

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

November 30, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Nathalie Darcy, Rob Drake, Dave Fuller, John Hartsock, Jack Hoffman, Laura Hudson, Tom Hughes, Richard Kidd, Charlotte Lehan, Diane Linn, Wilda Parks, Martha Schrader, Erik Sten

Alternates Present: Bob Bailey, Larry Cooper, Shirley Craddick, John Leeper

Also Present: Hal Bergsma, City of Beaverton; Beverly Bookin, CREEC; Ron Bunch, City of Gresham; Cindy Catto, Phoenix Rising Consulting; Carol Chesarek, Multnomah County Citizen; Bob Clay, City of Portland; Valerie Counts, City of Hillsboro; Danielle Cowan, City of Wilsonville; Kay Durtschi, MTAC; Kathryn Harrington, Washington County Citizen; Stephen Kafoury, So. Cooper Mountain Landowners Assoc.; Leeanne MacColl, League of Women Voters; Irene Marvich, League of Women Voters; Richard Meyer, City of Cornelius; Greg Miller, Assoc. General Contractors; Henry Oberhelman, CPO Program, Washington County; Pat Ribellia, City of Hillsboro; Amy Scheckla-Cox, City of Cornelius; Andrea Vannelli, Washington County

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3; Susan McLain, Council District 4; Robert Liberty, Council District 6 others in audience: Rod Park, Council District 1; Brian Newman, District 2; David Bragdon, Metro Council President

Metro Staff Present: Kim Bardes, Andy Cotugno, Chris Deffebach, Paul Ketcham, Robin McArthur, Lydia Neill, Linnea Nelson, Reed Wagner, Mike Wetter

1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS

Jack Hoffman, MPAC Chair, called the meeting to order 5:06 p.m. Chair Hoffman asked those present to introduce themselves and to give updates or announcements as pertained to their jurisdiction.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

Chris Smith, Citizen Representative for the Transportation Policy Advisory Committee (TPAC) and Northwest Portland Neighborhood Assoc., said he was interested in regional sources of funding for infrastructure due to rezoning of the edge of the industrial district in North Portland to mixed-use office development. It was understood that this rezoning would have impacts on the transportation system that had not been planned for. Therefore it would have to go back to the City of Portland council. He said that planners should be putting office use in the centers where transportation would support that use. He said that he hoped that the City of Portland would consider this when looking at possible regional sources of funding and future planning.

4. COUNCIL UPDATE

Councilor Carl Hosticka said that a question had come up in terms of a decision regarding adding areas to the urban growth boundary (UGB) as part of the remand from the Land Conservation Development Commission (LCDC): whether the policy that had been adopted said that class A and class B uplands added to areas in the region would be considered regionally significant and protected. The question was: was that addition part of the old decision or part of the new decision? This led to the question of whether

the upland areas in newly added areas were covered by the Title 13 decision, or considered part of an old decision. He said that there was language drafted as amendments to the Fanno Creek Ordinance that basically said it was an old decision, and that those provisions in Title 13 would only apply from here forward on decisions regarding the UGB. He said that this issue was a topic that the Council wanted to flag for discussion.

5. ORDINANCE 05-1097 FANNO AND ROCK CREEK

Paul Ketcham, Metro Principal Regional Planner, again reviewed the ordinance amendment and materials included in the packet and introduced at the previous meeting. He said that he would be asking the MPAC members to make a recommendation to the Metro Council regarding the ordinance. He also informed the members that MTAC had reviewed the material and supported the ordinance/recommendation. He went over the large map displayed in the back of the room for the members. Mr. Ketcham said that the Metro Council would hold a hearing on this ordinance on December 8th. If this ordinance was adopted by the Metro Council then it would form a complete package of the Nature in Neighborhoods program, which would then make it available for staff to prepare a submittal for LCDC hopefully by the end of December. The effective date of the ordinance was December 28, 2005.

Chair Hoffman asked if the jurisdictions had two years to comply.

Mr. Ketcham said that they had two years from the date of acknowledgement by LCDC. He guessed that the LCDC would weigh-in on the ordinance by March or June of 2006.

Chair Hoffman said that that would give the jurisdictions until spring of 2008 to comply, except for the Tualatin Basin.

Chair Hoffman asked if there were any proposed council amendments.

Councilor Hosticka said that as far as he knew there were none other than that which he reviewed in the Council Update.

Mayor Rob Drake, City of Beaverton, asked if there had been much feedback from citizens.

Mr. Ketcham said that Metro had received roughly 30 calls.

Chair Hoffman asked Mr. Bob Clay, City of Portland, if there had been feedback in his office.

Mr. Clay said that they had received only a few calls.

Mr. Ketcham described some of the calls, which had been both supportive as well as those that expressed concern.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Nathalie Darcy, Washington County Citizen, moved for approval of Ordinance 05-1097 and to forward to Metro Council for adoption.
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Vote:	The motion passed unanimously.
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3. CONSENT AGENDA

Meeting Summary for October 26 & November 9, 2005:

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Wilda Parks, Clackamas County Citizen, moved to adopt the consent agendas with no revisions.
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Vote:	The motion passed unanimously.
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6. BROWNFIELDS/EPA GRANT/LOCAL BROWNFIELD EXPERIENCE

Chair Hoffman said that there were three central themes that the mayors had been working on and he outlined those as they related to the meeting tonight: 1) how do we grow inside the UGB (brownfields)? 2) how do we nurture and maintain great communities at the edges (windfall tax)?, and 3) how do we create a more predictable UGB growth process (process)?

Lydia Neill, Metro Principal Regional Planner, said that staff had been asked to put together a program to look at brownfields around the region. She reviewed the map displayed at the back of the room in order to discuss some of those areas that Metro would be focusing on. She also reviewed the process that had gone into the work that staff had undertaken. She distributed two proposals for EPA Brownfields grants: 1) for a region-wide Petroleum Assessment project, and 2) for a region-wide Hazardous Substance Assessment project. Copies of those are attached and form part of the record. Each of the grants would be for \$200,000 and would allow Metro to conduct a region-wide inventory of brownfield sites and then perform sit assessments in targeted areas. Metro would conduct the site assessments in areas of the region that were economically disadvantaged, in region centers, town centers, main streets, and/or industrial areas (phase I & II).

Clark Henry, City of Portland, gave a brief history of his experience with brownfields and the challenges tied to working with those types of sites. He also talked about the successes that the City of Portland had experienced with working on some specific brownfields.

Ms. Neill said that several jurisdictions had already done an inventory and Metro did not want to redo their efforts but rather hoped to focus energies in combining the information and in areas where they could have the greatest impacts.

Mayor Drake said that he had seen numbers regarding the amount of industrial land in Portland that was just sitting vacant because it could not be cleaned up or used. He asked if the City of Portland had a dollar value today of what some of that property was worth. He said he'd be interested in knowing what it could be worth if cleared up for other uses and jobs. He wondered if they had planned to put it back to industrial zoning if it were to be cleaned up.

Mr. Henry said that there was a Greenfield study that highlighted some of those numbers. He said he thought the money was substantial. He said that unused brownfields were not currently paying taxes but that lately there had been huge jumps in property values and property tax revenue. He said that they had not yet quantified the specifics on a large scale.

Ms. Neill said that she did not have a dollar amount but also thought that the numbers would be huge. She said that probably a lot of the contaminated sites were in core industrial areas and would not necessarily

be subject to changes in zoning to allow uses. She said that there might be a few areas that could service the community better as commercially zoned sites.

Commissioner Erik Sten, City of Portland, said he was glad to see Metro going in this direction. He said that they could go both ways, but there would not be a truly sophisticated regional plan until they understood the likelihood of redeveloping brownfields. He said that within the next 100 years they could potentially all be redeveloped, but there was a big difference between one year and fifty. He said that developing a more sophisticated planning process that takes into consideration brownfields now would be better than in the future. He said he thought that while it would be a tough undertaking, he also thought there was money for solutions out there.

Ms. Neill said that the grant program would hopefully help provide a positive nudge to property owners to upgrade sites and move land into more productive uses within the UGB.

Bob Bailey, Oregon City, asked if the grant would proceed on a jurisdiction-by-jurisdiction basis or were they thinking of developing a more regional strategy?

Ms. Neill said that they hoped to create a strategy that served both the jurisdictions and on a regional scale. She said it was their hope to find a strategy that would move as many sites forward as possible. She reviewed some possible strategies already under consideration.

7. FAIRNESS, FARMLAND AND GREAT NEW NEIGHBORHOODS

Councilor Robert Liberty gave a PowerPoint presentation on Fairness, Farmland and Great New Neighborhoods. Copies of the slides are attached and form part of the record. He said that timing for this to go out to the public for a vote was tricky and he could only say for sure that the Metro Council did not want it on the November 2006 ballot.

Councilor Hosticka said that what they were interested in was finding out whether the idea had enough merit to proceed or not.

Mayor David Fuller, City of Wood Village, asked what kind of funding assistance Metro was proposing.

Councilor Liberty said that they were thinking of increments of 5% starting at 10%. He said that the rate was not being discussed by Council. Councilor Liberty said that he had proposed that the first 100% increase in value have no tax on it. But anything beyond the first 100% would be taxed. He said those were all policy questions. Another big question was how much revenue would this tax generate? He said the answer was not enough to solve all the problems, but enough to substantially help the situation.

Mayor Fuller asked how it would be administered.

Councilor Liberty said that before it was put to the voters they would have to tell them how it would be spent. So, that would have to be decided. He said that there were two items that tended to rise to top: 1) reinvest money into the urban expansion first, and 2) Measure 37.

Councilor Shirley Craddick, City of Gresham, said that Measure 37 was a statewide challenge and she wondered why Councilor Liberty chose to focus on this proposal. Why would Metro undertake this function when it should really be the state administering this type of tax?

Councilor Liberty said that if state wanted to do this then they could. He said that they had had three cracks at it and had not be able to do it. It would have to be on a local government that had jurisdiction within the expansion areas. The alternative would be to raise income taxes or property taxes. He said that a lot of people hoped it would be done at state level but he has not seen it done and it would affect our region regardless.

Councilor Craddick expressed concern that ultimately the pot could be too small for the demand and she wondered how Metro would deal with that.

Councilor Liberty said that he felt the money would be substantial. He said that there would have to be a hierarchy. He said it would be a willing seller and willing buyer arrangement with Metro. Claims on measure 37 had not typically been made against Metro. He said that some people believe that if there was money available, more claims would be generated, and he wondered what the number of claims would be generated without money. He said it would be still be substantial and that there would be competition for the money. On the development side – if there were waivers, that would create a lot of uncertainty. If there was a limitation of the amount of money that would act as a break. Metro would try to work out the best deal for most easement for the money. He said that there were those who would prefer that all the money be used for rural areas with or without measure 37.

Commissioner Bob Bailey, City of Oregon City, said he was not sure why it was Metro's responsibility to protect agricultural land in areas well beyond the UGB away from where the region's principal interests were, and politically – why would Metro want to give up funding that could be used internally to grow a better community? Why would Metro want to get into the job of compensating landowners?

Councilor Liberty said that there were policy statements that the UGB did not exist in isolation. If folks believed that measure 37 was in effect and that we had not seen the end of claims, what would it do to the boundaries and what would the boundaries actually separate? He said that jurisdictions/counties would be forced to politically provide services to areas that came in through development. He said that the support for the planning program legislature after 1993 depended on support of the Farm Bureau, which has endorsed UGB and environmental protection as a package. This has made the Farm Bureau nationally different from others, if what they see was a combination of holes punched into the UGB expansions and EFU zones, with thousands of acres of rural subdivision – he was worried that the farm zones would collapse politically. He said that he thought the region would be dealing with this issue reactively until they found a way to deal with it proactively. If it came back to payment and the polling showed that people thought there would be payment not labor, there would have to be a funding source.

John Leeper said he was speaking as county commissioner – and expressed misgivings and possible opposition to the proposal. He thought it would be more appropriately done on an individual county basis. He said he thought the biggest impact would be on Washington and Clackamas counties. Based on the letter sent to MPAC from Councilor Liberty, he said he was concerned about the reference to funds for capital investment being restricted to the UGB expansion area from which they were derived. He said that individual jurisdictions already export enough money to other areas and he said that bothered him. He said he also had concern over the splitting of funds for capital improvement and farmland protection easement fairness. He said he would be repeating these concerns at the Washington County board meeting.

Commissioner Diane Linn, Multnomah County, asked how Councilor Liberty would explain the tax to neighbors who supported measure 37.

Councilor Liberty said that the first three words of the bond title was “Government Must Pay” no government has to pay and this is a way to make government pay. He said that he would respond by saying make development pay its own way.

Mayor Richard Kidd, City of Forest Grove, asked if the program came forward to MPAC he would like to see variations on some of the suggested items. He also wondered how the 100% value was determined. Was that figure based on today’s value or the value when it was sold?

Councilor Liberty said they would need to consult MTAC/MPAC to get into those types of details.

Mayor Kidd said he had concerns at this point as to how the proposal was laid out.

Mayor Charlotte Lehan, City of Wilsonville, said it was a bold proposal that addressed many valid concerns that needed to be addressed. She said that they needed to find some solution on how to deal with the construct of measure 37. She thought this proposal was as close as anyone had come to finding a way to deal with the issues brought on by measure 37. She said that whether the state, Metro, or counties administered an exploration of this program, it was a good opportunity to investigate possibilities and start flushing out the details. She said that if the region had to continue paying measure 37 claims or waivers there would certainly not be enough money to go around. She said she was interested in seeing the proposal fleshed out. Typically a UGB expansion did not allow for infrastructure. Infrastructure was a very key component because it helped local governments to serve the new area just brought in. She said she thought it would be worth investigating the proposal as long as it was not limited to just local infrastructure or measure 37, but rather to help the local governments on a higher level. She said that SDCs were extremely limited and this proposal would allow more flexibility.

Mayor Tom Hughes, City of Hillsboro, said he was about four (4) years past the time where he would say just let them flesh out the details. He said he didn’t support anything unless he knew the details. He said he felt that the proposal would continue the misconception of measure 37 in those first three (3) words, “Government Must Pay.” He said that property owners would be the ones who would be paying for this. He said he thought it would be a lawsuit waiting to happen. He said that talking about winners and losers perpetuated the idea that somehow government would be made to pay and it would be fair, but the reality was what makes the loser a loser and the winner a winner? How does government decide to balance the scale and say – you’re a loser because you are in a farm area and therefore we’ll give you money from the winners who happen to be next to the cities. He said that they would even create losers within the loser category because some people would be in the agriculture land that the region really wanted to save and some people would be in less good agricultural land, and some would be in dead rotten agriculture land and presumably they would not all be offered the same amount of money. If they were going to deal with infrastructure, why deal only with infrastructure in the area that was expanded when expansion of that area would create infrastructure demands on the entire infrastructure in the region? For example, TV Highway, which was a long way from Evergreen would bear some impact from Evergreen’s expansion and TV Highway was in need of more work than Evergreen ever was. He said that he had just attended a Washington County meeting where they had identified a need for about \$2 billion dollars for transportation infrastructure needs which didn’t include water, sewage, etc. He said that he thought it would create more claims, because to a farmer who had never thought to make a claim because he did not intend to develop, the proposal might suggest that they should make a claim and the government would compensate them not to develop. He said those were details he would want to work out before he would support going forward.

Councilor Hosticka said that in creating winners and losers, at least according to the logic of the people who support measure 37, it was government action that created the winners or losers, and those winners or losers were based on where the property was located. If you were to believe the concept that government created losers then you would also have to believe the concept that government created winners. He said he wanted to address the idea of exporting money. He said that property doesn't pay taxes, people do. The tax that would be paid, and it would be paid by the owner of the property, and they didn't know where that person lived – could be locally or out of state. The taxpayers of the local community end up underwriting a certain amount of the profit of the development of those areas by paying for the infrastructure which wasn't covered by SDCs. So if they wanted to export money then they should keep the current system going because they were asking citizens of their community to underwrite profits for people who could be multi-national corporations, or people living in a different community, or people living in your community. Without that kind of analysis it would be very hard to tell who the winners or losers were in geographic terms.

Councilor Amy Scheckla-Cox, City of Cornelius, asked if they had mentioned anything about how long the tax would be collected.

Councilor Liberty said that could be worked in to what was preferred.

Councilor Scheckla-Cox asked who Councilor Liberty was looking at for the proposed task forces.

Councilor Liberty said there was a list with a mix of people that he said he was not yet ready to share as they were still working on it. He said he would welcome any suggestions as to who should be on that list.

Commissioner Martha Schrader, Clackamas County, said that Clackamas County was on the front line for measure 37 claims. She said that they had heard over 20 claims. Measure 37 seemed to be making the UGB irrelevant and therefore would affect all cities inside and outside the UGB. She said that there was a poster child claim that had come before Clackamas County, which had been approved, but now was on hold like all measure 37 claims. It involved an aggregate mine and the winners were the ones who owned property as they profited, but there were definitely losers and those were the neighbors who would have dust and environmental impacts to deal with. She said that MPAC or the region needed to move forward with some ideas on how to deal with the situation and she thought that Councilor Liberty's proposal was at least an option to consider. She said that the bodies of MPAC could and do trust one another and that as long as they were diligent then the work would be trustworthy.

Mayor Drake said that he didn't know if it was a good proposal or not but at least Councilor Liberty was offering something that could be a solution. He said that he felt that the proposal warranted a look. He said it was a big issue and he said that if they were to get the right people at table then it was worth looking at. He advised that to do a better job they should not move too fast.

Chair Hoffman agreed that the proposal deserved a look and he asked that after the task forces have met and done the work that Councilors Liberty and Hosticka then bring the proposal back to MPAC for discussion if that was what the next MPAC chair wanted.

Councilor Liberty said he hoped to have a presentation ready for MPAC in January and possibly a second presentation in February of 2006.

8. UGB INDUSTRIAL LANDS REMAND DECISION

Chair Hoffman said that he wanted to have a discussion about the decision making process. He reviewed some of the regional issues coming up in 2006, 2007, and 2008. He said that he wanted to have a discussion about roles, responsibilities, relationships and respect. Those were the four words that were discussed at the mayors' forum. He said he wanted to specifically discuss, MPAC, MTAC, Metro Council, Public Hearings and civic involvement and the balance among all those items. The context of the discussion would be the recent UGB decision that was made by Metro Council. He said that he wanted the discussion to focus on process. He gave a recounting of the events (timeline) that transpired up to the decision that was made by Metro Council regarding the UGB for industrial lands. He said that he wanted to discuss how they could do better with the process for the future regarding circling back to MPAC with decisions or newly introduced amendments.

Council President David Bragdon said that the object for the Council was to have a productive and respectful relationship with local governments. He said that Metro had a different role in that it had multiple constituencies. Local government was a very important constituency and Metro had made great strides over the last few years in terms of partnerships as diverse as Goal 5 or affordable housing. That did not necessarily mean that Metro was always getting it right. He said that perhaps Metro could do a better job in communicating and in the future they would. He said that Metro and the local constituencies would not always agree – not that he thought that was Chair Hoffman's objective or anyone's expectation. He said that local jurisdictions, the voters who elect them, the members of local councils, and the public were all important to the Metro Council. There had been two major decision points regarding the UGB decision in December of 2002 and June of 2004, and in both of those cases the steps that were taken were very much the same. Metro Council received a recommendation from the Executive Officer/Chief Operating Officer, then there was extensive discussion at MTAC, MPAC, by Metro staff, by other respective staffs, and by the Metro Council on those recommendations. As it came to the Council, in both cases, there were amendments made at the Council some of them vetted in advance and some not. The general overall shape of the recommendation, what MPAC commented on was what was primarily passed. He said there had been a lot of consultation back and forth and that both processes followed the same procedure. He said that possibly that procedure could be tweaked for the future – that was what Chair Hoffman wanted to talk about. He said there had been a remand, and there had been a COO recommendation on how to deal with the remand. MPAC and MTAC had discussed it extensively and made their position well known. He said that while presiding over the meeting on November 10th that he had made MPAC's opinion very clear. The cities involved did not testify that night, and he said that in retrospect perhaps he should have made sure that they had. He said that technically anything was on the table at that point – the Metro Council was a deliberative body, and just as there were surprises that happen in the US senate or the smallest city councils – any deliberative body, as they were taking in new information, reserved the right to make a decision based on that new information. There was a clear awareness and professional respect for MPAC's opinion. What happened was that the majority of the Council chose, in hearing the testimony that they heard, and weighing MPAC's recommendation, to go in a different direction. In the future there were a couple things that he could and would do to improve some of the communication. One could be to schedule an additional round of MPAC commentary after the public hearing vote. Procedurally – it was a seven-member body and people had the right to make motions. He said that if there were amendments going forward that were a surprise, then time permitting, he could hold over for another chance for commentary. He said he would endeavor to improve communication. He said he hoped that would help.

Chair Hoffman asked Mayor Kidd to talk about process.

Mayor Kidd said that he would never want to limit the decisions of the Metro Council body. He apologized for not being present at the meeting on November 10th. He said that while most of those who had an interest in the decision had assumed that because there had been two unanimous decisions from MTAC and MPAC, and because their testimony was well known by the Metro Councilors, that things would not change. He said that he did not have the advantage of hearing the testimony on the 10th, but it was his hope that if Councilors had a known proposed amendment then that amendment would go to MPAC at the time when MPAC forwarded their last recommendation to them. He said it was his hope that MPAC would have the opportunity to look at those amendments. He said that if there was a surprise amendment that came along, then have it go to MPAC for discussion before a final decision was made at Metro Council. He said that he had counted nine (9) public hearings since 2002 where people had the opportunity to comment on it before the COO's recommendation. He said therefore there should not have been any surprises. He said that he would defend the Metro Council's ability to make decisions based on what they hear at their last two public meetings. He also asked, however, that surprise amendments be held over so that MTAC and MPAC could comment on them before forwarding a recommendation.

Mayor Hughes said he would second that request. He said the final decision was also a surprise to him. He said that he had also missed the November 10th hearing, and had they known that the Cornelius matter would become an issue then they would have provided additional supportive testimony on it. He said that there had never been an indication that the Cornelius land would become an issue. He said that a lot of what MPAC did collaboratively with Metro and regional partners was based on mutual respect. He said that there were still outstanding issues related to relative authority. He said that the jurisdictions were asked to rely on the Council's respect for jurisdictional wishes as the stopgap to abuse of power on the part of Metro over what local governments were able to do. It was not just UGB expansions, but rather the relationship in general which sometimes teetered on the tenuous. He said that he thought the decision on Cornelius might be a step back.

Mayor Drake said that he appreciated Council President Bragdon's comments and position. He said he also agreed with Mayor Kidd's comments about process. He said that he also respected the right of the elected body to make last minute decisions because in the end that person lived and died by their own decisions. The issue in terms of process was critical. He said that in the thirteen years that he has sat at the table the theme that whole time has been to work better collaboratively. He congratulated the Council President and Council for a much better feel today than it was thirteen years ago. Part of the MPAC mission had been, and continues to be, to build complete communities. He said that what was real to the City of Portland and the Pearl district was just as real to the City of Cornelius. Knowing that it was becoming more difficult to fund cities and have them be more than just a place to drive home to at the end of the day was of concern. To have the funding and mass to accomplish things that smaller cities did not made him feel protective of Cornelius and other small cities. He said that with Cornelius he saw a city with spirit and personality trying to change its course and trying to develop as a complete community.

Councilor Scheckla-Cox said that the City of Cornelius felt that the process didn't work. She said that she felt that Metro and Cornelius had taken a step backwards in confidence. She said she felt that Cornelius had worked well with Metro through this process, and that since there had been a unanimous vote from MPAC and a nearly unanimous vote from MTAC, it would have been good to have an opportunity to revisit the issue and have the amendment come back for a hearing from MAPC members. She said that her wish would be to come back to the table to revisit it and hear what made Metro Councilors change their minds. She said that the testimony on November 10th didn't seem to contain anything that would cause them to change their minds.

Councilor Susan McLain said that in a perfect world we would always be able to loop back in a way that would make everyone comfortable and that was the Metro Council's goal. She said that she had also sat at the table for 13 years and both the Council and MPAC had made a great effort to make it an integrated process that worked. She said that regarding her vote on both November 10th and 17th that she would never have voted for the amendment if she thought that the City of Cornelius would not have an opportunity to participate. She said the reason she didn't consider it something that needed to go back to the full MPAC meeting was because the Council had passed 99.9% of the package that had been recommended to Council by MPAC. She said that the Council had decided to delay the amendment to the 17th in order to give the City of Cornelius a chance to review it and comment before they voted on the amendment. She said that she was hoping that the process discussion would provide a reconfiguration of the public hearings process to allow more time between the hearings and MPAC's weigh-in before the final vote of the Council. She said that each of the MPAC committees Metro Councilors had served on have wanted to run the system differently. They won't necessarily get it right once and be done; it seemed to be an ongoing process. She said it was a good time to work on the process and determine something for the upcoming 2007 decision.

Councilor Hosticka said he did not know that he was going to make a motion going into the public hearing. He said that there should have then been an opportunity to debate the merits before making a final decision. He said that the suggestions regarding last minute amendments be held over for final approval until the Council/MPAC could debate the merits were good suggestions. He said the fact was that on November 17th they did not actually debate the merits. He said one thing that they had not talked about was the situation that the Councilors found themselves in - sitting in room in Hillsboro in a public hearing with people who thought that the deal was already done. If the deal was already done, then why have the public hearing? So it would have been a sham process, in his view, if they were not able to at least think about responding to the testimony heard that day. He said that they did actually respond to some testimony by changing part of the Evergreen proposal through an amendment to take out a portion of that area. He said that amendment passed unanimously without conflict or discussion about process. He said that as elected officials with an open process with the public, the Councilors would have to be ready to respond to public testimony. He said he agreed that the process might have failed in that the Council did not go back and debate the merits. He said that the suggestion to either hold over a decision, or once the Council received a unanimous recommendation from MPAC, not entertain further amendments, were both good contributions.

Mayor Fuller said that small cities did not have the power that large cities had. He said that this was probably as big a loss for Cornelius as it would have been if Gresham hadn't gotten Springwater. He said it was important to have those things happen. He said that when they had a body of mayors representing more than 50% of the voters in the region that the weighting provided by MPAC should be very significant and not overturned on whim. He wondered if there was some way to give more weight to this group than some other groups in making decisions. Perhaps the last group that the Council should talk to before making a decision was MPAC.

Councilor Liberty said that he had not been involved in the earlier decisions as he had joined the Council in January. He said he was surprised by what had happened. He said that the group he would listen to were the people that voted for him. He said it was important to hear the testimony of the public. He said that it had meant a lot to hear testimony, which for him was also new testimony. He said that he was concerned about Cornelius and smaller, poorer neighborhoods and communities. He said he was sorry that there were hard feelings and he hoped that all relationships and partnerships improved over time.

Councilor Scheckla-Cox said that she had passed around a letter. That letter is attached and forms part of the record. She said it was a summary of her feelings and about the process between MPAC and the Metro Council. She said that the City of Cornelius was currently looking into appealing the decision. She said that she was asking for MPAC support on their appeal.

There being no further business, Chair Hoffman adjourned the meeting at 7:11 p.m.

Respectfully submitted,



Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR NOVEMBER 30, 2005

The following have been included as part of the official public record:

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#5 Ord. 05-1097 Fanno & Rock Creek	11/4/05	Updated version of Ordinance No. 05-1097 for Fanno and Rock Creek	113005-MPAC-01
#6 Brownfields	November 2005	Proposal for an EPA Brownfields Grant	113005-MPAC-02
#6 Brownfields	November 2005	Proposal for an EPA Brownfields Grant	113005-MPAC-03
#8 UGB Industrial Lands Remand Decision	11/28/05	Letter from City of Cornelius to MPAC and Metro Council	113005-MPAC-04