

MINUTES OF THE METRO COUNCIL MEETING

July 6, 2000

Metro Council Chamber

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

Councilors Absent: None.

Presiding Officer Bragdon convened the Regular Council Meeting at 2:01 PM and asked for a moment of silence for Tigard Mayor James Nicoli who passed away last weekend.

1. INTRODUCTIONS

Councilor Washington introduced Mr. Mas Yatabi from Portland State University. Mr. Yatabi introduced Mr. Kazuto Higuchi, City Planner from the City of Yokkaichi, Japan, and Ms. Noriko Ichikawa and Ms Kayoko Sakakura who were learning about children's museums in the area.

2. CITIZEN COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

None.

5. MPAC COMMUNICATIONS

None.

6. CONSENT AGENDA

6.1 Consideration of the minutes of the June 29, 2000 Regular Council Meeting.

Motion: **Councilor Washington** moved to adopt the meeting minutes of June 29, 2000 Regular Council meeting.

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

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

7. RESOLUTIONS

7.1 Moved to later in the agenda.

7.2 **Resolution No. 00-2960A**, For the Purpose of Approving Interstate-5 High-Occupancy Vehicle Facility Recommendations.

Motion: **Councilor Kvistad** moved to adopt Resolution No. 00-2960A.

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

Councilor Kvistad reviewed the resolution. He noted work had been ongoing for a long time to find a way to deal with traffic congestion on I-5 northbound. He said this resolution listed out the intent to look at HOV lanes in particular corridors. He spoke about Clark County's progress in their I-5 southbound HOV lane. He noted it was not feasible to add HOV lanes to the Interstate Bridge and the Bi-State Committee was working on ways to deal with that issue. He recommended approval.

Councilor Monroe said this was the first action taken by the Bi-State Committee that had been meeting since September, 1999. He said the recommendation had been studied for quite some time, but the urgency was created when WDOT actively began to construct a new lane southbound toward the bridge. He said the officials in Washington as well as Oregon felt strongly that since a new lane was being added, it was appropriate that the new lane be HOV. He added that there were laws in Washington prohibiting conversion of regular lanes to HOV, that HOV had to be constructed specifically. He said they had asked ODOT to look at ways to implement an HOV lane southbound, through Delta Park as well. He said these lanes would operate in peak hours only, like the current northbound lane.

Councilor Kvistad noted that as they moved into the discussions, they were aware of major repairs and added lane capacity needed just south of the Interstate Bridge, in conjunction with potential replacement of the bridge. He urged approval.

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

7.3 **Resolution No. 00-2963**, For the Purpose of Declaring that the Week of July 24-28, 2000, be "Car Free and Carefree Week" to Encourage Citizens to Commute to Work by Bus, Max, Bike or Walking.

Motion: **Councilor McLain** moved to adopt Resolution No. 00-2963.

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

Councilor McLain indicated that the title of this resolution spoke specifically to the intent of the resolution. She said this resolution signified the need to work towards options for non-vehicular transportation. She hoped for good participation from Metro staff and noted she would present some awards to those who took part, for various methods of transportation. She offered to pick Councilor Kvistad up on her bicycle.

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

Presiding Officer Bragdon noted the proclamation.

Councilors Washington, McLain, Atherton and Bragdon spoke to the week.

7.1 **Resolution No. 00-2945**, For the Purpose of Granting Time Extensions to the Functional Plan Compliance Deadline for the Cities of Happy Valley, Portland and Sherwood and Multnomah County.

Motion: **Councilor Park** moved to adopt Resolution No. 00-2945.

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

Councilor Park reviewed this time extension resolution. He noted the reasons for each time extension. Each entity had made substantial compliance toward their goals. He urged an aye vote. He added that the Title 3 Water Quality compliance from the City of Portland would be coming forward separately.

Councilor McLain supported the resolution. She said the importance of these extensions was that the jurisdictions were still working on their goals. She felt as long as they were working in good faith and were willing to keep working toward Functional Plan compliance, she would support this resolution.

Presiding Officer Bragdon opened a public hearing on the resolution. Nobody came forward to testify so he closed the public hearing.

Councilor Park urged an aye vote and said he was looking forward to the end of the extensions.

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

7.4 **Resolution No. 00-2965**, For the Purpose of Expressing Metro Council Intent to Take Additional Time to Complete Metro's Fish and Wildlife Habitat Conservation Program.

Motion: **Councilor Park** moved to adopt Resolution No. 00-2965.

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

Councilor Park said this resolution would allow additional time to work on this program based on part of the Goal 5 habitat work not being finished. He noted that this request must be submitted to LCDC for approval. He felt part of the problem was the NMFS delay in their 4(d) rule. He said the issue had been discussed with MPAC.

Councilor McLain thought it was a good idea to signal that they were starting a thorough public review process. She felt the 4 month process to work on something as large as Goal 5 was important to allow them to have the chance to reflect on the product and then take it out for comment. She said they had a commitment from WRPAC as well as MPAC to start their review in September. She said she would support this even though when she voted for the extension before, both MPAC and the Council had committed to not asking for this type of extension. She wanted to be sure they recognized the fact they were doing something they said they would not do, but they were doing it for the right reasons and with the understanding that the state had agreed this was a reasonable process.

Presiding Officer Bragdon opened a public hearing.

William C. Cox, 0244 SW California St., Portland, OR 97219, had questions about this resolution. He said he understood that in terms of the UGB, a major impact was anticipated as to how much land was going to be necessary to come in to the UGB, if any. He wondered if the October goal was going to be extended again. Secondly, he wanted to know how this would impact cities such as Wilsonville, who were inside the boundaries and were going through Goal 5 now, pushing pretty hard to get done.

Councilor Park responded that it would obviously have an effect on the Urban Growth Report and they recognized that going in. He said the numbers would still be there, it was a question of

timing now. In reference to the City of Wilsonville, he asked for clarification from Dan Cooper about their Periodic Review work.

Dan Cooper, General Counsel, responded that whatever Wilsonville did in Periodic Review under Goal 5 was subject to commission approval. He said the Functional Plan also had a provision that said Goal 5 regulations adopted by Metro would not apply to cities that had gone through Periodic Review under Goal 5 since 1994-95 when the state goal was amended, until their next Periodic Review after Metro adopted it. He offered to speak with Mr. Cox directly after the meeting to answer any questions he had regarding his clients.

Presiding Officer Bragdon said that Wilsonville had given in a presentation to MTAC. He said Metro and the Wilsonville staff had been working closely together.

Mr. Cox expressed concern about the delay.

Councilor McLain said they recognized that if they were going to utilize this protection element in deciding what they needed in the way of land, that meant everything may not be done in this process this year. She felt it was important to get that message out up front. If this extension was granted, that may mean the need number would not be completely dealt with until the next process. She added that while this is an on-going process, they would like to be able to do something besides update the UGR and look at lands for UGB amendments. She felt planning needed to go much deeper than that. She said the work was very important and needed the time to get it done right.

Presiding Officer Bragdon closed the public hearing.

Councilor Kvistad agreed that this process was never over. He expressed his concern about another delay after they had agreed to not have one. He felt the public needed some certainty. He indicated he would not vote for this delay because it was time to get something done.

Councilor McLain clarified that the issue was very complicated and sometimes issues that they thought would take a month actually took up to 5 months to unravel. She felt strongly that the Growth chair as well as the Council would make sure there was certainty of understanding in the public process as well as the direction they were going as far as completing the survey of the Growth Report and starting the next round.

Councilor Kvistad said he had not intended his comments to be directed at Councilor McLain. He said his views had been clear for a long time. He still believed that the numbers in the Growth Report were political and not actual numbers.

Councilor Atherton responded to Councilor Kvistad's concerns about moving the UGB. He indicated that he would support the resolution because there were no communities clamoring to move the UGB. He said there was only the state mandate and a small group of individuals who wanted to move it for land development purposes.

Councilor Kvistad answered that Hillsboro in fact, was clamoring.

Councilor Atherton countered that they had to get through the state filter of the farmland issue and Metro's transportation consideration as well.

Councilor Park said this was a tough issue and he understood Councilor Kvistad's frustration. He said Metro was in a process and trying to get to completion. He said it would continue to be an on-going issue because state law required Metro to do this every 5 years. He thought the

important part was that Metro was responding to local jurisdictions who had asked them to slow up so they were also trying to respond to their citizens. he said the jurisdictions didn't know how this would effect them, and neither did Metro.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

8. COUNCILOR COMMUNICATIONS

Councilor Atherton reported that he had asked Mr. Cooper to prepare an alternative amendment to the Charter Review consideration. He said it would provide for elimination of the office of the "elected executive officer" and that the position be a professional manager appointed by the Council.

Councilor Kvistad apologized for his absence at last week's meeting. His plane had been delayed in Boise.

Presiding Officer Bragdon noted the Charter Review and the brown bag discussion for Metro employees on July 13th at noon. He added that all councilors were welcome.

Councilor Monroe added that if any councilor had an amendment on Charter Reform, they should be submitted by July 14th so they would be available for review prior to the Metro Ops meeting on July 19th.

Councilor Kvistad asked about a motion to substitute. He wondered if they should come before the Metro Ops Committee or the full Council.

Councilor Monroe said he preferred it to come to committee.

9. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 2:48pm.

Prepared by

Chris Billington
Clerk of the Council

NOTE: There were no attachments submitted to the record for this Metro Council meeting