

MINUTES OF THE METRO COUNCIL MEETING

Thursday, February 23, 2006
Hillsboro Civic Center Chamber

Councilors Present: Carl Hosticka (Deputy Council President), Susan McLain, Robert Liberty, Rex Burkholder, Rod Park, Brian Newman

Councilors Absent: David Bragdon (excused)

Deputy Council President Hosticka convened the Regular Council Meeting at 5:01 p.m.

1. INTRODUCTIONS

Deputy Council President Hosticka introduced Mayor Rob Drake, City of Beaverton.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the February 9, 2006 Regular Council Meetings.

3.2 **Resolution No. 06-3660**, For the Purpose of Confirming the Appointments of Malek Hall and Virginia Bruce to the Metro Committee for Citizen Involvement (MCCI).

Motion:	Councilor Newman moved to adopt the meeting minutes of the February 9, 2006 Regular Metro Council and Resolution No. 06-3660.
---------	---

Vote:	Councilors Burkholder, McLain, Liberty, Park, Newman, and Deputy Council President Hosticka voted in support of the motion. The vote was 6 aye, the motion passed.
-------	--

3.3 **Resolution No. 06-3671**, Authorizing the Refinancing of an Oregon Bond Bank Loan and the Issuance of Full Faith and Credit Refunding Obligations.

Motion:	Councilor McLain moved to adopt Resolution No. 06-3671
Seconded:	Councilor Newman seconded the motion

Michael Jordan provided a summary of the resolution. Councilor McLain explained why she asked this to be taken off the consent agenda.

Vote:	Councilors Park, Burkholder, Newman, McLain, Liberty, and Deputy Council President Hosticka voted in support of the motion. The vote was 6 aye, the motion passed.
-------	--

4. ORDINANCES – SECOND READING

4.1 Ordinance No. 06-1110A, For the Purpose of Amending Title 11 (Planning For New Urban Areas) of the Urban Growth Management Functional Plan to Facilitate the Siting of Certain Public Uses in New Urban Areas.

Motion:	Councilor McLain moved to adopt Ordinance No. 06-1110A.
Seconded:	Councilor Newman seconded the motion.

Councilor McLain introduced the ordinance and asked Dick Benner, Senior Metro Attorney, to provide additional information on the ordinance. Mr. Benner provided a detailed explanation of the ordinance and explained this was for the purpose of siting a school facility.

Councilor Burkholder expressed his concern about Washington County’s perspective. Mr. Benner responded to his questions. Councilor McLain provided further information on the code change. Mr. Benner said both Metro Technical Advisory Committee (MTAC) and Metro Policy Advisory Committee (MPAC) reviewed the ordinance and recommended adoption.

Deputy Council President Hosticka opened a public hearing on Ordinance No. 06-1110A

Commissioner John Leeper 155 N. First Avenue Hillsboro OR 97124 said he strongly encouraged the Council to approve the ordinance, there was a strong need for school sites. The Washington County staff had worked with Metro staff and the Beaverton School District to come up with this change.

Brent Curtis, Washington County Planning Manager, 155 N. First Avenue Hillsboro OR 97124 said they appreciated the help they had received from the Chief Operating Officer and Councilor McLain. They thought these amendments would be beneficial to the Bethany area. He felt this ordinance would also be helpful to other new areas that were being planned. Washington County was also planning to support the change.

Councilor Burkholder talked about local jurisdiction concerns beyond school sitings. He wanted to make sure that Washington County felt that this would not create problems in the future. He expressed his fears about the possible outcomes and repercussions. Mr. Curtis said they were in agreement to protect the land while you did planning. He felt they enjoyed good working relationships with all of the other jurisdictions in Washington County and that there was a willingness to talk about the impact of the ordinance. They needed the Beaverton School District to participate in the planning. They had done a degree of due diligence. They still had to do a concept plan and detailed community plan. This was about creation of lots. Their intent was to protect the site while they did planning.

Councilor Park said this would allow public facilities to buy property before planning was done. This didn’t preclude the School District building somewhere else. Mr. Curtis said that was a fair characterization. They were implementing land that had already been brought into the boundary. This did not have to do with Exclusive Farm Use (EFU) land. He spoke to concept planning. Commissioner Leeper said this would be for school sites within North Bethany. Mr. Curtis said this was the natural evolution of a well-intended policy.

Bud Moore, Beaverton School District, 16650 SW Merlo Rd Beaverton OR 97006 thanked Council for their consideration. The district had high growth impacts. They had a comprehensive plan for a school site. The district was also aware of their need to provide education to families.

He spoke to the identification of school sites and the need to accommodate students. They had seen increasing growth in the Bethany area. The district encouraged Council to pass the ordinance.

Jan Youngquist Facilities Planning Manager 16650 SW Merlo Rd Beaverton OR 97006 for the Beaverton School District said she had spoken with the Council four years ago about the need. She said this provided an opportunity for public facilities.

Deputy Council President Hosticka closed the public hearing.

Councilor Liberty asked Mr. Benner about land within the boundary and EFU land. Mr. Benner responded to his question.

Councilor McLain urged an aye vote. Councilor Burkholder cautioned that we needed to monitor what happened because the ordinance could be interrupted in a much broader way.

Vote:

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

5. RESOLUTIONS

5.1 Resolution No. 06-3658, For the Purpose of Adopting the Recommendations of the Highway 217 Corridor Transportation Plan.

Motion:	Councilor Hosticka moved to adopt Resolution No. 06-3658
Seconded:	Councilor Burkholder seconded the motion

Councilor Hosticka said what this resolution had to do with the adoption the Hwy 217 study recommendations. He noted the review that had occurred prior to coming to Council.

Deputy Council President Hosticka opened a public hearing on Resolution No. 06-3658.

Mayor Drake, City of Beaverton, 4755 SW Griffith Drive PO Box 4755 Beaverton OR 97076 said he was here on behalf of the Hwy 217 Policy Advisory Committee (PAC) chair. He provided a history of the committee and the process of the study. He provided a brief background on Hwy 217. He noted that Hwy 217 was the only north south facility in Washington County. It served both Beaverton and Washington Square regional centers as well as town centers in the area. He said that the Westside Economic Alliance was in support of the recommendations. Vehicle and transit travel had grown tremendously. There was a need for additional capacity on this roadway. Hwy 217 had been identified as a roadway, which needed improvement. He spoke to the composition of the Policy Advisory Committee. He provided a summary of the recommendations from the Committee and some specifics on the toll lane issue.

Councilor Liberty said he was concerned about this project and its cost. He asked Mayor Drake, if he had 500 million dollars to spend would he spend it on this project? Mayor Drake said he would consider this as a critical project. He felt there was need for major road improvements. Councilor Liberty shared his concerns about what the study did not do. He felt the money would deliver 3.5 minutes of savings. He said, we didn't have enough money to pay for all of the road projects. A project of this scale had to be compelling. Mayor Drake recognized that it was a lot of money. He also recognized that everyone had a different view of the quality of life. He listened intently about

disruption of industry. He noted facts that the Westside Economic Alliance had provided on this facility and impacts on industry. Councilor Liberty asked Mayor Drake if there was a cheaper solution and if the Mayor felt this was the best project for the money. Mayor Drake said there was no other identified solution for this area. He wished there were other alternatives.

Councilor Newman talked about impacts on regional and town centers. He asked Mayor Drake if improvements to Hwy 217 would hurt or help the regional center. Mayor Drake felt it would help. He noted Max lines, which were already full. With two regional centers close together and a possible third center developing, it made it even more important to have the Hwy 217 improvements.

Richard Brandman, Deputy Planning Director, elaborated on the recommendations of the committee (a copy of which is included in Exhibit A). Councilor Liberty asked about arterials that were studied. Mr. Brandman responded to his question. Bridget Wieghart, Planning Department, provided details on the transit option recommendations included in Exhibit B. She noted the change that the Joint Policy Advisory Committee on Transportation (JPACT) had concerning the PAC recommendations. Councilor Liberty asked about net increases in congestion if Option A or B were considered. Ms. Wieghart responded to his question. Councilor Liberty asked about construction congestion. Mr. Brandman responded to his question.

Commissioner Dick Schouten, 155 N First Hillsboro OR 97124 said he felt Mayor Drake covered the main points. He felt this highway project needed to be included in the State Transportation Plan (STP) funding. The best information they had was this project was worth going forward on. It was a lot of money but this area was one of the most important economic units in the State. He recommended going forward with the recommendations.

Steven Clark talked about the need for improvement of Hwy 217 and the future growth, which was higher than predicted. This was also about the opportunity to study toll roads, changing public attitudes, trust, confidence, and an opportunity to revise the Regional Transportation Plan (RTP). He spoke to the beginnings of a regional economic strategy. He asked that we trust in each other to do the right thing. Councilor Liberty asked a clarifying question. Mr. Clark said we needed to advance the full evaluation of opportunities. He suggested talking about the RTP and the corridor studies that were underway. They were asking for complete evaluation.

Frank Angelo, Hwy 217 PAC, 6205 SW Main Suite 201 Portland OR 97205 thanked Councilors Hosticka and Bragdon as well as Metro staff. The Westside Economic Alliance supported the recommendations before Council. Hwy 217 was a critical link on the west side of the region. He spoke to economic benefits to the region. He noted the need for access. The study was comprehensive. He also talked about current neighborhood impacts. There was a sense of urgency and project development took a long time.

John Kave, Tektronix, 8236 SW 54th Portland OR 97219 said he was a member of Hwy 217 PAC. He thanked Metro for the opportunity to be part of the committee. He reaffirmed the recommendations of the Committee.

Jim Howell, Association of Oregon Rail and Transit Advocates, noted that there was no known opposition to the project. He disagreed with that statement. He felt that it was time that the RTP be brought into the 21st century. He talked about public transportation projects in Washington County that hadn't been looked at by Metro. Councilor Burkholder asked Mr. Howell what piece of the project he was opposed to. Mr. Howell said he did not support the five lanes of arterials. Councilor Burkholder said there were bicycle and transit recommendations in the study.

Councilor Hosticka said all of the studies assumed that commuter rail would be built. Mr. Howell responded that he felt commuter rail should be accessible full time. He also suggested other light rail, commuter rail, and bus lines projects.

Mary Ann Schwab, 605 SE 38th Portland OR 97214 said there was a regional need on the other side of the river. She felt strongly about the lack of known opposition. She noted those individuals who had provided testimony to PAC. She felt we could not afford this project in today's economy. She suggested bicycle pedestrian options weren't in the picture. She urged looking at public transportation as an alternative.

Terry Parker, PO Box 13503 Portland OR 97213 provided a summary of his written testimony (a copy of which is included in the record).

Pavel Goberman, PO Box 1664 Beaverton OR 97025 said he was concerned about the constitution. He said as a U.S. House of Representative candidate he would improve highways. It needed to be taking care right now. He was against funding this project.

Jonathan Schlueter, Executive Director of the Westside Economic Alliance, 10220 SW Nimbus Tigard OR 97223 provided his support for the resolution. He also noted an email he had provided to Council from Jack Reardon (a copy of which is included in the meeting record). He said Washington County was growing very fast. He talked about a reverse commute in Washington County. He said the Cost of Congestion study indicated the need to fix the transportation needs. He noted what we stood to lose if we didn't fix the transportation problem. The cost was apparent if we didn't improve our transportation system. Councilor Liberty asked about effects of congestion. Mr. Schlueter said this was their major artery on the west side. Councilor Liberty suggested putting the money where it did the most good. Mr. Schlueter said they had done no improvements in this area for 30 years. It was time to find the resources. Councilor Hosticka noted that increasing congestion also imposed costs.

Deputy Council President Hosticka closed the public hearing.

Councilor Burkholder said they needed to look at new ways of how we move around. He wanted to accept the report and recommendations but also recognizing that we were beginning to update the RTP. This was one of many projects being proposed with limited funds. He spoke to long-term challenges including the price of oil. He encouraged citizen involvement in the RTP update.

Councilor Liberty asked staff about jobs and housing growth and if it was a part of the Hwy 217 corridor study. Mr. Brandman said that was not part of the study. Councilor McLain talked about the past 15 years of RTP review and noted that this was part of an integrated plan.

Councilor Newman thanked Metro staff for their efforts. He was in support of this project. He also supported good transit projects. He supported balanced highway and transportation projects. Hwy 217 was never built to handle the capacity it was now handling.

Councilor McLain said she would support the acceptance of this report. This was not by itself complete. The RTP was the broader picture. What they were voting on tonight was only a piece of the entire RTP. We have to continue with all pieces of work and integrate these into the RTP. She felt they had reviewed all of the pieces of the study. She urged support.

Councilor Park said Hwy 217 was part of the regional network and included moving freight. He understood Councilor Liberty's concerns. We needed to keep moving ahead. He would be voting in favor of the resolution.

Councilor Liberty said the review of the project had yielded many issues. He felt they needed to have a good set of criteria to evaluate projects. He said they had to make some choices because of limited funding. Finally, he asked, what role does the Council play? It was Council's decision. He felt Council needed to be more involved in identifying the criteria. He provided a memo concerning the project problem statements, evaluation criteria and alternatives (a copy of which is included in the meeting record). He then spoke to the Hwy 217 project. He was not categorically opposed to widening Hwy 217. He wasn't sure congestion would be solved. He felt spending a half billion dollars to save 3.5 minutes didn't pencil out. He was glad tolling was being studied but it only paid for 42% of the project. For those reasons he could not support the resolution.

Councilor Park said staff was here to prepare options for the Council. He said Council did approve the criteria.

Councilor McLain said this was a perfect example that public policy work goes on for years. This Council or former Councils had considered many issues that had been raised at this meeting. She said they had a commitment to looking at the entire system.

Deputy Council President Hosticka said serving on this committee had been an eye opener for him, unless we change how we fund projects. We have to start doing things differently. He appreciated Councilor Liberty's points.

Vote:

Councilors Park, Burkholder, Newman, McLain, and Deputy Council President Hosticka voted in support of the motion. The vote was 5 aye/1 nay, the motion passed with Councilor Liberty voting no.

5.2 **Resolution No. 06-3672**, For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the amount of \$220 million to fund Natural Area Acquisition and Water Quality Protection.

Motion:	Councilor McLain moved to adopt Resolution No. 06-3672.
Seconded:	Councilor Newman seconded the motion

Councilor McLain introduced that the resolution. She noted a slide show for the public on this issue. They had already had 25 to 30 outreach meetings already. She noted the three major elements (details of this elements are included in Exhibit A). She noted that this was a willing seller program. She talked about partnerships with the public and private sector. She spoke to the 1995 Bond Measure and its successes. She said the public support and the volunteerism was extraordinary. She provided details on some of the properties that Metro had purchased from the previous bond measure. She spoke to the investment for future generations.

Jim Desmond, Regional Parks and Greenspaces Director, provided a power point presentation (a copy of which is included in the meeting record) on some of the facts on what the measure contains. He spoke to need for natural area protection. He talked about disappearing habitat and the threats to water quality. He reiterated the elements of the proposed bond measure, which was to preserve habitat. The proposal would continue the success of the 1995 bond measure.

Deputy Council President Hosticka opened a public hearing on Resolution No. 06-3672.

D Laine Young PO Box 966, Beaverton OR 97075 said she was excited about the opportunity to have some local share and the grant program. She talked about a missed opportunity. She said there was 55 acres, which had been designed as open space but never made it on the list to become a park. Now 76% of this area was built out and would not be available for a park. She said the area could have been restored as a natural area. They looked forward to having local share opportunities. She talked about Wapato Lake. She wanted to see money concentrated in areas that were being developed.

Commissioner Schouten had served on Greenspaces Policy Advisory Committee (GPAC). His comments were related to the Commissioners' discussion. They were still considering the proposal. They would prefer projects that were less controversial versus more controversial. They preferred projects that were closer into population centers. They would also prefer target areas that were more eminent to the threat of development. He felt positive about the Rock Creek area. There were very strong benefits for clean water. They also thought Cedar and Chicken Creek watershed areas were worth doing. They also supported trail corridors. It was important to realize that what we were doing here was an important investment. The natural resources, in our region, were part of the region's greatest assets.

Councilor Burkholder asked how Clean Water Service program would coordinate with this program. Commissioner Schouten felt there should be partnership. Clean Water Services could provide funding for immediate needs.

Councilor Liberty asked Commissioner Schouten about the board's discussion on the neighborhood grant program. Commissioner Schouten said they had not had a lot of discussion on that particular issue but would be discussing this in the future.

Councilor Park asked if the Commission had a position on Wapato Lake. Commissioner Schouten said he felt that the Commission opposed the Wapato Lake area but they would be having a larger discussion this next week about that area. He added that they were weary of target areas where there were a small number of property owners.

Edmund Duyck, said he represented Washington County Farm Bureau, 2020 SW 235th Hillsboro OR 97123, himself and Mr. VanderZanden. He urged keeping the farm in private ownership. A copy of his comments was included in the meeting record. He then spoke to Bob VanderZanden's comments. He was on a State committee to pay the farmer for habitat improvements.

Sue Marshall, Tualatin River Keepers, 12360 SW Main Tigard OR 97223 provided her comment in writing and summarized those comments. She thanked the Council for the public opportunities to learn about the bond measure. Councilor Liberty asked about Wapato Lake and the wildlife habitat. Ms. Marshall said Wapato Lake was important because of its wildlife habitat. Councilor Liberty asked what Ms. Marshall thought about paying the farmer for habitat improvement. Ms. Marshall responded to his question and suggested that Clean Water Services could provide some of those funds. Councilor Park talked about Wapato Lake being one of the important agricultural areas. Ms. Marshall said they wanted to support local agriculture.

Tom Wolf, 22875 NW Chestnut Hillsboro OR 97124 had three points. He was torn because he saw the value for protecting Wapato Lake but felt the money should be used for Rock Creek Basin. He said Wapato Lake recharged the system. The floodplain kept the temperature of the stream cool enough for fish. He felt there were willing farm sellers in the Wapato Lake. Councilor Liberty asked if the farmers in the Wapato Lake area were willing to sell. Mr. Wolf

said he had talked with some that were willing to sell because there was no market for their product. Councilor Park talked about urbanization versus environmental issues in the Wapato Lake.

John Driscoll, 14909 NW Covey Rd North Plains OR 97133 commented on the areas Metro had already acquired. He felt these areas had been great opportunities for children to learn about restoration. He felt acquisition outside the Urban Growth Boundary (UGB) provided opportunities for people to go outside the UGB.

Mary Ann Schwab, 605 SE 38th Portland OR 97124 asked about where the boundary was in relations to the proposed target areas. She would support the bond measure. She asked if she could use public funds to inventory and purchase public schools to preserve our trees and school openspaces. Dan Cooper, Metro Attorney, said no, they could not use these funds for those purposes.

Kathleen Newman, Audubon Society, 1553 NE Greenwood Drive Hillsboro OR 97124 said much of what she wanted to say had already been said. We needed to preserve what we have. The growth rates were mind-boggling. She talked about the view scape as you drive out of the city. Part of being an Oregonian was being in touch with the natural environment. She would like to see the properties along the ridges considered. She talked to the balance in the measure and that it looked about right. She supported the acquisition of Wapato Lake. She felt it could be a good ecotourism attraction. Oregonian were good stewards of their environment.

Dan Bloom, Orenco Neighborhood Organization, 815 NW 229th Hillsboro OR 97124 said he was in support of the bond measure. He felt the bond measure was good for asset based planning instead of market based planning. He wondered about the local share monies.

Councilor Liberty added his comments about the local share money.

Deputy Council President Hosticka closed the public hearing. The resolution would be heard again in Damascus at 2:00 p.m.. He asked Mr. Desmond about the map. Mr. Desmond said the map was changed at the request of the Council President to clarify some confusion in Washington County. Jim Morgan, Regional Parks and Greenspaces Department, said the other change was in the description on the back of the map. Councilor Newman asked that there be transparency when there were map changes. He asked about Scouter Mountain. Mr. Desmond said Scouter Mountain would be part of east buttes target area. He said in the referral of the measure they had identified proposed target areas. The Metro Council would consider acquisition after the bond measure passed. Councilor Liberty asked if Patton Valley was reviewed. Mr. Morgan said they had looked at Patton Valley. This was not included as a target area and explained why. Councilor Park clarified that the Wapato Lake area was never envisioned to be that large. He appreciated the staff's work. He asked if there were any other areas they should be sensitive to. Mr. Desmond said every one of the areas was drawn larger than what they would buy. They were trying to be broad rather than too precise. He also noted that the Damascus area was drawn larger as well. Deputy Council President Hosticka commented on the map and that it was label as recommended by the Blue Ribbon Committee.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordon, COO, said he had nothing to day.

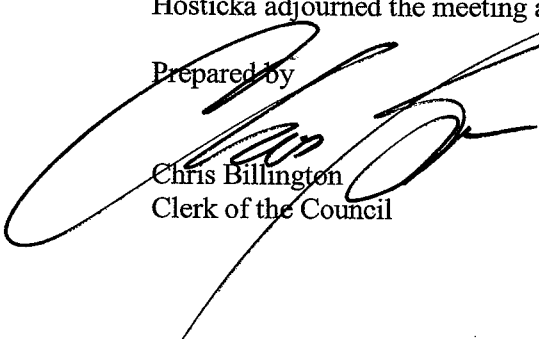
7. COUNCILOR COMMUNICATION

There were none.

8. ADJOURN

There being no further business to come before the Metro Council, Deputy Council President Hosticka adjourned the meeting at 8:50 p.m.

Prepared by



Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEBRUARY 23, 2006

Item	Topic	Doc Date	Document Description	Doc. Number
3.1	Minutes	2/9/06	Metro Council Meeting Minutes of February 9, 2006	022306c-01
4.1	"A" version	2/23/06	Ordinance No. 06-1110A , For the Purpose of Amending Title 11 (Planning For New Urban Areas) of the Urban Growth Management Functional Plan to Facilitate the Siting of Certain Public Uses in New Urban Areas.	022306C-02
5.1	Memo	2/23/06	To: Metro Council From: Robert Liberty Re: Project Problem Statement, Evaluation Criteria and Alternatives	022306c-03
5.1	Fact sheet	2005	To: Metro Council From: Jonathan Schlueter, Executive Director of the Westside Economic Alliance Re: The Cost of Congestion to the Economy of the Portland Region	022306c-04
5.1	Written Testimony	2/23/06	To: Metro Council From: Terry Parker Re: Testimony concerning Hwy 217	022306c-05
5.1	Email	2/23/06	To: Bridget Wieghart, Planning Department and Rob Drake, Mayor of Beaverton From: Ray Reardon Re: Hwy 217 proposal	022306c-06
5.2	Testimony	2/23/06	To: Metro Council From: Sue Marshall, Tualatin River Keepers Re: 2006 Metro Greenspaces Bond Measure	022306c-07
5.2	Report	June 1983	To: Metro Council From: Sue Marshall, Tualatin River Keepers Re: Streambank Erosion Control Project Upper Tualatin River	022306c-08
5.2	Testimony	2/23/06	To: Metro Council From: Edmund Duyck, Washington County Farm Bureau Re: Proposed 2006 Parks Bond Measure	022306c-09
5.2	Power Point Presentation	2/23/06	To: Metro Council From: Jim Desmond, Regional Parks and Greenspaces Director Re: 2006 Proposed Bond Measure Power Point Presentation	022306c-10