

MINUTES OF THE METRO COUNCIL MEETING

September 28, 2000

Metro Council Chamber

Councilors Present: Ed Washington (Deputy Presiding Officer), Susan McLain, Rod Park, Bill Atherton, Rod Monroe

Councilors Absent: David Bragdon (Presiding Officer) and Jon Kvistad - excused

Deputy Presiding Officer Washington convened the regular council meeting at 2:04 p.m.

1. INTRODUCTIONS

Councilor McLain introduced Frans van Kaam and his son, who were visiting from the Netherlands. Mr. Van Kaam was in Portland to study Metro.

Councilor Atherton noted his discussion with Mr. van Kaam concerning transit systems and the popularity of bicycle commuting in the Netherlands.

2. CITIZEN COMMUNICATIONS

There were none.

3. EXECUTIVE OFFICER COMMUNICATIONS

There were none.

4. AUDITOR COMMUNICATIONS

- Portland Oregon Visitors Association Contract

Deputy Presiding Officer Washington moved Auditor Communications to the end of the agenda.

5. MPAC COMMUNICATIONS

Councilor Park said on September 27, 2000, the Metro Policy Advisory Committee (MPAC) unanimously adopted the Metro Technical Advisory Committee (MTAC) recommendations on the 1997-2017 Land Needs report.

1. INTRODUCTIONS (Continued)

Deputy Presiding Officer Washington welcomed Carolyn Tomei, Mayor, City of Milwaukie.

6. REM BUDGET NOTES

Terry Petersen, Director of Regional Environmental Management Department, gave a brief update on three budget notes related to his department. A copy of the budget notes includes information presented by Mr. Petersen and is included in the meeting record.

Councilor Atherton noted Mr. Petersen's comment that the region has a plethora of tires. He asked how the region is handling plastics, and if Metro has increased its sales of recycled paint.

Mr. Peterson said Councilor Atherton named the top three types of waste he believes the market development program can address.

Councilor McLain recommended keeping a record of what types of household waste are not accepted by local haulers, and instead must be given to the household hazardous waste round-up program.

7. CONSENT AGENDA

7.1 Consideration of Minutes of the September 21, 2000, Regular Council Meeting

Motion: **Councilor Park** moved to adopt the meeting minutes of September 21, 2000, regular council meeting.

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

Vote: The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Bragdon and Kvistad were absent. The motion passed.

Deputy Presiding Officer Washington noted that Presiding Officer Bragdon was currently in Seoul, South Korea, giving a presentation to the Seoul Korean Consortium on Growth and Transportation.

8. ORDINANCES – FIRST READING

8.1 **Ordinance No. 00-879**, For the Purpose of Amending the Regional Framework Plan Ordinance No. 97-715B for Statewide Planning Goal Compliance of Component 1: Urban Form and Component 2: Water Quality and Management and Flood Hazard and Declaring an Emergency

Deputy Presiding Officer Washington assigned Ordinance No. 00-879 to the Growth Management Committee.

9. ORDINANCES –SECOND READING

9.1 **Ordinance No. 00-873**, For the Purpose of Amending Metro Code Chapter 5.02 to Remove the Retrieval Rate Requirement for Regional System Fee Credit Eligibility

Motion: **Councilor McLain** moved to adopt Ordinance No. 00-873.

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

Councilor McLain presented Ordinance No. 00-873. A committee report on the ordinance includes information presented by Councilor McLain, and is included in the meeting record.

Deputy Presiding Officer Washington opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-873. Deputy Presiding Officer Washington closed the public hearing.

Vote: The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Bragdon and Kvistad were absent. The motion passed.

10. RESOLUTIONS

10.1 **Resolution No. 00-2980A**, For the Purpose of Amending the Metropolitan Transportation Improvement Program to include Section 5309 Funds to Construct a New Milwaukie Transit Center

Motion: **Councilor McLain** moved to adopt Resolution No. 00-2980A.

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

Councilor McLain noted that the Transportation Planning Committee forwarded Resolution No. 00-2980A to full council with no recommendation for adoption. The committee report on Resolution No. 00-2980A includes information presented by Councilor McLain and is included in the meeting record.

Councilor Monroe commented that Clackamas County has been waiting a long time for regional transit improvements. He said this is the first, small improvement, and there will be more in the future.

Deputy Presiding Officer Washington opened a public hearing.

Carolyn Tomei, Mayor of Milwaukie, thanked the council and Tri-Met for their support of the Milwaukie Transit Center. She reviewed the history of discussions about the best site for the transit center, and noted the reasons for selecting the site of a former Safeway store.

Phil Selinger, Tri-Met, Project Planning Director, submitted supplemental information, titled Milwaukie Transit Center Project Description. Information presented by Mr. Selinger is included in the Milwaukie Transit Center Project Description, a copy of which is included in the meeting record.

Mayor Tomei added that the junior high school site is up for sale, and a bond measure will go before the voters this fall to purchase the site for development as a community center. The junior high site is next to the high school, one block from St. John's Catholic School, and immediately adjacent to a residential neighborhood. The neighborhood has expressed concern about turning the site into a transit center, because of increased transportation problems.

Mr. Selinger noted that the proposed transit center on the Safeway site would use three-quarters of the site. The remaining land would be used by the city for a transit-oriented development (TOD) project.

Martha Bennett, Assistant City Manager/Community Development, City of Milwaukie, reviewed the Milwaukie downtown plan, which was adopted by the Milwaukie City Council on September 19, 2000. She noted that the junior high site was studied, but presented three main technical problems. First, the school itself is listed in the National Register of Historic Places, which severely limits the city's ability to build a transit facility on the site. Second, the site is community openspace, so additional federal regulations apply. Third, three natural springs occur on the property, which raises a number of environmental regulatory issues.

Councilor McLain thanked Mayor Tomei, Mr. Selinger and Ms. Bennett for answering the six questions she had raised at committee.

Councilor Atherton asked if the Safeway site could be connected to a commuter rail line in the future.

Mr. Selinger said Councilor Atherton's exact proposal had not been studied, but he thought there might be problems related to turning radii.

Fred Nussbaum, Chair of the Portland Chapter of the Association of Oregon Rail and Transit Advocates (AORTA), 6510 Southwest Barnes Road, Portland, noted that AORTA submitted a letter of testimony to the Joint Policy Advisory Committee on Transportation (JPACT). A copy of his letter includes information presented by Mr. Nussbaum and is included in the meeting record. He said AORTA supports a new transit center in Milwaukie, but strongly objects to stating a specific site in the resolution. He said other studies should be completed before the Safeway site is chosen.

Ray Polani, Co-Chair of Citizens for Better Transit, director of AORTA, and member of Friends of the Earth, 6110 Southeast Ankeny Street, Portland, said he supported the resolution in general, but opposed the site specific part of the resolution. He said it is essential to use the scarce transit dollars in the most efficient way possible, by siting the transit center near an existing rail line. He urged the council to remove the site specific part of the resolution.

Jim Howell, 3325 Northeast 45th Avenue, Portland, noted that he has testified before the Transportation Planning Committee and JPACT on this issue. He said the transit center project has been proposed for the wrong reasons, and would actually be a detriment to transit riders because it would take away funds that would otherwise go to bus operation. He said the Safeway site was proposed for two reasons: 1) because of a bad real estate decision made by the Milwaukie City Council several years ago, and 2) because of prejudice against transit riders. He said people objected to the lumberyard site because of its proximity to two schools, which was like comparing a transit center to a pornography shop. Proximity to schools should be considered an asset, not a liability. He said siting the transit center at the Safeway site would delay the possibility of an east-west commuter rail by at least five to ten years. He added that the option of a rail line along 21st Avenue was never mentioned in the six public hearings held in Milwaukie, and would not be politically feasible.

Mr. Polani submitted a fact sheet on the Wilsonville to Beaverton Commuter Rail Study, a copy of which is included in the meeting record. He drew the council's attention to the "National Trends" listed at the bottom of the fact sheet.

Councilor Atherton asked Mr. Howell, Mr. Polani and Mr. Nussbaum how they would rank the junior high school site in terms of neighborhood preservation and supporting land use. He noted that the matrix submitted by Mr. Selinger rated the compatibility of the junior high site as low in both categories.

Mr. Howell said he would rank the junior high site as highly compatible, because both the lumberyard and junior high sites are closer to downtown Milwaukie. He added that their proposal would site the transit center west of the rail line, not on the east side where the neighborhoods are located.

Mr. Polani added that while the business district of Milwaukie may be narrowly defined as west of the rail line, the heart of the city straddles both sides of the rail line.

Mr. Nussbaum said he agreed with Mr. Howell. He noted that a transit center at the junior high would be highly compatible with a community center.

Mayor Tomei said the Safeway site is in the middle of Milwaukie's business district, where a number of new jobs will be created. She said the new jobs will be located along Main Street, not along Harrison, where the junior high is located.

Councilor Atherton asked if the analysis considered a possible train stop at the junior high site.

Ms. Bennett said they considered the junior high site, but there were environmental considerations.

Mayor Tomei said there was no perfect site, but the Safeway site best supported Milwaukie's downtown and neighborhood plans.

Councilor Park asked Councilor Monroe where in the resolution the Safeway site is mentioned.

Councilor Monroe directed Councilor Park's attention to the eighth paragraph of the resolution, which read, "relocation of the Milwaukie Transit Center to an off-street location one block north of the current center."

Deputy Presiding Officer Washington closed the public hearing.

Councilor Monroe said he had the utmost respect for the people who testified and their advocacy of transit. He said the Metro Council has two options: 1) to approve the resolution as written, or 2) to send it back to JPACT. The council did not have the authority to amend the resolution. He said while the Safeway site was not perfect, it had the support of the community, which was essential to the future of transit in the region. He said it is critical for Metro to be on the record supporting transit developments in Clackamas County. He said the only option that would be eliminated by the Safeway site would be commuter rail to the north. However, he has spoken with Metro planning staff, who said the possibility of creating a north commuter rail is slim regardless.

Councilor Atherton said he would support Resolution No. 00-2980A, because it was supported by the City of Milwaukie.

Deputy Presiding Officer Washington said very few things are perfect in this world. He said he would support Resolution No. 00-2980A because he supported Mayor Tomei, and because it was a local decision.

Councilor McLain closed by noting that this was a local decision and a regional transit system, and both elements were important. She noted that all the speakers agreed that Milwaukie needs an improved transit center, which Resolution No. 00-2980A will accomplish. She added that siting the transit center at the Safeway site will not preclude a regional commuter rail in the future.

Vote: The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Bragdon and Kvistad were absent. The motion passed.

11. NOTICE OF RECORD CLOSURE EXTENSION

11.1 **Ordinance No. 00-871**, For the Purpose of Completing Council Consideration of Urban Growth Boundary Amendments Required by ORS 197.299, Completing Periodic Review Work Task 1 and Adopting Amendments to the Regional Framework Plan and Section 3.01 of the Metro Code

Deputy Presiding Officer Washington read the Presiding Officer Announcement Regarding Ordinance No. 00-871, a copy of which is included in the meeting record.

Councilor Park noted that the record will close on October 6, 2000, at 5 p.m.

Councilor McLain said she had to leave prior to the Auditor's report, due to a family obligation.

4. AUDITOR COMMUNICATIONS

- Portland Oregon Visitors Association Contract

Alexis Dow, Metro Auditor, presented her audit on the Portland Oregon Visitors Association (POVA) Contract. A copy of her presentation includes information presented by Ms. Dow, and is included in the meeting record. She thanked the staff of POVA for its cooperation during the audit.

11. COUNCILOR COMMUNICATIONS

Councilor Atherton said with respect to the council's decision on the Milwaukie Transit Center, it may be possible to use transit vehicles that work on both rail and streets. He noted that such vehicles were common in the United States in the 1930s.

Councilor Monroe said he recently returned from the Cascadia Conference in Eugene, Oregon, where he spoke on the region's Bi-State Transportation Committee. Cascadia Conference focused on integrating land use and transportation planning along the I-5 Corridor between Eugene, Oregon, and Vancouver, British Columbia. He added that on behalf of Presiding Officer Bragdon, he and Executive Officer Mike Burton spoke with the Westside Economic Alliance this morning, regarding the Regional Transportation Plan and options for funding the plan.

Deputy Presiding Officer Washington noted that council, Transportation Planning Committee, Metro Operations Committee, and Regional Environmental Management (REM) Committee were cancelled next week.

12. ADJOURN

There being no further business to come before the Metro Council, Deputy Presiding Officer Washington adjourned the meeting at 3:36 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF SEPTEMBER 28, 2000

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

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
092800c-01	9/21/2000	Minutes of the Metro Council Meeting, September 21, 2000		Consent Agenda
092800c-02	9/28/2000	Resolution No. 00-2980A and Staff Report		Res. No. 00-2980A
092800c-03	9/27/2000	Transportation Planning Committee Report on Resolution No. 00-2980A	FROM Susan McLain	Res. No. 00-2980A
092800c-04	9/27/2000	Milwaukie Transit Center Project Description	TO Metro Council/ FROM Phil Selinger, Tri-Met	Res. No. 00-2980A
092800c-05	9/12/2000	Letter RE: Res. No. 00-2980A - Amend the MTIP to include Section 5309 funds to construct a new Milwaukie Transit Center	TO JPACT members/ FROM Fred Nussbaum, AORTA	Res. No. 00-2980A
092800c-06	9/28/2000	Wilsonville to Beaverton Commuter Rail Study; Background on Commuter Rail	TO Metro Council/ FROM Ray Polani	Res. No. 00-2980A
092800c-07	9/28/2000	Presiding Officer Announcement Regarding Ordinance No. 00-871		Ord. No. 00-871
092800c-08	9/28/2000	Portland Oregon Visitors Association Contract	FROM Alexis Dow	Auditor Communications