

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Thursday, August 11, 2005
Room 501

Councilors Present: David Bragdon (Council President), Robert Liberty, Rex Burkholder, Brian Newman

Councilors Absent: Susan McLain (excused), Carl Hosticka (excused), Rod Park

Council President Bragdon convened the Metro Council Work Session Meeting at 3:20 p.m.

Heather Kent-Nelson, Parks Department, began the retreat by walking the Metro Council through the “Open Spaces. Treasured Spaces.” events. The latest issue of Green Scene will cover all the events. The Parks department also passed out a series of 4 cards outlining the events that have been sent out to public officials. She went over the “Earned Media Outreach” plan that covers A & E calendars – print daily, bi-weeklies, weeklies and monthlies, editorial outreach, Op-Eds, print news, and radio and television. Jim Desmond, Parks Department, encouraged Metro Councilors to attend as many events as possible. He reiterated that they were focusing on getting people outside the agency to tell the story about the open spaces acquisition programs.

Mr. Desmond shared with the council that Portland General Electric (PGE), a presenting sponsor of the Open Spaces Treasured Places celebration, wants to donate 228 acres of land that is adjacent to Eagle Fern Park in Clackamas County and 6 miles from Barton. PGE was interested in announcing their intent of donating this land at the opening event for the Open Spaces Celebration on September 1st. Mr. Desmond wanted to check in to see if the council had any reservations of this donation and announcement. Jim Morgan, Parks Department, presented the specifics of the land. It is a day use park, primarily used by fisherman and has low management needs. Mr. Desmond explained that PGE is donating the land to Metro because of Metro’s responsible management of the land and not using it for timber. Mr. Desmond stated they would ask Clackamas County to take over the day-to-day management if the council agreed. Councilor Liberty expressed concern about whether PGE would be announcing something related to their Enron transition and not wanting Metro to get involved in any type of announcement connect to the announcement of the this donation. Mr. Desmond stated that he thought any discussion of this donation would not be connected to any other sort of announcement. Council President Bragdon stated that he was comfortable with moving forward.

The discussion turned to the Parks Bond Measure. Mr. Desmond stated their goal for the day was to determine the basic bones of Legacy Fund or what was called the local share as opposed to the Capital Opportunity Planning Fund. Mr. Desmond quickly reviewed what the council had already decided. He reviewed the criteria for capital projects including restoration, ADA improvements, public use facilities, environmental education facilities, and trail design. Soccer fields, swimming pools, skate parks, and community centers are not included. Councilor Burkholder asked about guidance of overhead. Mr. Desmond responded that was added and limits the overhead of any local project not exceed 10%. Councilor Burkholder also asked about signage. Mr. Desmond said only one jurisdiction did not have signs denoting Metro’s funding support. Councilor Newman asked about including playgrounds. Mr. Desmond suggested they could add that later if they wanted to. He continued by distinguishing the difference between including soccer fields and playgrounds and why the council may want to include playgrounds in local share projects.

Councilor Liberty and President Council Bragdon both agreed with Mr. Desmond about not including soccer fields and including playgrounds and barbeque pits. Councilor President Bragdon raised the question about skate parks. Ms. Kent-Nelson explained how skate parks are funded and used. Councilor Burkholder stated that many of the parks in his district have ballpark fields and urged that local priorities play have a say in what the capital improvement funds can be used for. The council agreed that playground equipment should be added to the list of allowable local share projects.

The council confirmed that they were comfortable using less than \$25 million on the Local Natural Area Legacy Fund. Mr. Desmond can now begin talking to local jurisdictions about this fund.

They switched to talking about the Nature in Neighborhood Opportunity Fund, the competitive fund made up of federally exempt capital funds. The purpose of this fund is to get some money out to community groups in hopes of attracting more creative projects. Mr. Desmond explained what projects they would be eligible to use for capital improvement funds, such as land acquisition or building a structure and the title will have to be held by a non-federal public entity. Dan Cooper, Metro Attorney, further explained a rule. They then discussed the language adopted in the Goal 5 legislation that local jurisdictions would be able to access their local share when a program is adopted. They discussed whether this was their intent and raised the issue of when jurisdictions would be required to be in compliance in light of the time it may take to receive acknowledgement from the Land Conservation and Development Commission (LCDC). Council President Bragdon said that he thought the non-regulatory program may be a better manifestation of the true local effort. Councilor Newman clarified who would be eligible for the challenge grants and local share. He stated that he the spirit is that Metro wants local jurisdictions to act quickly on setting up a Goal 5 program, regulatory and non-regulatory and to create an incentive so they will do that and this could be the being able to access their local share funds. It was also suggested that compliance to the Functional Plan would be required for disbursement of local share monies. Mr. Cooper clarified that regulatory and non-regulatory aspects of the functional plan and cautioned that it took the LCDC a long time to acknowledge the first model ordinance because there was no legal requirement tied to Goal 5. The current model ordinance has been written in a way that the LCDC should acknowledge and trigger Metro's authority on land-use planning. The timing of acknowledgment and timing compliance may take a while and create a problem. Councilor Newman asked if Metro could state whether they could withhold local share money if a jurisdiction was not in compliance with the functional plan. Councilor Liberty cautioned against that. Council President Bragdon added that some jurisdictions are technically in compliance but do not embrace the nature of the Functional Plan and that some smaller jurisdictions do not have the resources to be in compliance but believe in the nature of the plan. They will be discussing this issue further in September. Mr. Desmond stated that in his letter going out to local jurisdiction if he could flag the connection of local share money to compliance to functional plan.

Mr. Desmond turned to a discussion about the criteria of the Nature in Neighborhoods Capital Fund. Councilor Liberty discusses his memo sent out to councilors addressing the grant and local match brainstorming and clarified what he meant that such things as introducing nature into streetscapes and things such as that and stated examples such as rain gardens and green streets. Councilor Burkholder stated the criteria should be elaborated to account for urban type projects. Mr. Desmond suggested presenting the projects funded in the Fish and Wildlife program to the council to get an idea of what types of project should be funded. He presented a couple projects and received council feedback. They then touched on the issues of geographic equity and how best to deal with those issues. The discussion then centered around whether to concentrate the

money in certain underserved areas. It was suggested to add criteria giving more points to underserved areas, ensuring the money was regionally dispersed. Mr. Desmond reminded the council Councilor Hosticka wanted lands included in the Goal 5 inventory to benefit from this money.

Mr. Desmond moved to the question of whether there should be a \$500,000 maximum. The pros and cons were discussed, referring to other programs within Metro that award grant money. The question was raised over being allowed to spending grant money over an extended period of time. Mr. Cooper stated that there are federal rules in how the money is invested. If the money will be spent relatively quickly there will be more flexibility. There is less flexibility when the 3 to 5 year mark is crossed. They discussed what other local jurisdictions have done to deal with this issue and Mr. Cooper briefed the council on what they would need to do to be able to spend the money over 10 years. Council President Bragdon stated that the council agreed that they would be spread over 10 years.

Mr. Desmond brought the discussion to the grant process for the Nature in Neighborhood Capital Fund and establishing a committee to look over the proposals. Councilor Liberty expressed concern of having a \$10,000 minimum. They discussed adding a broader descriptive of what capital improvements can be made to public use facilities.

They discussed the grant review process and the need for a formal role for the councilors in that process. It was proposed that 2 council members would be on the committee and they would meet twice a year. Councilor Burkholder expressed concern about the overhead involved with having the grants twice yearly. Different options were discussed. Councilor Newman asked why the procedure had to be defined now and Councilor President Bragdon stated it was important for people outside the agency to be familiar with the process so they would buy in to the process. They discussed the different models throughout the agency. Councilor Newman stated that councilors didn't have to be on the committee but the final action should be with the council. It was decided to leave it open in terms of Council involvement on this committee.

Councilor Liberty expressed concern the minimum amount of \$10,000. He expressed that he thought it seemed high, expressing concern about grassroots organizations' ability to raise the matching funds. This concern will be flagged and discussed later.

The discussion moved on to draft criteria. Councilor Liberty wanted to add a criteria that will advance Metro's regional plan for growth and development. He gave an example in Gateway, a regional center, adding a natural element to the development plan. The council agreed that Criteria #2 will be expanded to include urban type activities. They revisited the idea that proposals would get extra points for projects that address underserved or low income area. They began trying to define what underserved areas. One definition was lack of natural resources in their backyard. They also addressed including low-income needs of neighborhoods. Council President Bragdon stated that the council needs to be careful with the definition of underserved areas because there are jurisdictions who decided not to fund park and open space development so they should not get more regional money. Councilor Newman stressed looking at this on a neighborhood basis. It was decided that the Parks staff would work on what underserved should mean.

Mr. Desmond reviewed the items not addressed during this meeting including Blue Ribbon Committee process and the public involvement after the committee, the process of inclusion of the Oregon Zoo. Councilor Newman clarified that Oregon Zoo will not be included in the Bond Measure but would like to discuss others ways to address the issues of the Oregon Zoo.

Council President Bragdon asked if they got far enough for letter to go out to local jurisdictions and Mr. Desmond responded yes.

V. COUNCIL BRIEFINGS/COMMUNICATIONS

There were none.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 5:10 p.m.

Prepared by,



Kathryn Schutte

Acting Clerk of the Court

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 11, 2005

| Item | Topic | Doc Date | Document Description | Doc. Number |
|-------------|---|--------------------|---|--------------------|
| 1 | Open Spaces. Celebration. Treasured Places. | August 11, 2005 | Open Spaces. Treasured Places. Greenscene newsletter | 081105cw-01 |
| 2 | Open Spaces. Treasured Places. Celebration | August 11, 2005 | Advertisement for Open Spaces. Treasured Places. Celebration | 081105cw-02 |
| 3 | Open Spaces. Treasured Places. Celebration | August 11, 2005 | Open Spaces, Treasured Places Celebrate Earned Media Outreach | 081105cw-03 |
| 4 | Open Spaces. Treasured Places. Celebration | August 11, 2005 | Draft of Open Spaces Editorial Outline | 081105cw-04 |
| 5 | Parks Bond Measure | August 11, 2005 | Metro's 2006 Local Share Allocation Formulas and Guidelines | 081105cw-05 |
| 7 | Parks Bond Measure | July 14, 2005 | FROM: Councilor Liberty TO: Metro Council RE: Memo regarding Grant and Local Match Brainstorming | 081105cw-06 |