Nelson-Kent on her props. This pointed out the importance of these funds for this park, which was one of Metro's premier parks.

**Ms. Nelson-Kent** said there were several hundred thousand visitors annually at Oxbow. The second project was at Howell. In this project they saw the opportunity to actually provide new capacity for regional parks. Howell right now was only open on the weekends in the summer.



There were tours of the historic Howell house. The Parks department had a master plan adopted by the council and was going through design and engineering for actually building some of the approved upgrades there. The additional funding from the Multnomah County local share would really allow them to make significant progress on implementing that master plan, providing year-round parking, picnic shelters, restroom and accessible trails to both the shelters and the house. A future phase would be to develop the wildlife viewing areas. It would provide a great service for both for the residents of Sauvie's Island and the users of the park.

**Councilor Atherton** said when he first reviewed this it seemed like a simple, straightforward situation, but then a subject came up which was of concern to Clackamas County. Clackamas County had a jail problem and Clackamas County spent a great deal of money with Multnomah County in housing prisoners from Clackamas County. In the process of doing this he met and talked with a number of citizens who came before the committee, and he thought it was fascinating. There were many different options brought out about the jail, turtles, the use of natural areas, opportunities for warm water fishing, canoeing, the use of our greenspaces funds, the role of the Port of Portland and the adequacy of their surface-water management plan. One of the most poignant things during the Committee discussions was the feeling of citizens who were concerned about the greenspaces bond issue and their impression was that when they voted for this they were voting for purchase of lands, and not development. There were no citizen groups who came before the committee to advocate for more development at these parks, but subsequently he had the opportunity to talk to people who volunteered out there and they assiduously argued for these development projects, that the toilets and trails needed to be improved. He thought the most important thing that came out of their discussions was that they had testimony from citizens who very poignantly said "when we have an opportunity to work on these projects and do some of the development work it was a very empowering—a very good learning experience—" it was very important to them.

He had prepared a resolution for the Council on this issue of development funds, the development activities of Metro in our parks and greenspaces areas, to encourage the use of volunteers, seek them out. We had hired a volunteer coordinator at Metro. He would be bringing that resolution to the Council within the next two weeks, if it passed out of the Metro Operations Committee. The upshot of his discussion was that sometimes something that seemed pretty simple and where people might be polarized, given a chance to sit down and look at the issues, some really innovative ideas created. He thanked all of the committee members and participants in this for extending the time so people could feel that they were adequately heard on this issue. It had been a valuable learning experience. He hoped more beneficial ideas would come out of this discussion. Further, the overall allocation of \$3.4 million, a large proportion of that was going to end up going for development of the parks. When we talked about citizens being able to volunteer their efforts in doing this development work, the savings that would accrue would then be able to go to purchase of new properties, so people felt that if they were working they were able to buy more land. He thought that was a reasonable compromise. There was an awful lot of deferred maintenance at these parks, especially out at Oxbow. He planned to vote for this piece of legislation but thought his resolution about the use of volunteers and allocating the savings that accrued from volunteer efforts to more acquisitions was important. He knew that, within the region, Metro had more need to purchase parks and open space lands.

**Councilor Washington** urged council's support of this resolution. There was some discussion around the whole issue of jail siting. He talked to everyone on the Council about that issue and he thought the vote on the committee was reflective that that really was not our issue. He believed the local sheriff moneys could be used by the people to do, in essence, whatever they

wanted to do with regards to their particular parks, it didn't have to just go for purchase of property. He asked for clarification.

**Mr. Ciecko** said that was correct, reading from the resolution referring the measure to the voters on page 7 it said "in addition to the regional areas and trails, \$25 million of bond proceeds will be used to buy and make capital improvements on land for local open spaces and trails".

**Councilor Washington** said he wanted this on the record, that that small part was set aside for capital improvement.

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

10.2 **Resolution No. 99-2782**, To Grant a Four-Month Extension of the Conditions of Tsugawa Urban Growth Boundary Resolution.

**Motion:** **Councilor McLain** moved to adopt Resolution No. 99-2782.

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

**Councilor McLain** said that, as those on the Council last year remembered, they went through a hearings officer process where this particular property, Tsugawa, on 185<sup>th</sup> and West Union Road, was brought in through a locational adjustment process. During this process and in this transition year, the boundary commission was abolished, so these locational adjustments were held up. A new process had to be set up. This resolution allowed a four-month extension to actually complete this process.

**Councilor Kvistad** said the processes had become so difficult anymore, to try to get all of the approvals, all of the paperwork through on some of these things time consuming. He thought these extensions were going to become more commonplace. He had two of these requests coming forward the week of May 10, for not exactly the same circumstances, but for extensions. He suggested that the Council may be seeing more of these requests. For those councilors that were here, the Tsugawa property was extensively discussed in the urban reserve debate, so it was a property that many of the Council was aware of. He supported these extensions so long as they were in the process.

**Presiding Officer Monroe** said part of the whole issue of the boundary commission, which was tied up in the legislature right now, was whether or not that authority should continue with Multnomah County or should be granted to Metro. This was one of the reasons for the need for these extensions, and he supported them. This was certainly a reasonable measure.

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

**Presiding Officer Monroe** called for suspension of the rules to consider Resolution No. 99-2775 due to the time sensitivity of the legislation.

**Motion:** **Councilor Washington** moved to suspend the rules in order to consider Resolution No. 99-2775, which was in the Metro Operations Committee yesterday.

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

**Presiding Officer Monroe** asked why the rules needed to be suspended.

**Councilor Washington** said that there was an opportunity for some funding to come into the state and possibly into Metro as a result of this resolution. The reason he asked for suspension of the rules was that information had to get back to Washington, D.C. in a hasty amount of time. He thought that, with the amount of time we had he wanted to get this back to the congressional delegation, he would like the Council to send a letter to their congressional delegation about the importance of this particular item. In order to do that in a timely manner we needed to act on it this week, this would normally come before the Council next week. This just gave the Council the opportunity to try to get a letter endorsed. He would hope the entire council would sign on to this and get it back to the congressional delegation so Metro could have some action taken on it. Mrs. Pucci from the State of Oregon, Fish and Wildlife, Director of Diversity, came and spoke to this issue. It was not a short-circuit issue with regard to our staff. They were on track, this was just a request of the committee to try to help get this request there a little faster. With a June deadline, the council should act on it as quickly as possible. Councilor Washington asked Mr. Ciecko to give some background information to the council.

**Councilor Kvistad** said he was usually very wary of bringing forward things outside of the traditional path. CARA was very similar to a national greenspaces bond measure in that it allocated federal money from offshore drilling into a program of acquisition and development, and then allocated those dollars directly back to the states and local municipalities. This last year the state had received \$300,000, we would potentially have millions in new revenue that we could use to enhance purchases. He thought this was something that tied directly into what Metro did, it was timely, and for that reason he would support the suspension of the rules and would urge a yes vote.

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

10.3    **Resolution No. 99-2775**, For the Purpose of Endorsing Proposed Federal Legislation which would Preserve, Protect and Enhance Parks, Open Spaces, Fish and Wildlife Habitat, Trails and Recreational Facilities.

**Motion:**            **Councilor Washington** moved to adopt Resolution No. 99-2775.

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

**Councilor Washington** deferred to Councilor Atherton, under the normal scheme of things he would have been the carrier for this had it gone to committee.

**Councilor Atherton** said these were revenues from off-shore gas and oil leases that was a process which began in 1965, was suspended during the 1980's but was very popular and beneficial to the country in purchasing and developing parks throughout the county. This legislation was bi-partisan as discussed at the committee. Also, they discussed the concern that any time they had a distribution of funds from the federal government, their management load had traditionally been quite high. They had taken steps in this measure to reduce that, it followed a model that had been proven with low load costs for the federal government. He urged that Metro send this message and join in support of this reform to bring back the oil and gas revenues to the states and to the localities for parks and greenspaces purchase.

**Councilor Washington** commended Councilor Atherton. Mr. Ciecko and members of his staff were available to provide any additional information on this. He felt that if the council felt they should draft a letter, that we make sure that we get a copy to our entire congressional delegation

back in Washington, DC, signed by all of the councilors. If the council supported this recommendation, a letter would be prepared and drafted so the Council could sign it on Tuesday at the Council/Executive Officer informal meeting. He thought it was an excellent opportunity, and he didn't want to see them lose it. He thanked his committee for their support of this, and the council for suspending the rules to address an issue that would benefit Metro.

**Councilor Park** asked what the nexus was between offshore drilling and land-acquisition for parks?

**Councilor Washington** said it was about \$4.5 billion.

**Councilor Atherton** said we were an automobile using, energy consuming nation, and often we used our autos to get to parks and recreation opportunities, but those facilities also consumed it, so there was a nexus. It was a way of internalizing some of the costs of using petroleum.

**Councilor Park** asked who would administer the funds and how would they be directed within the state of Oregon.

**Councilor Washington** said he thought they would be administered through the Department of Fish and Wildlife.

**Mr. Ciecko** said there were three elements of interest to Metro within this bill, the land and water conservation fund, the urban park and recreation recovery portion, and then the teaming with wildlife portion. The first two portions would be administered by state parks as they had been since the programs were put together back in the 60's. The teaming with wildlife was a new element which would be administered by the Oregon Department of Fish and Wildlife.

**Presiding Officer Monroe** added that in terms of the nexus, we had people drilling off shore, which often polluted fisheries, the oil then was used to burn in our cars, which polluted the air, and was destructive to the environment. To salve their conscience for all of these bad things the oil companies were providing some of that money to help us with our parks and open spaces and preservation of species.

**Councilor Kvistad** said frankly, oil and gas leases on the continental shelf were under the control of the federal government, as part of those leases those dollars were available, because why not charge them for leasing if they were going to make a profit.

**Councilor Washington** closed by thanking the councilors, Mr. Stone, and Mr. Ciecko for the urgency that was been shown and urged an aye vote.

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

## 11. COUNCILOR COMMUNICATION

**Councilor Atherton** addressed a concern about the policy of this agency with regard to public surveys. He asked recently to see if the agency was doing any public survey work and if there was any council policy on it. There was none, to date, but we were doing some survey work. He discussed this with Mr. Warner and other members of the staff. He related his experiences from the city of Lake Oswego and the survey work they did in terms of providing baseline public attitudes, attitudes about very important issues on which they were going to be making decisions. It was never an effort to do market research or to shape any kind of media message. It was

important and useful survey work. He was surprised by the benefits from it to his community, but realized that the Metro organization was doing this. Another issue that they should discuss was how we could provide service to local governments that might need questions asked. Could Metro help index or check on the validity of some of their survey work. This was a subject he would like to bring to the council for discussion during one of the informals. He asked that the council discuss it soon, because there was at least one fairly large survey being prepared right now by the agency. The second thing he wanted was to offer a sobering video. It dealt with growth and change, population growth. He thought everyone would be impressed with some of the urgency of the work we did and recognize that the pace of change today was something that nobody had ever experienced before. We couldn't go to our grandparents or parents for advice on this, the pace of change was extraordinary. We must get our institutions up to speed, get ahead of the curve, and deal with these issues before they dealt with us. The video was produced by an organization called Zero Population Growth, it was informative, and the viewers would enjoy it as well as the council.

**Presiding Officer Monroe** said that the video would be shown after the rest of the councilor communications.

**Councilor Washington** said he had met with the principles of SFX and Mr. Bergstein concerning the possibility of an amphitheater at Expo. He also went to the Oregonian newspaper while they did a presentation to Mr. Roger Anthony, one of the reporters. He just wanted them to know that the final draft had been signed, all of the legal work, they have gone to the press, he was there and appreciated the opportunity to be invited, because it gave him the opportunity to see how the conversation flowed, and it was in line with everything they shared with the council at our meeting. He thought the story would be in the newspaper tomorrow, and didn't want the council to see it and not know it was coming.

**Councilor Park** thanked Councilor Washington for being sensitive to the other councilors and their need to know.

**Councilor Kvistad** said they probably received a notice from the Urban Lands Institute on an upcoming meeting in Chicago during the first part of June. He suggested that the council might want to consider having someone from this council attend. It tied directly to what the council had been talking about in terms of the way in which we grow and what we were doing with refill, infill, and redevelopment, and what was being done elsewhere. This would tie into the same kinds of things we talked about last week, about the kinds of events we rarely see on the radar screen. He thought these kinds of meetings would be helpful to Metro and whether someone went or not, there may be videos or materials that we might be able to glean from there.

(Video Tape "World Population" by Zero Population Growth)

## 12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 3:42 p.m.

Prepared by,

Chris Billington

Metro Council Meeting  
 May 6, 1999  
 Page 14  
 Clerk of the Council

| Document Number | Document Date | Document Title                                      | TO/FROM   | RES/ORD        |
|-----------------|---------------|---|---|----------------|
| 050699c-01      | May 1999      | Purchasing Benchmarks and Opportunities             | TO: Metro Council<br>FROM: Alexis Dow, Auditor                                    | D              |
| 050699c-02      | 5/4/99        | Purchasing Benchmarks and Opportunities Key remarks | TO: Metro Council<br>FROM: Alexis Dow, Auditor                                    |                |
| 050699c-03      | 5/10/99       | Testimony of Henry Kane<br>Re: Ordinance No. 99-801 | TO: Metro Council<br>FROM: Henry Kane<br>12077 SW Camden Lane Beaverton, OR 97008 | Ord No. 99-801 |
| 050699c-04      | 5/6/99        | Pictures of Oxbow Park prior to renovation          | TO: Metro Council<br>FROM: Heather Kent-Nelson Parks and Greenspaces              | Res No 99-2763 |