

## MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, May 30, 2006  
Metro Council Chamber

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

Councilors Absent: David Bragdon (excused), Susan McLain (excused)

Deputy Council President Hosticka convened the Metro Council Work Session Meeting at 2:03 p.m.

### 1. **DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JUNE 1, 2006/ADMINISTRATIVE/CHIEF OPERATING OFFICER AND CITIZEN COMMUNICATIONS**

Deputy Council President Hosticka reviewed the June 1, 2006 Metro Council agenda.

Richard Benner, Metro Attorney, reviewed the process for the Measure 37 claim for Darrin Black. At Thursday's meeting, Mr. Benner would first discuss the process, then the Chief Operating Officer (COO, or designee) would describe the claim (including analysis and recommendation), and then the claimant would testify. There might well be a dispute involving the valuation analysis. There was no legislative process that needed to be followed. After the claimant, the resolution would be voted on, following the COO's recommendation. Mr. Black had not yet submitted a response to Metro's decision. Staff discussed the deadlines involved. COO Michael Jordan advised that the hearing could be continued at a later date. Councilor Liberty clarified that the claimant could go to court at any time, bypassing Metro's process. Deputy Council President Hosticka asked about the option of using an executive session. Daniel Cooper, Senior Attorney, agreed that an executive session could be used during the meeting. Council and counsel discussed what should be discussed in executive session versus open session.

Councilor Liberty discussed the recent work session on two streetcar projects. Richard Brandman, Planning, described the recommendations forthcoming from various quadrants. Councilor Newman talked about negotiations that had taken place amongst some of the stakeholders. Deputy Council President Hosticka said it would be helpful to have the list of issues. Mr. Brandman said he and his staff had worked to incorporate Council concerns.

### 2. **EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(2)(e). FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO AUTHORIZE NEGOTIATIONS FOR TRANSIT-ORIENTED DEVELOPMENT PROGRAMS REAL PROPERTY TRANSACTIONS**

Time Began: 2:25 p.m.

Time Ended: 2:58 p.m.

Members Present: Meganne Steele, Lisa Miles, Andy Cotugno, Daniel Cooper, Michael Jordan, Richard Benner

After the executive session, Council discussed some of the relevant policy issues. Andy Cotugno, Planning, said they wanted to know what people were looking for. They talked about scheduling the various informational meetings and the timing of future presentations. Councilor Park said many of these issues had been addressed previously. He felt policy was not supporting the program. Councilor Newman asked about Gresham, and the fact that they were chafing at the density requirements and wanted to scale back.

Deputy Council President Hosticka had some concerns about what to do with the Salvation Army site, the list of other projects that have been planned and committed, and history of where we've been up until now. He wondered about Gresham city policy regarding relevant issues of zoning. If this information were available, would Council be able to make a decision? Councilor Liberty asked how long it would take to prepare the information on the tally sheet of projects. Mr. Cotugno said he could have it in about a week.

Deputy Council President Hosticka asked to have the Salvation Army site on the agenda for next Tuesday, then do a little more work, consult with Mr. Cotugno and Mr. Jordan, have a full review of the Transit-Oriented Development (TOD) issues, and it would be helpful to list the kinds of questions they would like to have answered. Mr. Cotugno reminded Council that policy review regarding TOD had taken place last summer.

### **3. COUNCIL BRIEFINGS/COMMUNICATIONS**

Mr. Cooper had an update from Metro Attorney Dick Benner, regarding next week's Measure 37 claim. Mr. Hammonds, Mr. Black's representative had requested that the hearing be postponed, due to a Goal 4 forestry waiver pending with the State of Oregon, which they needed to address also; if they were not successful with the State, they would withdraw their Metro claim.

#### **EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(h), TO CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION**

Time Began: 3:09 p.m.

Time Ended: 3:16 p.m.

Members Present: Andy Cotugno, Daniel Cooper, Michael Jordan, Richard Benner

After the executive session, Council engaged in a policy discussion about whether to postpone the decision on Thursday, in the Black case. Councilor Newman felt comfortable having the hearing and voting on it. Councilor Burkholder thought it might be worthwhile going through the process. Council thought they would like to walk through the process; maybe somebody would show up, if only to ask for the deferment. Council decided to proceed with the agenda item.

Councilor Burkholder said the Regional Transportation Plan (RTP) work plan would be present during next Tuesday's work session, and going to the Joint Policy Advisory Committee on Transportation (JPACT) and Council on Thursday.

Councilor Newman said that tonight at 5:30 p.m., at Riverdale High School, there would be a design workshop for the Lake Oswego to Portland corridor.

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There being no further business to come before the Metro Council, Deputy Council President Hosticka adjourned the meeting at 3:22 p.m.

Prepared by,

A handwritten signature in black ink, appearing to read 'D Hotz', written over a horizontal line.

Dove Hotz

Council Operations Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF  
MAY 30, 2006**

<b>Item</b>	<b>Topic</b>	<b>Doc Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
1	Agenda	6/1/06	Agenda: Metro Council Regular Meeting, June 1, 2006	053006c-01