

MINUTES OF THE METRO COUNCIL MEETING

December 2, 1999

Metro Council Chamber

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

Councilors Absent: David Bragdon

Presiding Officer Monroe convened the Regular Council Meeting at 2:04 p.m.

1. INTRODUCTIONS

Councilor Washington reviewed the purpose of the Central Enhancement Committee, then he introduced the three new members: Jennifer Allen, Ron Hernandez and Juliet Hyams. (A copy of information describing the committee and the new members can be found in the record of this meeting.)

2. CITIZEN COMMUNICATION

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, provided an update of her office's activities and reviewed the upcoming reports that she would be delivering to the Council in the next three to six months. She said it had been about two months since she last had the opportunity to address the Council. With the New Year and the holidays approaching, she felt it was a good time for an update. Her office had been very busy. Beginning next week, the Council was going to see a flurry of reports released through early February. She had seven reports at or nearing the finalization stage.

She said the first report released would be the audit of the annual financial statements, done by Metro's contractor Deloitte and Touche. The next report released would be a benchmarking study on the information technology operations in the organization. Following that would be three other reports. One would address the progress made on the Infolink project. She said last year she completed a very thorough evaluation of how it was progressing. She said this latest report would be an update of that report. There would also be an audit report on the acquisitions of the open spaces program and an audit report on precautions that would be necessary to limit losses related to check fraud. She said the last two reports that would be released after that, close to February – one would be a benchmarking study on the Administrative Services operation and the last one would be an evaluation of service efforts and accomplishments at the Zoo. She said it was obvious there was quite a bit of work in the pipeline and nearing completion. So there would be a number of reports and presentations that she planned to make to the Council after January 1, 2000 through February.

5. MPAC COMMUNICATION

None.

6. METRO RETENTION SCHEDULE AND RECORD INVENTORY PROJECT

Becky Shoemaker, Metro Council Archivist and **Karen Green**, Records Administrator for REM, reviewed the history of Metro's archive and record management system. (A copy of this information can be found in the record of this meeting.)

Cathryn Westfeldt and Stacey Heller Weeks, State of Oregon Archives Division, reviewed the Metro Retention Schedule and Records Inventory Project, including background, the goal of the project, purpose, process, and the benefits of implementing a records retention schedule and records management program. (A copy of this information can be found in the record of this meeting.)

Councilor Atherton asked Ms. Shoemaker about the state mandate for Metro to retain certain records. He asked her what year the law was passed. He asked if it was passed in 1992.

Ms. Shoemaker responded that what it said was that the archive program got off the ground in 1992 at Metro. She added that the agency had a retention schedule that was approved by the state in 1993. She said Metro was now not in compliance because the retention schedule was valid only for 5 years, that was why she and her agency archives and records associates were revisiting the issue. During the period of time before the retention schedule can be approved and signed by the state archivist, Mr. Burton, legal counsel, and the agency cannot destroy records.

Councilor Atherton asked if Metro received any funds from the state for the work.

Ms. Shoemaker said it cost Metro nothing. She said it was quite a bargain.

Councilor Kvistad reviewed the history of the archives at Metro. He said about four years ago when the Metro first checked the agency's records in storage downstairs to see where they were, it was a wall of boxes about seven feet deep leaning at them over some stacked, old furniture. That was when the Council decided it was time to find and fund a position to do archiving. He said they found records that were lost during the move to the current building from the old Metro location. He said a lot of the records that Metro had represented its history, the region's history and the legacy of land use. It represented some of the most forward thinking and far reaching land use decisions that had been made were made in the Metro building and some of that documentation was in jeopardy of being lost.

He thanked Ms. Shoemaker for her presentation, and for paying attention and keeping an eye on Metro's records and the archives issues during the past two and a half years. She has done a great job of getting things organized, both the councilors' documents and Metro's documents. He complimented Ms. Shoemaker, and the entire Metro records and archives staff who played a role in the process, and helped the councilors coordinate their records and understand the process. He said there were thousands of documents lying in giant piles. They didn't know what was related to what. They completed a lot of work and now the agency was proceeding in a positive direction.

7. CONSENT AGENDA

7.1 Consideration of the meeting minutes of the November 18, 1999, Regular Council Meeting.

Motion: **Councilor McLain** moved to adopt the meeting minutes of November 18, 1999, Regular Council Meeting.

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

Councilor Park said there was a serious accusation made during the last council meeting that there had been a breach of open public meeting and public notice law. He asked Mr. Cooper for a ruling on that issue so it would be in the record.

Mr. Dan Cooper, General Counsel, responded that during the recess the Council took during the last meeting, he went to the back in the Council offices and participated in several group discussions between two councilors, on occasion there were three councilors present. At no time did he ever see a quorum of the Council in the same place, at the same time, talking about the same thing.

Councilor Kvistad asked if there was a quorum of any committee at that time.

Mr. Cooper responded that given the way councilors typically separate into committees, there probably was. Whether it was the REM committee or the Metro Operations committee, the Transportation committee or the Growth Management committee he said didn't matter, because the matter in discussion was in front of the full Council. He added the Council did not receive any recommendation from any committee before it took any action and the full Council took the full action in the public meeting during that same contemporaneous course. This issue in front of you was not in front of the committee and had no committee action on it.

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

7. REGIONAL TRANSPORTATION PLAN PUBLIC HEARING

Presiding Officer Monroe said Councilor Kvistad was Chair of both JPACT and the Transportation Planning Committee. Presiding Officer Monroe introduced Councilor Kvistad and turned the proceedings over to him.

Councilor Kvistad said they were there to talk about the Regional Transportation Plan (RTP). The RTP was the region's attempt at managing, balancing and putting in place decisions about where (in what direction) Metro and the region would go. It was a five-year plan. He identified the RTP document and indicated that they were available for anyone who wanted a copy. A lot of people spent a lot of time and performed a lot of work on the RTP.

The public comments started the first part of October with brochures and the RTP. The Council held four listening posts out in the community in conjunction with the Oregon Department of Transportation (ODOT). This was a new experience for the Metro Council. The Council had not worked with ODOT directly on holding joint hearings. The ODOT operated a little differently than the Council but they were able to hold those hearings throughout October 1999.

The Council also had a series of brochures that had been available and distributed throughout the region to all seven Metro districts. Many people may have seen these brochures before. There

had been a lot of information out in the community on the RTP. The Council would be holding a JPACT committee meeting this week. It would be an extended meeting. He called it basically a regional transportation summit more than a meeting. The Council would be making some major decisions at the meeting, more so than some of the single-item decisions they typically made. The Council had received summaries and had available all the JPACT and MPAC recommendations. All the comments had been categorized, depending on whether it was a discussion item or an action item.

He said today's comments would be added to the public record that the Council had from the Council's advisory committee as well as from public outreach efforts. What the Council had today was the MTAC recommendations, which were done. Metro Transportation Director Andy Cotugno confirmed what Councilor Kvistad said. He said the Transportation Policy Alternatives Committee's (TPAC) recommendations would be done by Friday, December 3, 1999. He said at least that was what he planned for the completion date and time. The Transportation Planning Committee would hold a work session to put them all in order on December 7, 1999. Depending on the nature of some decisions, this may have been more appropriate than the Council would have thought.

He said the MPAC recommendations would follow up with a final recommendation to the Council on Wednesday, December 8, 1999. Then on Thursday, December 9, 1999, would be the Regional Transportation Summit with JPACT. He said he would be chair of that event, and Councilor Bragdon and Councilor Washington would serve on JPACT with him also. So there was a quorum of the Council. Other Metro councilors were invited to attend, even though the actual actions would be limited to those Metro councilors who would actually vote by the request of some of the members. But they would try to make sure that everyone got to participate and everyone's input was taken into consideration.

He said then the process would come back to TPAC on December 14, 1999, and then to Council for final action by the end of the year. He said people should remember this was by resolution, it was not the ordinance. So the Council would have in place basically the grid, the framework. And starting in January, what the Council would do would be to go back and do all of the documentation work. Then the process would come forward in terms of a final ordinance probably five or six months later. So the Council would see it in a May or June 2000 time frame.

The Council was scheduled to prepare the findings for LCDC, deal with the transportation planning rule, the T21, and air quality and air mitigation requirements. They would also have to manage a two-step process that coordinated the transportation decisions with the 2040 Growth Concept, and where Metro was going with some of those decisions. There would be a lot of refinements and a lot of time spent on the process. He said this was the final public hearing on this item as a resolution that was coming forward. He turned the process for today's public hearing back over to Presiding officer Monroe for today's public hearing.

Presiding Officer Monroe opened a public hearing on the Regional Transportation Plan. He reviewed the rule of the public hearing and called people forward for comment.

Ross Williams, Citizens for Sensible Transportation/Coalition for a Livable Future, 1220 SW Morrison, Portland, OR, said they would be submitting extensive written testimony. He said there were many good elements in the RTP but he said he would focus today on some of their concerns, not the elements that they agreed with. He said that priorities should be given to existing communities and putting resources into those communities. He said the areas within the regional and town centers needed to have good transportation within those centers and for people

in the immediate surrounding communities to get to those centers. The plan had far too much invested in new facilities at the edge of the region and on speeding people's commutes, whether it was from Clark County to Wilsonville or from Gresham to Hillsboro. His group didn't want to invest in providing people the opportunity to commute long distances. Instead, they wanted to invest in helping existing communities thrive, within the areas.

For example, he said the plan anticipated increased congestion within the town and regional centers. He said they would tolerate that in exchange for better transit and other opportunities for people to get around. However, at the same time the plan anticipated that the same congestion would be unacceptable outside the centers. He feared that defeated the purpose of the 2040 plan because it encouraged business to locate in areas where congestion would be relieved through increased transportation investments if it occurred. He didn't think that was a good idea. He said it was a basic flaw that should be reviewed in the plan.

Second, he said the strategic system was far too large to provide any kind of meaningful, direction or priorities for the region in terms of setting or deciding on individual transportation expenditures. It was almost four times the existing resources over the next 20 years. He said they didn't think that was realistic to expect that there would be those kinds of resources available. He said the gap was so large between what was actually available and what would be there. It wouldn't really provide the ability to make decisions and set priorities. He said the Council should send the plan back to JPACT. He said they should set both a reasonable budget and priorities, in terms of exactly how the money ought to be spent. He said the Council should not be going to the public and promising one thing and delivering much less. It was a classic criticism of the government of over-promising and under-delivering in terms of what Metro would and could do. He noted the wonderful projects in the brochures and said most of them would never be built. He said some should be replaced with smaller projects that were more manageable.

He said the group had a long list of projects that they suggested be moved from the strategic plan to the preferred plan to reduce the strategic plan. The group he represented was opposed, in particular, to the Sunrise Freeway. He said it should be taken out of the RTP entirely. It would encourage development at the urban edge, sprawl and would take money from very important investments that needed to be made in Tigard and Beaverton in order to provide decent transportation in those existing communities.

Lynn Peterson, 1000 Friends of Oregon, said she was there today to focus on three things: (1) those things that they supported, (2) some suggested changes that they planned to propose language on, (3) and some further issues. She listed elements that they supported, elements of the RTP, programs and policies. They supported the boulevards. She said the street design standards they heartily support. She said as the Council knew, the last Metropolitan Transportation Improvement Program (MTIP) cycle's \$19 million worth of projects was funded and she called that a success for the region. Street connectivity was a big part of the plan. It was a difficult goal to achieve but she thought Metro and the community could move forward with it. They supported the green corridors program and trying to create green corridors between the Portland metropolitan region land and neighboring cities outside the region. They also supported the green street program and the continued planning and support of light rail for the region.

She moved on and discussed something Mr. Williams discussed in his comments: the strategic system, the three big systems for the future. She mentioned the existing strategic and preferred plans. The strategic was four times larger than the existing resources. They had found it difficult to justify that, in terms of prioritization of projects. She said the RTP moved from a small

amount of money to a much larger set of money. So how would the region prioritize? In the plan there was some talk about minor improvements over major improvements. The Oregon Highway Plan had some language like that. In 6.6.3 there was some discussion about that but it only applied to projects when it was an amendment to the RTP, not when it was moving from a little bit of money to a lot of money. She felt Metro didn't have that prioritization established in the plan. So she suggested changes to that. There was discussion about a "fix it first" policy. She said that needed to be stated up front in the strategic system – that was the region's first priority. It was not specifically stated as such, so she suggested that be changed.

Finally, as Councilor Kvistad noted, Metro would be adopting the RTP soon in December by resolution, not by ordinance, because they were outstanding issues. Her organization was very concerned about the outstanding issues. She said they were huge. She mentioned the Clean Air Act, conformity and the Transportation Planning Rule (TPR) compliance. When the Council looked at the strategic system and how much larger it was than financially constrained or existing resources, her group was very worried about how the region would be able to justify such a large system. She was especially concerned in terms of the two regulations that were very important to the community.

Other outstanding issues she wanted to note in the back of the plan included the corridor planning. There were a lot of corridors called out for planning in the plan and really no way to do it. There was really no funding mechanism or the staff capable of doing it. She said that was a barrier to implementation of the plan in the future.

Jim Howell, AORTA, 3325 NE 45th Ave Portland OR 97213, said he had submitted written testimony at one transportation listening post. He had not found it in the record so he was resubmitting that documentation today. He read his testimony into the record. (A copy of his written testimony can be found in this meeting record.) Mr. Howell also submitted an additional letter into the record.

He also added that approximately 10 years ago Citizens for Better Transit asked Metro to consider studying a transit intensive option. He said it still had not been done. He said until that was done, he didn't understand how Metro could pursue a plan that would increase vehicle miles traveled (VMTs) during the next 20 years, when he said it was possible to reduce VMTs by 10 percent. He said the public transit system was totally inadequate. The proposed bus plan in the RTPO lacked adequate frequencies, speed and critical linkages. He said it did not address the imminent problem of MAX not being able to handle the loads through downtown by that time (in the future). Much needed light rail corridors, like the Barber, were not even in the RTP. There were over 100 miles of rail line in metropolitan Portland serving primary travel corridors and they were not being considered in the RTP.

He said there were a lot of problems with the RTP. He suggested it was time to go back to the drawing board and consider a true public transit intensive plan. At least they could study and present it to the Council. Then the Council could decide whether transit intensive or some other plan was best. But until the transit plan option was completed and tested through the modeling process, Metro would never know what could be done.

Don Waggoner, Leuppod and Stevens, Inc, PO Box 600 Beaverton OR, spoke about the proposed 143rd overcrossing and his opposition to that plan. He read his written PowerPoint presentation into the record. He also provided pictures for the record. (The pictures and a copy of his presentation/written testimony can be found in this meeting record.)

Councilor Kvistad asked about the green line on the map. He asked if that was a line for the city.

Mr. Waggoner clarified that the green line represented BPA easement. He said it would go in between the two towers and would work. He showed on the map where the region could have an alternative overcrossing for just bicycles and pedestrians. He also identified the ESI and Weiss Scientific Glass Blowing buildings. He said there didn't seem to be a good way of building an overcrossing in that area without causing a lot of trouble.

Steve Larrance, Citizens Against Irresponsible Growth, 20660 SW Kinnaman Rd Aloha OR 97007, said he was there today to submit into the record a DKS study commissioned by the city of Hillsboro. He planned on submitting copies of this study to the Metro councilors and including it in the public record next week. He said it was a drastic, different look at the South Hillsboro Urban Reserve (SHUR) area. He said he wanted to discuss it today at the RTP public hearing because an important part of the RTP in that area was the concept of an expressway – the seven-mile expressway on TV Highway. He said it would change TV Highway. What it would do was make it a limited access facility and would impact the neighborhoods and businesses along that seven-mile section. The businesses that requested building permits for any minor work on the business would lose their access. He said there was no bigger negative impact to a property than losing access to it. What Metro was asking the community and SHUR to do by adopting this was just that.

He said there was no real need to approve the TV Highway project right now, until the decision with the SHUR was made. The TV Highway severely limited access through aggressive access management. He said there had been no public notification of the property owners. He had received calls from businesses concerning what was going on and why they hadn't been notified by Metro. He said they were used to getting notification from the county. But this was a Metro not a county process. People were very upset. Metro was lighting a short fuse on a bomb out there. There were a lot of very concerned commercial property owners.

He also said it wouldn't work. A couple of years ago, Metro eliminated the western bi-pass and that was totally reliant on there being a connection to a widened Highway 217. That through connection was TV Highway. Under the proposed plan, if the Council looked at the other part of the change to the TV Highway/Canyon Road in the Hillsboro-Beaverton corridor, there would be in essence no through traffic through the Beaverton 2040 city center that would enable Metro and the region to make that connection. Neither the expressway nor the connection to Highway 217 would work, as planned. He said the Council decisions had to stand together.

Councilor Kvistad said he, and some others, still hadn't given up hope that others would see the light and come forward to help him start a tractor...

Councilor Atherton asked Mr. Larrance what the role of the TV highway was. He asked if it was a regional connector or a strip zone.

Mr. Larrance responded that it was a regional connector. He said due to the congestion on Highway 26 right now, until capacity was added, it was the very best way. He said without it there was really no way to access the southern part of the county or the southern part of the region without going outside the urban growth boundary to make the trip. So by congesting Beaverton further with non-connectivity through the city center that was being proposed in 2040, the region would have no connections. So those trips would have no choice but to go 6 miles north to Highway 26 and contribute to the congestion there, in order to go 6 miles east and to go south

again. He said it was a route that no one would choose. If Metro wanted to make a plan that created more outside the UGB trips the Council couldn't have done it in any better way than to have cut off access east on TV Highway.

Councilor Atherton asked if Metro limited access on TV Highway would it help preserve its viability as a connector?

Mr. Larrance said it would. But he also said the only reason Metro would need to cut off access would be because they would be adding an incredible number of trips to it by adding the sure trips. He said there were other solutions. The solution list would be different if Metro does not add the SHUR site to the UGB. So there was no need to bring forward the proposal right now. He said it was premature with the proposal to perform the corridor study now. He recommended waiting until the SHUR site decisions were made. He said if Metro adopted that decision, it would result in a requirement for the local jurisdictions to have to start implementing the access management portion of it, which would be very dangerous.

He said that would need to be done but in the future. There was access management over half of the corridor already that he was a major part of 18 years ago when the community plans were adopted. He said they eliminated 80 percent of the access points along the corridor. He said ODOT couldn't do it but they did it as a community effort. He said it could be done again to further enhance the carrying capacity. But what Metro was trying to do was basically two opposite functions. Metro was trying to create capacity on paper past the site and then put a wreck at either end of it by having it enter the 2040 city centers. It was really a non-plan and wouldn't make much sense.

Ray Polani, co-chair representing Citizens for Better Transit, 6110 SE Ankeny St. Portland, OR 97215-1245, submitted a letter addressed to the Transportation Policy Alternative Committee dated March 1990 to the record. He said that America was not running out of oil yet, but was running out of cheap oil. He referred to three articles from *Time* magazine. (A copy of his letter and the magazine articles can be found in this meeting record.) He said the community must change environmentally harmful transportation habits now. He added the buck would stop in the Portland regional area with the citizens and the RTP.

Presiding Officer Monroe closed the public hearing.

Councilor Kvistad recommended to the Council that it review the Transportation Committee agenda. It concerned not just the RTP but also the \$600 million bond program that they would be discussing at the transportation summit, the JPACT summit, the coming week. He said they would have discussions about a 100 percent list of projects to go forward to the state that would be funded. He said there had been debates about whether the Council should send a 100 percent list or a list that was a little bit more than 100 percent, based on the regional need as a request. He said that was something Metro wanted to have a discussion about.

Also, in terms of other transportation projects, the RTP programs would be broken into a couple of different sections. One would be consent items – things that had been generally recognized by all the players that were not items of concern or conflict. But there would also be discussions that took into consideration today's testimony, discussion at the transportation committee and elsewhere that would come forward that might be a bit more controversial. He asked that people remember it will not be simply the RTP, but will include those other issues. It would include some decisions on roads that could be some of the biggest decisions in the past couple of years.

Councilor McLain wanted to clarify the process of review of the transportation projects. She said there was the resolution coming up now, and the ordinance that she hoped to see in April, May or June of 2000. She said she understood that the conversation on some of these issues and concerns that people heard today would be allowed to bleed over into the time spent considering the ordinance.

Councilor Kvistad said it was similar to the Council's land use function, but a little bit different. They were trying to put in place in resolution form a package that would go through a filtering process where the Council looks at air quality, conformity, all the different things that were federal requirements for transportation funding to make sure all the pieces were together. He said those were the pieces that made up the final components of the resolution so it would clarify. As those come forward, the Council would have discussions if Metro was not in conformity or there were projects or changes that, because of conformity issues, were reviewed again. He said that was what the next couple of months would be about. He referred to what the Council had in front of them as the package or the general final list of what Metro had on the table. But there would be some changes, major or minor, during the next six months.

9. ORDINANCES – FIRST READING

9.1 **Ordinance No. 99-831**, For the Purpose of Repealing Metro Ordinance No. 99-824A and Declaring an Emergency.

Presiding Officer Monroe assigned Ordinance No. 99-831 to Council.

9.2 **Ordinance No. 99-832**, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Transferring \$510,000 from Contingency to Capital Outlay in the Convention Center Project Capital Fund, Authorizing an Interfund Loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund to Provide for Cash Flow; and Declaring an Emergency.

Presiding Officer Monroe assigned Ordinance No. 99-832 to Metro Operations Committee.

9.3 **Ordinance No. 99-834**, For the Purpose of Amending the Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance No. 95-625A in Urban Reserve Area 39 and 41 in Clackamas County.

Presiding Officer Monroe assigned Ordinance No. 99-834 to the Growth Management Committee.

10. ORDINANCES - SECOND READING

10.1 **Ordinance No. 99-820**, For the Purpose of Granting a New Yard Debris Composting Facility License to Clackamas Compost Products, LLC to Operate a Yard Debris Composting Facility, and Rescinding License Number YD-0197, and Declaring an Emergency.

Motion: **Councilor Park** moved to adopt Ordinance No. 99-820.

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

Councilor Park said this ordinance was primarily a housekeeping item that would take care of a change in the license. Metro originally granted the license to Scott's Hypondex Corporation. It

was subsequently being transferred to Clackamas Compost Products, the previous facility owners. It was necessary to carry out the Regional Solid Waste Management Plan of trying to get organics out of the waste system. Because Clackamas Compost Products was a composting facility, the Council was required by Metro Code to transfer the license and grant a new one when the facility's owner changed. The process would, at the same time, rescind the prior license that Metro granted to Scott's Hypondex. The area was zoned heavy industrial and was an outright permitted use in the area. It had a slightly positive impact on Metro's budget of \$300 on the license fee for the facility. Metro needed the emergency clause to take care of the issue in a timely fashion. He urged an aye vote.

Presiding Officer Monroe opened a public hearing on Ordinance No. 99-820. No one came forward. Presiding Officer Monroe closed the public hearing.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11. RESOLUTIONS

11.1 **Resolution No. 99-2805**, For the Purpose of Confirming Nathalie Darcy as a Citizen Member Alternate to the Metro Policy Advisory Committee.

Motion: **Councilor Kvistad** moved to adopt Resolution No. 99-2805.

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

Councilor Kvistad reviewed the motion. He said there were citizen members that had been appointed to MPAC. The committee also had alternates. The council had the responsibility of confirming all MPAC members and alternates as they were appointed. So before the council was Nathalie Darcy, who had been nominated as the alternate to Rebecca Reed as one of the citizen members. For those who did not know Nathalie, he said Ms. Darcy had been very active for a long time in the Washington County area and the CPO3. She was active in water issues in particular, wetlands, Fannow Creek, and a lot of other important issues. He felt this experience would bring some background and depth to her service with Metro and MPAC. He recommended an aye vote.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11.2 **Resolution No. 99-2856**, For the Purpose of Approving a FY 1999-2000 Organic Waste Management Work Plan, and Authorizing Release of Budgeted Funds.

Motion: **Councilor McLain** moved to adopt Resolution No. 99-2856.

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

Councilor McLain said this resolution was best explained if the council looked at Exhibit A. Exhibit A was attached to the resolution and given to the councilors. It described the project for the organic program initiatives, and it indicated specifically what each part of the work plan would cost, how much FTE would be required to administer it, and exactly what each of the project pieces would actually accomplish. The council was trying to change the recycling rate. The region was at 43 percent trying for 56 percent. It was very important for the council to acquire one of the main pieces of the waste stream that had still not been captured in any type of recycling program. That particular piece was called "wet waste organics." Metro had a very

good work plan. People from Metro's staff and local jurisdictions had been working as a team to develop some good, new initiatives. She believed they were valid, that the budget was sufficient and that it would be a good aye vote. She added it would help the region increase its recycling rate.

Councilor Park said he was looking at the budget impacts of this resolution. He asked Mr. Terry Peterson if Metro was successful, 200,000 tons, what percentage was that?

Mr. Terry Peterson, Interim Director of REM, clarified Councilor Park's question about the recycling rate. He asked if Councilor Park's question was, What would be the impact on the recycling rate if Metro achieved the organics diversion strategy described in the work plan?

Councilor Park said he was trying to calculate some rough numbers. He looked at the full amount at 200,000 tons, which would be approximately 25 percent of what Metro was sending out of the region to the landfill now. He asked, At 43 percent, that would have gotten Metro how close to the 56 percent or higher recovery rate?

Mr. Peterson said according to the number he remembered, Metro would need and projected to divert about 50,000 tons of organic waste in order to have met what was planned for the organics waste portion of Metro's overall recovery goals. In very rough numbers, every 15,000 to 20,000 tons diverted added another percentage point to the recovery goal. He said that could add 2 to 3 percentage points to the overall recovery rate.

Councilor Park said the impact of 3 percent increased recycling rate would be an increase in Metro's cost because of the decrease in the amount of unrecycled waste that would go into the landfill. He asked what the formula was every percent per dollars it would cost Metro.

Mr. Peterson said in terms of Metro's disposal contract, every ton that didn't go to the landfill was associated with \$9 of cost. Diversion of 50,000 tons would translate into a \$450,000 per year higher cost in the disposal of the remaining tons.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11.3 **Resolution No. 99-2860**, For the Purpose of Appointing Jennifer Allen, Ron Hernandez, and Juliet Hyams to the Metro Central Station Community Enhancement Committee.

Motion: **Councilor Washington** moved to adopt Resolution No. 99-2860.

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

Councilor Washington introduced the three committee members, Jennifer Allen, Ron Hernandez, Juliet Hyams for appointment to the Metro Central Station Community Enhancement Committee. (A copy of information describing these three committee members' backgrounds and qualifications can be found in this meeting record.)

Mr. Hernandez, Ms. Hyams and Ms. Allen thanked the council for their appointments, and the opportunity to learn about Metro and participate in agency activities. They said they look forward to doing good things for the community.

Ms. Katie Dowdall said she was pleased that they could attend. During the next two years, they would be awarding almost \$500,000 in grants, which will make a big difference in the north and northwest Portland neighborhoods.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11.4 **Resolution No. 99-2861**, For the Purpose of Appointing Members of MCCI: Bill Kirby and Leeanne MacColl.

Motion: **Councilor Washington** moved to adopt Resolution No. 99-2861.

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

Councilor Washington said he was carrying this resolution for Councilor Bragdon. The purpose of the resolution was to appoint two members to MCCI. He called Ms. Durtchi to the dias. She handled the proceedings and reviewed the members' credentials. (A copy of information describing these two committee members' backgrounds and qualifications can be found in this meeting record.)

Ms. Kay Durtchi, member of the nominating committee for MCCI, said she gave the councilors the resumes for the two very outstanding candidates for MCCI. One was Mr. Kirby and the other, Lynn McCall. She urged an aye vote.

Councilor Park asked what MCCI stood for?

Ms. Durtchi responded Metro Committee for Citizen Involvement.

Councilor Washington thanked Ms. Durtchi for her presentation and urged an aye vote also.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11.5 **Resolution No. 99-2864**, For the Purpose of Selection and Funding Allocation of \$1 Million to Transportation Management Associations for FY 2000 to FY 2003.

Motion: **Councilor Kvistad** moved to adopt Resolution No. 99-2864.

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

Councilor Kvistad reviewed the resolution and said under the TDM (Transportation Demand Management) program, Metro had been looking for different ways to work with the business community and local communities to find transportation options. The TMAs (Transportation Management Associations) were groupings of business and community leaders, as well as governments in the respective locations, that have put together new projects and programs to move people within their communities. What the council had before it today was a \$1 million allocation. Of that allocation, \$250,000 would go toward existing TMAs. Another \$750,000 would go toward 8 new TMAs, both to study the feasibility and to implement, in some cases, some of the new TMAs. With this assistance over the next four years, Metro should be able to make a dent (in terms of finding transportation options). The agency could wait and see whether or not this would help Metro and the Portland area in a significant way across the region. He said depending on funding, how the TMAs operate and what kind of response Metro gets from the public, TMAs could be a good expenditure of money in the long run. He urged an aye vote.

Councilor Atherton expressed concern because there was only one area that he was very familiar with in the TMA program: Kruse Way in Lake Oswego. Why was this area only selected for the exploratory phase? Why wasn't it ranked higher? When Kruse Way was developed out there, and it was the second largest concentration of office buildings in this region. In those building contracts were requirements for transportation demand management in order to reduce the impact (transportation, etc.) on the community. They (governments) recognized that the infrastructure for auto transportation was insufficient. Indeed, it was significantly below cost system development charges (SDCs) there. For example, there was the range of the deficit. Until 1997, they collected only \$350,000 in SDCs. Yet Lake Oswego had to spend \$500,000 just to resurface Kruse Way. In our exploration of this, we (the Lake Oswego City Commission) found that these TDM plans and contracts were not being enforced. He said in that case, which is a case he is familiar with, the TDM program didn't work. He asked why Councilor Kvistad thought this new TDM program was going to work.

Councilor Kvistad said in terms of why Kruse Way wasn't ranked higher... He mentioned Tualatin. He said Tualatin had a city center area that they functioned around. They had both business and residential areas that used those particular corridors and transit area more intensively. Kruse Way, on the other hand, while it did have residential areas near it, was a different environment in terms of people travelling to and from. That was why it was in the planning phase of the TMA funding program instead of in an actual implementation phase. First, there was nothing to implement. He said when Metro or any other government have dealt with the TMAs, these entities have wanted to focus effort where they have concentrated ... We have talked about jobs/housing balances and transportation mixes and 2040 Growth Plan processes. Metro wanted to target those areas (that were at the top of the list), and Kruse Way was in the median range. It didn't score the lowest priority. But there was nothing there to implement yet.

Why it (the TDM program or TMAs) had or hadn't worked in the Lake Oswego area before, he couldn't say. The fact that Lake Oswego only spent \$500,000 to improve Kruse Way was a pretty good bargain compared to what the city would pay today. Metro would see over the next couple of years where the TMAs would play out, and would analyze the feasibility and effectiveness of the program. The money was there on the table to look at different areas of the region. Then, Metro would know how to proceed when it comes time to implement a program.

Councilor Atherton said he understood what Councilor Kvistad was saying. But he still had questions about why the agreements for Kruse Way were not honored. He also clarified that the \$500,000 was for just a two-inch overlay (repaving) two years ago. He said he was going to try to find some answers about what the status was of the contracts, agreements and program for Kruse Way.

Councilor Kvistad clarified for Mr. Cotugno (who left and then returned to the council meeting) what they were discussing.

Councilor Atherton said there were building contract agreements that were required out there (Kruse Way) that weren't honored. He wanted to know why.

Mr. Andy Cotugno, Transportation Planning Director, said he would have to return with specifics. They used a committee of approximately 15 people to score, rank order and prioritize the areas of the region for TMAs. He said he would have to get the score sheets and criteria, and determine how Kruse Way ranked on the criteria. Only the result of the score was included in the

packet of materials provided to the councilors. He said he would research the specific details that pushed Kruse Way further down the list.

Councilor Atherton said he would not be challenging the scoring technique used by the transportation department. But he wanted to send a message and find out what was going on and how they did their scoring. He said the program was not a new idea. He said it had existed for at least twelve years. He said Metro was supposed to be implementing the agreements in that particular (Kruse Way) case. But it wasn't done. He wanted to know why.

Councilor Kvistad said they had seen more intensive focus and more need elsewhere for the programs. Today, Metro had a better ability and was in a stronger position to do the transportation research and modeling. Metro was now better able to identify what worked, what happened and how it all interrelated, than they were just a few years ago. He said if Metro just looked at where they were as an agency in terms of land use decisions and transportation modeling, the agency was light years ahead of where it was two or three years ago. This was very helpful.

Mr. Cotugno said the national experience with transportation management associations had also grown quite a bit over the last 10-year period. He said it may have been the case with Kruse Way where there was a local development requirement to set up a TMA and it never happened. This program would put money on the table to actually set up a TMA to help fund those administrative costs of staffing and convening the members. Metro needed seed money up front for transportation improvement projects, efforts and achievements to grow. That was what this program would do. It would provide roughly two-thirds of the seed money up front. Public funding has been necessary to push these things along. There were public benefits that would result from these programs that would include reduced traffic. (Lake Oswego) wouldn't have to put as much funding into resurfacing the pavement (Kruse Way) if they, and Metro, managed demand. He said money was important.

Councilor Kvistad followed by saying the money was CMAC funds. It was federal money, that had become available during the 2000-2003 funding cycle, that would allow Metro to provide the program. This was money that never existed before.

Mr. Cotugno said he would return with specifics.

Presiding Officer Monroe clarified that the CMAC federal air quality funds mentioned by Councilor Kvistad had to be used for projects that improved air quality.

Councilor Kvistad said it was a good investment. Several of the programs were up and running. One in Tualatin had been extremely successful. He could provide more information for anyone who requested it. He recommended an aye vote.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

11.6 **Resolution No. 99-2865**, For the Purpose of Approving the Smith and Bybee Lakes Wildlife Area Recreation Facility Plan.

Motion: **Councilor Washington** moved to adopt Resolution No. 99-2865.

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

Councilor Washington said that Smith and Bybee Lakes was a 2,000 acre recreational lake in north Portland, located between the Burlington railroad tracks and as far west as one could go to the peninsula, and Columbia Boulevard and roughly north Marine Drive. He commended Ms. Roth for her service to Metro, and recalled using the facility while growing up in the area.

Mr. Dan Cromer, Senior Manager, Regional Parks and Greenspaces Department, talked about Smith and Bybee Lakes. He said in the late 1990s, Metro, the city of Portland and the Port of Portland adopted a Natural Resources Management Plan for Smith and Bybee Lakes. The goal of the plan was to place primary emphasis on the managing of the area for wildlife. The plan set forth objectives, policies and projects for activities within the wildlife area. Recreational uses that were compatible with wildlife protection were an option in this plan. In 1998, Regional Parks and Greenspaces retained the assistance of a private consultant to develop a facility plan for the wildlife area. The public involvement process on the facility plan included meeting with various groups with similar interests, adjacent private property owners, citizens of north Portland and public agencies that had oversight on properties within or adjacent to the management area. The recreation facility plans were approved by the Regional Parks and Greenspaces Advisory Committee and the Smith and Bybee Lakes Management Committee. He turned the proceedings over to Emily who discussed some of the details of the plan.

Ms. Emily Roth, Smith and Bybee Lakes Wildlife Refuge Manager, said they wanted to talk about two main points of the facility plan. First, she said currently there was no formal canoe access into Smith and Bybee Lakes. She said the facility was ten minutes from downtown Portland, and had a natural resource gem that everybody loved. She said it required a portage now to get into the major part of the lakes. The portage was through what they often referred to as Turtle Pond or Turtle Slew where the western painted turtle tended to have the largest population. The turtle was listed critically sensitive by the Oregon Department of Fish and Wildlife. So one of their main goals and objectives of the plan was to remove canoe access through the slew so it wouldn't disturb habitat. She explained that currently there was a portage and the portage makes it impossible for disabled boaters to use the lakes. This plan would allow access to these boaters –staff thought that this was very important. Also, the current parking lot only holds about 20 cars and was in a very noisy location. The plan would move the lot to a quieter area. Park users would immediately feel they were leaving an industrial area and going into a wildlife area to enjoy the more peaceful world of the beaver, osprey and other birds. The proposed parking area would hold 40 cars and 2 buses with overflow parking for an additional 40. It would have direct access into Smith Lake (which the Management Plan calls for), with no portage and would take visitors away from Turtle Slough.

Councilor Park asked where Ms. Roth was going when she left Metro.

Ms. Roth responded that she had taken a position with the Oregon Department of Environmental Quality as the Planning and Policy Manager for the Portland Harbor Cleanup.

Councilor Park said she would be missed.

Councilor Kvistad asked what he said was a frivolous sounding, but serious question - basically would the new parking lot allow the public to drive into nature?

Ms. Roth answered that right now there was a lot of development going on near Smith and Bybee Lakes; included was the widening of North Marine Drive where it runs in front of the current Park entrance will take out 37 feet of the parking lot.

Mr. Cromer added that adoption of this Recreation Plan did not authorize any appropriations for the plan. It was a way to leverage future fund raising efforts with the plan in place.

Presiding Officer Monroe noted that the public would also be able to access the lakes via the North Peninsula Crossing Trail by bicycle and by foot.

Councilor Washington thanked Ms. Roth for her service to Metro. He urged the Council as well as the public to take the time to visit Smith and Bybee Lakes. Out in the middle of the lake it was hard to believe the city was just next door. He asked Council to vote yes.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

12. CONTRACT REVIEW BOARD

12.1 **Resolution No. 99-2870**, For the Purpose of Authorizing Release of RFB #99-40-REM for the Construction of an Expansion to the Public Unloading Area at the Metro Central Transfer Station.

Motion: **Councilor McLain** moved to adopt Resolution No. 99-2870.

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

Councilor McLain said that this resolution would alleviate site access problems for public use of the Central Transfer Station and included installation of additional ventilation, pavement replacement and building expansion. These changes increased total project costs to \$639,500 and money was available to cover the costs. A similar resolution for the South Transfer Station upgrades will be heard at the next Council meeting. She urged acceptance of the resolution.

Councilor Kvistad asked if this amounted to \$150k-\$200k in additional costs.

Councilor McLain agreed.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

13. URBAN GROWTH BOUNDARY PUBLIC HEARING

Presiding Officer Monroe read a notice concerning public testimony into the record (a copy of which may be found in the record of this meeting and in the UGB record). He continued the public hearing on the Urban Growth Boundary (UGB).

Andrew Stamp, Schwabe, Williamson and Wyatt, 1211 SW 5th Ave. representing URA 49A, gave testimony. They have submitted an application for annexation of the northern part of 49, a site that consists of 117-acres of the 260-acre site. The City of Tigard has adopted a resolution that sponsors the site and supports the UGB amendment. They intend to annex it into their city limits in the future. URA 49A consists of 100% exception lands with the additional benefit that it was not appealed to the Land Use Board. Originally UR 49 consisted of some 400 acres; in 1997 the northern half was removed because it contained some EFU land, leaving the present 260-acres. He asked Metro Council to consider bringing in URA 49A in the event that Council determines there was a regional or subregional need in the Washington County area.

Councilor Atherton asked Mr. Stamp if there was a concept plan for integration into Tigard.

Mr. Stamp responded that there was not, that working with a site consisting of exception areas and including a variety of property owners, it was consequently more difficult to finance a concept plan. However, he believed that the City of Tigard would take the lead in planning for this area.

Councilor Atherton asked why the City of Tigard had not produced a concept plan to evaluate the suitability of this area before asking for UGB inclusion.

Mr. Stamp said that he didn't know the specific answer, but offered to respond in writing.

Councilor Atherton said the Council would like to see the specific impacts on water quality, air, etc. on these 260 acres.

Mr. Stamp replied that UR 39A consists of 117 acres. It was envisioned that it could bring in approximately 500 housing units and 166 jobs. These numbers were extrapolated from Metro's 1998 Productivity Analysis. The site had a stream running through it and was subject to Title 3 setbacks; therefore some land was not buildable.

Councilor Park said he was curious about Councilor Atherton's interest in local planning inasmuch as Metro was a regional body.

Councilor Atherton responded that regional planning was very different from local planning. When suitability was evaluated it should not adversely affect regional facilities, and one of the key elements was transportation. For example Metro's Transportation Plan in the Stafford area concluded that only 84 houses would be built there, not 840 and certainly not 8,400. He felt it was very appropriate to make this linkage so that nothing "stupid" was done. He said he was very familiar with this problem because Clackamas County has borne the brunt of the transportation problems associated with exception lands.

Presiding Officer Monroe clarified that this was a public hearing and a number of people had come to testify. He said that the time to debate specific plans or the lack thereof would come later.

Councilor Atherton agreed and said he would take it up at a later time.

Tom Aufenthie, 15674 Highpointe Dr., Sherwood, 97140 said he represented Citizens for Voter Approved Annexations offered comments on the Preliminary Staff Report dated November 24, 1998 for URA 45, (a copy of which may be found in the record).

Steven Larrance, representing Citizens Against Irresponsible Growth (CAIG), asked that the South Hillsboro Urban Reserve Area Transportation Review be placed in both the RTP record and the UGB record (a copy of which may be found in the record of this meeting and in the UGB record). At this point the tape cuts out for several minutes.

Presiding Officer Monroe clarified that South Hillsboro was not before the Council currently.

Stephan Lashbrook, AICP, Planning Director for City of Wilsonville, 30000 SW Town Center Loop E Wilsonville, OR 97070 read his letter into the record on UGA 39 and 41 (a copy of which may be found in the record). He noted that some minor geographical corrections were necessary to Ordinance 99-834; he believed Metro staff was already in the process of correcting this. In

order to expand the city limits, Wilsonville must expand the UGB. In answer to Councilor Atherton's earlier comment on the Metro Housing Rule, he said that more than 70% of the housing units built in Wilsonville in the past 5-years have been multi-family units.

Councilor Atherton noted that the Housing rule was actually a State law rather than Metro's. He commented that Metro must make the land use connection with these other concerns as Mr. Larrance testified earlier.

Councilor McLain said she wanted to clarify the status of South Hillsboro. While testimony was taken earlier on URA 61-65 and it was not on the December Council schedule, it was notified and noticed in *The Oregonian*.

Presiding Officer Monroe thanked her for the clarification.

Bob Van Brocklin, Stoel Rives, 900 SW 5th Ave., Portland 97212 testified that he had been asked very recently to represent a group of property owners within URA 45. He wanted to make the Council aware that a substantial number of property owners in the URA were proceeding with the request for annexation. He submitted a letter for the record (a copy of which may be found in the record) and hoped to have the application and supplementary materials to the Council very soon. He further understood that they have retained Lee Layton of Westlake Consultants for the planning activity with the City of Sherwood.

Councilor Atherton asked if Mr. Van Brocklin had a feel as to which should come first, a vote on annexation by the community or a vote by Metro to bring the lands in.

Mr. Van Brocklin said he could not attempt to answer that question based on what he knew at this time, but would be happy to discuss the subject once he was up to speed on the situation.

Councilor Park asked Mr. Cooper if the voter annexation effected the mandatory 20-year land supply – if we brought property in and the voters choose not to allow annexation, would Metro still be within the guidelines of HB 2709?

Mr. Cooper answered yes.

Councilor Kvistad reminded the Council and audience that 10-units/acre in the 2040 Growth Concept was set down as an average with the highest density going to the Town Centers, Regional Centers and downtown, not dropping high density developments across the area and on the urban edge. If this density criterion were used throughout the area it would destroy the very soul of the 2040 Concept. Density where appropriate, but not on the urban edge.

Councilor McLain agreed with Councilor Kvistad's comments re the 2040 Growth Concept. She stated that one of the ways for Council to control density was by designating each 2040 area added in an appropriate manner, as town center, outer neighborhood, etc.

Councilor Park said he agreed with Councilor Kvistad's comments as well. He felt that Council must pay attention to existing transportation and the possibilities of future mass transportation when considering higher density. He was pleased that three Councilors, and possibly more, agreed on this point.

Councilor Atherton pointed out that the 20-year land supply created an inherent conflict in this model. When you have a community already at the 10-unit/acre density, then force an addition to

it on the edge – how can it still be consistent with the Metro housing rule. If low density existed on the edge it forced increased densities in existing neighborhoods. This created a problem for the communities. He felt that the solution was to get rid of the State mandate and the 20-year land supply rule and allow communities to develop the way they wanted to, while still meeting the overall housing rule. He said it was not Metro's role to push a design concept on the communities.

Councilor Kvistad replied that the 20-year land supply issue came from the local jurisdictions, MPAC and the people who lived there – they have asked Metro for help. Metro's role should be to help communities with their planning. Otherwise what develops was schlock housing in the middle of a suburban community. Local governments have said that this was the direction they wanted to go; keeping a tight urban edge, as tight as possible. They would take care of changing the development patterns inside their boundaries to preserve local communities. However, this was not what was happening. They have been forced to put density in because Metro had not planned Town Centers and Regional Centers as quickly and as efficiently as was needed.

Councilor Atherton asked for clarification of Councilor Kvistad's comment as to what Metro was not doing.

Councilor Kvistad gave an example: when communities come to ask for delays or extensions Metro puts them through hell. There were situations where Metro has micro-managed through the Regional Framework Plan. He believed that Metro had not listened to the local jurisdictions and it was the neighborhoods that would pay the price. What was past was past, but going forward the Council must work closer with cities and counties to build better inside and stop fighting about the edges.

Councilor Atherton said he agreed with Councilor Kvistad, but cited North Stafford as an example, all those communities said "no" and yet we added them.

Councilor Kvistad said that Council should not revisit the past 7-years of work; rather past work should be examined in the light that Metro could learn from its mistakes moving forward. The past should be used as a reference to determine what was done well and what was not done well.

Councilor Atherton disagreed. He said some communities wanted to grow. He proposed that their desires and needs be accepted; at the same time Metro should correct past mistakes.

Councilor Kvistad disagreed that Stafford was a mistake.

Presiding Officer Monroe closed the public hearing.

**14. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e).
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL
PROPERTY TRANSACTIONS.**

Members Present: Charlie Ciecko, Jim Desmond, Barbara Edwardson, Nancy Chase, April Olbrich, Craig Zell and members of the press.

14.1 Resolution No. 99-2866, For the Purpose of Authorizing the Executive Officer to Purchase Properties in the Forest Park Expansion Target Area.

Motion: **Councilor Washington** moved to adopt Resolution No. 99-2866.

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

Councilor Washington indicated that the Council had reviewed of this Resolution and had nothing to add.

Mr. Jim Desmond, Senior Manager of Open Spaces Acquisitions, Regional Parks and Greenspaces, noted several items for the record. As discussed in Executive Session this was a 332-acre property with the unusual circumstance that the negotiated purchase price was more than 10% above appraised value. Also staff recommend that Council waive the application of the easement and right-of-way policy adopted by Metro in the case of some minor encroachments with surrounding land owners involving home improvements such as dog runs, hot tubs, etc. In the staff report there were some corrected acreage figures that Mr. Morrissey considered inconsequential. The property, as discussed in Executive Session, used to have a higher valuation, but due to zoning changes and the current depressed timber market, value was now lower, but expected to rebound. He thanked Mr. Jamie Hampton, Hampton Industries and other members of the company who had been a joy to work with in negotiations.

Presiding Officer Monroe asked Mr. Cooper if an amendment was needed to facilitate Mr. Desmond's recommendations.

Mr. Cooper responded no, he had only minor changes in the wording of the staff report

Mr. Jamie Hampton, 2981 NW 53rd Dr, Portland 97210, one of the owners of Hampton Affiliates, said he would like to go on record trading compliments; that he found the Metro staff to be honest and forthright in all their dealings together. He went over the property's history. His family bought it in 1989 with the plan to log it and develop 40 lots at \$100k/lot for a total of \$4m (the plan was similar to what Crown Pacific did along McNamie Rd.) When they sold the 38-acre old growth gem in the middle of the acreage to the Friends of Forest Park they agreed to a covenant that would cut back development to 25 lots. The final agreement was to build no more than 18 homes for a total return of \$3m. Then the West Hills Rural Area Plan slammed those plans shut and the company decided to hold the land for future long-term timber harvest. When the program of Green Space Acquisition began Mr. Hampton felt that unifying this land with the old growth reserve would be the best use. When he ran the numbers on lumber and comparable land values he came up with \$2.5m, the number he brought to the table with Metro staff. (Their figure was \$900k.) That was the beginning and gradually led to a final reimbursement figure of \$1.8m based on today's market. He said that if he leaves the room without agreement by the Council he was comfortable with that, but as a citizen he believed that this would be a good investment for the region.

Councilor Kvistad said he appreciated Mr. Hampton's willingness to work with staff on this process.

Councilor Atherton echoed Councilor Kvistad's appreciation and thanked him for allowing Metro the opportunity to make the acquisition. He said that he would like to discuss the process of friendly condemnation with Mr. Hampton in the future.

Presiding Officer Monroe agreed that the Open Space staff were the best and a tremendous resource to the region. He said Council was very proud of the work that they do.

Councilor Washington said he thought that the purchases throughout Forest Park will benefit the region and future generations. If the additional 10% cost was extrapolated over the next 100 years it would give 100% value. He urged an aye vote.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

15. COUNCILOR COMMUNICATION

Councilor Kvistad reminded the council of the public hearing at JPACT Friday morning 7:30-12:00 p.m. Also the Commuter Rail Train event in Beaverton takes place tomorrow for those who have already signed up. He said that it should give a good overview of rail lines in the area.

16. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 5:15 p.m.

Prepared by,

Chris Billington
Clerk of the Council