

MINUTES OF THE METRO COUNCIL MEETING

Thursday, January 5, 2006
Metro Council Chamber

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

Councilors Absent: Susan McLain (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Henry Kane, 120775 SW Candon Lane Beaverton OR 97005 said he had prepared information for the Transportation Policy Alternatives Committee (TPAC) having to do with the Hwy 217 toll road option (a copy of these documents are included in the record). He noted documents he had submitted received the State of Oregon. He said Hwy 217 should not carry freight. He made suggestions on funding mechanisms for Hwy 217 improvements instead of the toll road option. He said he intended to examine all documents and will report back to Council.

3. CONSENT AGENDA

3.1 Consideration of minutes of the December 15, 2005 Regular Council Meetings.

Motion:

Councilor Newman moved to adopt the meeting minutes of the December 15, 2005 Regular Metro Council.

Vote:

Councilors Burkholder, Liberty, Park, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 06-1100**, For the Purpose of Amending the FY 2005-06 Budget and Appropriations for the Purpose of Recognizing New Planning Grants and Associated Expenditures in the General Fund, adding 4.0 FTE in the Planning Department and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 06-1100 to Council.

5. RESOLUTIONS

5.1 Resolution No. 06-3653, For the Purpose of Organizing the Metro Council For 2006.

Motion:	Councilor Hosticka moved to adopt Resolution No. 06-3653.
Seconded:	Councilor Newman seconded the motion

Councilor Hosticka introduced the resolution. Council President Bragdon said at the first of the year the Council President made appointments to committees and appointed a Deputy. He was appointing Council Hosticka to serve as Deputy. He noted there was one change; Councilor Liberty would serve, as a Zoo Foundation liaison instead of Councilor Hosticka, and the rest of the appointments remained the same from last year.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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5.2 Resolution No. 06-3651, For the Purpose of Amending the FY 2006 Unified Planning Work Program.

Motion:	Councilor Burkholder moved to adopt Resolution No. 06-3651.
Seconded:	Councilor Park seconded the motion

Councilor Burkholder explained what was the Unified Planning Work Program. It included all of the transportation programs. He noted what was included in the program and the list of projects. Andy Cotugno, Planning Director, said this resolution was parallel to the ordinance that had been first read at today's meeting. There were four local government projects that were reflected in the Unified Work Program. It also allowed Metro to hire an engineer.

Councilor Liberty said this was updating a program for federal requirements as well as our own transportation program. He commented about the amount of money and felt that there was something wrong with the scale of investment. He also commented on the Columbia River Crossing. He was concerned that we were investing a lot of money in the planning effort. He didn't want us to be in a position where certain things were studied and others were not. Councilor Burkholder talked about the Columbia River Crossing Committee. He felt that it was good that Metro was going to be reimbursed for their efforts on this project. There had not been much progress on this issue over the last year. He would be reporting back to Council but the committee was just getting formed. Councilor Liberty asked about the modeling. Mr. Cotugno said the modeling software had just been shifted. This new software was better technology in transit ridership and routing. They expected to see improvements on this front. The software was more useful for transit. Councilor Park asked Mr. Cotugno if we could substitute this money for excise tax dollars. Mr. Cotugno responded to his question.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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6. CONTRACT REVIEW BOARD

- 6.1 **Resolution No. 05-3637**, For the Purpose of Approving the Release of a Request For Proposals and Award of a Contract For the Purchase of a Ticketing Point Of Sale System at the Oregon Zoo.

Motion:	Councilor Newman moved to adopt Resolution No. 05-3637.
Seconded:	Councilor Burkholder seconded the motion

Councilor Newman said the resolution was to purchase a new point of sale system. The current system was obsolete. He talked about the new system and its benefits. He talked about the Oregon Zoo and how the machine would process fees. He spoke to the goals of the Release of Proposals. He urged support. Councilor Burkholder asked about off-site purchases. Carmon Hannold, Oregon Zoo, responded that they weren't able to do this yet.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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- 6.2 **Resolution No. 05-3638**, For the Purpose of Approving the Release For a Request For Proposals (RFP) and Award a Contract For the Lease of a Simulation Theater at the Oregon Zoo.

Motion:	Councilor Newman moved to adopt Resolution No. 05-3638.
Seconded:	Councilor Liberty seconded the motion

Councilor Newman talked about the simulation theater at the Oregon Zoo. This RFP would allow for a new vendor. He talked about the primary objective for the simulation theater. He spoke to past revenues from theater. He provided specifics of the RFP. He urged approval. Councilor Park asked about content of the simulation theater. Ms. Hannold, Oregon Zoo, talked about the educational component of the theater. They found that their guests wanted more entertainment, so the simulator theater provided another activity to support the Zoo. Councilor Park talked about needing to keep an educational theme connection. Ms. Hannold talked about the environmental messaging and the opportunity to make the connection. Councilor Newman said their initial interest was to make connections to environmental education as well as entertainment. He talked about the need to bring in additional revenue. This was an opportunity to generate revenue. Ms. Hannold talked about the past revenue that was generated from the simulator theater and the lessons they had learned.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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**7. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e).
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE
REAL PROPERTY TRANSACTIONS.**

Time Began: 2:40pm

Time ended: 3:12pm

Members Present: William Eadie, Jim Desmond, Joel Morton, new legal intern

**7.1 Resolution No. 06-3652A, For the Purpose of Authorizing the Chief Operating Officer to
Contribute Towards the Purchase of a Conservation Easement Over a portion of the
Tryon Life Community Farm Property in the Tryon Creek Linkages Target Area**

Motion:	Councilor Newman moved to adopt Resolution No. 06-3652.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman talked about the resolution and the Tryon Life Community Farm. He explained what the community farm was dedicated to. He noted the number of visitors who had come to the farm to learn about the farm. This resolution would authorize the Chief Operating Officer (COO) to contribute to the purchase of a conservation easement. Jim Desmond, Regional Parks and Greenspaces Director, said this property was part of the first tier properties identified as a priority acquisition for Metro. The transaction as a whole was unique. He acknowledged the work that William Eadie had done. Mr. Eadie explained the details of the transaction itself. Councilor Newman thanked Mr. Eadie for his leadership.

Council President Bragdon opened a public hearing.

John Brush, TLC Farm, 11640 SW Boones Ferry Portland OR 97219 appreciated the opportunity to testify. He worked with the Farm. He emphasized his thanks to Mr. Eadie for his work. He spoke to the value of the contribution to protect this land. He noted that public benefit to the Tryon Creek Target Area. There had been an outpouring of support by many.

Brenna Bell, Tryon Life Community Farm, 11540 SE Boones Ferry Rd Portland OR 97219 acknowledged Mr. Eadie's efforts. She also thanked Councilor Newman for his efforts. She talked about what it was like to farm on the Tryon Farm, creating a new urban paradigm. There had been much community momentum for this acquisition. Councilor Newman asked about the fund raising. Ms. Bell said they were still \$63,000 short. Councilor Park asked about the conservation easement and if there was currently farming going on. Ms. Bell said no and that they were moving the community gardens closer to the buildings.

Nancy Hand, Chair Arnold Creek Neighborhood Association, 3250 SW Maricara, Portland OR 97219 said they had written a letter of support in December 2004. She spoke to the purpose of their association. They were in support of Tryon Farms purchasing the property.

Stephanie Wagner, Friends of Tryon Creek State Park, 11321 SW Terwilliger Blvd Portland OR 97219 said the Friends were excited about the opportunity to preserve this piece of land. They had worked hard to make sure it was protected. Their board voted tonight and she was confident that the board would approve the \$100,000 contribution. She spoke to leveraging public funds and encouraged Council to support the resolution.

Lucille Beck, Friends of Tryon Creek, 1430 SW Englewood Dr Lake Oswego OR 97034 said she was stunned by what this farm group had done. She had been concerned about the land for over 40 years. She commended the farm group for what they were going to do. She thanked Metro Council for their support. Councilor Liberty said he had known the property owner for many years and would be happy to make a call.

Will Newman, Oregon Sustainable Agricultural Land Trust (OSALT), PO Box 1106 Canby OR 97013 said he was the President of the Board for OSALT. He spoke to the purpose of the Land Trust. Councilor Hosticka clarified how the transaction worked. He also asked about the bylaws of the organization. Mr. Newman responded to his questions. Councilor Hosticka noted that he wanted to make as clear as possible the intention of the group. Mr. Newman said OSALT was formed to protect land. Councilor Burkholder asked about the history of OSALT. He asked about the number of properties they maintained and how long they had been in business. Mr. Newman said the organization was 10 years old. He reviewed other properties they managed and owned. They didn't have paid staff on purpose so their acquisition of land was slow. They were known better in agriculture circles. He noted who served on the Board.

Council President Bragdon closed the public hearing.

Councilor Burkholder said he was very much in favor of this purchase. He felt development and housing was good in the right places. This was not the right place. He talked about the conservation easement. He was comfortable with this easement because it was by Tryon Creek Park. He was supportive of this easement.

Council President Bragdon said this had been a target area since 1995. It was part of a larger system of Tryon Creek Park. It was worthy of our support.

Councilor Liberty echoed his colleagues' comments. He said they were using this creative approach that was critical to the health of the stream.

Councilor Park talked about his struggles with the easement. He said capacity that was lost with this easement would have to be found in another part of the region.

Councilor Newman thanked the Council for their willingness to take a risk. He felt the Farm would bring a multitude of opportunities for sustainable education and research. He urged support.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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Mr. Cooper said Council had now approved one of the key pieces. If they were going to meet their deadline, Metro staff would be making sure we made this happen.

8. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordon, COO, added his comments about the conservation easement.

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9. COUNCILOR COMMUNICATION

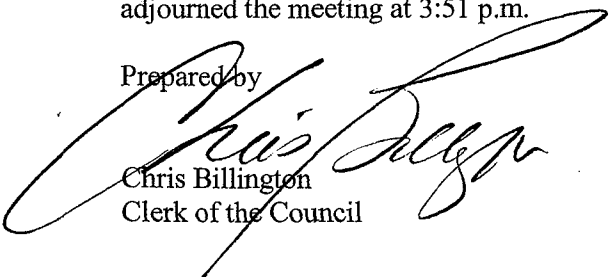
Councilor Burkholder reported that the Oregon Transportation Commission was organizing some working groups to review projects. They were moving quickly. They had to adopt rules by February. They were cooperating in this effort.

Councilor Liberty asked if this was lottery dollars that had been assigned to projects.

10. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:51 p.m.

Prepared by


Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 5, 2006

Item	Topic	Doc Date	Document Description	Doc. Number
7.1	Email	11/3/05	TO: Metro Council Members From: Michael Toffel	010506c-01
7.1	"A" Version	1/5/06	Resolution No. 06-3652A , For the Purpose of Authorizing the Chief Operating Officer to Contribute Towards the Purchase of a Conservation Easement Over A Portion of the Tryon Life Community Farm Property in the Tryon Creek Linkages Target Area	010506c-02
7.1	Bylaws	8/8/00	To: Metro Council From: Nancy Hand, Arnold Creek Neighborhood Association Re: Association Bylaws	010506c-03
3.0	Written Testimony	1/5/06	To: Andy Cotugno, Planning Director and Chair of TPAC From: Henry Kane Re: Resolution No. 06-3658	010506c-04