

MINUTES OF THE METRO COUNCIL MEETING

Thursday, March 15, 2007
Metro Council Chamber

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

Councilors Absent: David Bragdon (excused)

Deputy Council President Park convened the Regular Council Meeting at 10:33 a.m.

1. INTRODUCTIONS

Jonathan Makler, Transportation Operations Program Manager for Metro and the City of Portland, presented the "Congestion Management Report." He provided a PowerPoint for the record (a copy of which is included in the record). He noted that there were two parts to the presentation: Highway Health and Accessibility, and Congestion and Corridors. Councilor Liberty asked about the area this study covered. Mr. Makler responded that this was in the metropolitan area. Councilor Burkholder commented on congestion and subjective perceptions. Mr. Makler said there were studies that looked at subjective perception versus reality. Deputy Council President Park asked Mr. Makler to describe the Metropolitan Planning Organization (MPO) boundary. Mr. Makler responded to his question. Council Deputy President Park commented on impacts outside the MPO boundary. Councilor Harrington asked Mr. Makler to explain the key on the right having to do with congestion on Hwy 26. Mr. Makler shared what information was on the key. Councilors continued to ask questions about the report. Mr. Makler noted congestion findings. Deputy Council President Park asked Mr. Makler to talk about freight impacts. Mr. Makler summarized the findings on freight movement. Councilor Burkholder asked if we had similar data for the transit system. Mr. Makler indicated that this was the next step in the study. He then addressed multimodal corridor issues. Councilors talked about impacts from neighboring cities. Mr. Makler spoke to the implications for congestion management. Councilors added concluding remarks about the study and their hopes for additional information.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the March 8, 2007 Regular Council Meeting.

Motion:

Councilor Harrington moved to adopt the meeting minutes of the March 8, 2007 Regular Metro Council.

Vote:

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

4. ORDINANCES – FIRST READING

- 4.1 **Ordinance No. 07-1145**, Amending the FY 2006-07 Budget and Appropriations Schedule Providing for Expenditures Related to the Regional Parks and Greenspaces Department and Declaring an Emergency.

Deputy Council President Park assigned Ordinance No. 07-1145 to Council and indicated that the Council President would place this item on a future agenda.

5. RESOLUTIONS

- 5.1 **Resolution No. 07-3773**, For the Purpose of Allocating \$64.0 Million of Transportation Priorities Funding for the Years 2010 and 2011, Pending Air Quality Conformity Determination.

Motion:	Councilor Burkholder moved to adopt Resolution No. 07-3773.
Seconded:	Councilor Liberty seconded the motion

Councilor Burkholder provided a review of the resolution having to do funding for the transportation priorities for 2010 and 2011. He noted key goals, which had to do with performance measures. He talked about the public outreach and hearings for this funding. He urged support.

Councilor Liberty talked about the projects that couldn't be funded. He wished we were funding a lot more of these projects. Councilor Harrington noted that local governments and agencies had put a lot of work into defining these projects. It was disappointing that they couldn't fund more of these projects. There was simply not enough money to make progress in the local communities. She commented on the Hwy 217 project. Councilor Newman echoed the other councilors' comments. He said there was concern from the Joint Policy Advisory Committee on Transportation (JPACT) about the number of categories and appropriateness of categories. He thought it would be a good idea to debrief on the process. Deputy Council President Park thanked Councilor Burkholder, staff and the Council for their work on this process. He felt this had been a smooth process. Councilor Burkholder thanked Ted Leybold, Planning Department, for his work. He acknowledged Amy Rose, Planning Department, who had also helped on the project.

Vote:

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

- 5.2 **Resolution No. 07-3793**, For the Purpose of Accepting the Chapter 1 Regional Transportation Policy Framework as the Provisional Draft for the Purpose of Completing Phase 3 of the 2035 Regional Transportation Plan (RTP) Update.

Motion:	Councilor Burkholder moved to adopt Resolution No. 07-3793.
Seconded:	Councilor Newman seconded the motion

Councilor Burkholder said this married well with Mr. Makler's presentation. He said his presentation was some of the research work for the next phase of the RTP. He noted that this process was still continuing. This was the outreach component of the RTP and the first step in a long process. They would then move ahead to Phase 3 of the process. We were restricted by the

federal government because we needed to have a plan that was fiscally prudent. He spoke to the endorsements for the Chapter from Metro Policy Advisory Committee (MPAC) and Joint Policy Advisory Committee on Transportation (JPACT). They would be continuing this process over the next six months. He urged approval.

Councilor Liberty said this was a big step forward. They were doing land use and transportation in an integrated fashion. He shared his thoughts about economic equity, environmental justice, and system performance. He also expressed concern about the complexity of the document and if we had other ways of ensuring what we wanted. Deputy Council President Park talked about the limits of funding. He noted areas that we had prioritized. They had not had a robust discussion about the geographical locations of developed versus undeveloped areas. There were some very hard choices that had to be made. He also talked about freight. Tom Kloster, Planning Department, spoke to the freight concepts that had been vetted through the Freight Committee. There would be fine-tuning as they moved through the next phase. Councilor Harrington thanked staff for their incredible patience. They had come up with a new approach. There was a tremendous amount of work ahead to get them through the next phases. The Council appreciated the time and work that staff had invested in this process.

Councilor Burkholder asked staff what was the best way for citizens to comment on this work. Mr. Kloster said they would take comments on line. They saw this as a benchmark and direction from Council to keep going. He thanked staff, Kim Ellis and Tom Kloster as well as others in the transportation department.

Vote:

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

5.3 **Resolution No. 07-3785**, For the Purpose of Reprogramming a Portion of the FY 06-07 Housing Budget.

Motion:	Councilor Liberty moved to adopt Resolution No. 07-3785.
Seconded:	Councilor Newman seconded the motion

Councilor Liberty said this resolution provided \$44,000 in funds to carry forth some of the work identified in the Housing Choice Task Force. They would be using these funds for a housing inventory as well as to establish a regional fund.

Vote:

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

5.4 Removed from the agenda.

5.5 **Resolution No. 07-3784**, For the Purpose of Entering an Order Relating to the Robert and Sharon Martin Claim for Compensation under ORS 197.352 (Measure 37).

Ray Valone, Planning Department, reviewed the claim. The claim was on 29.1 acres in two lots. The property was located in Damascus. The zoning at the time of the Urban Growth Boundary (UGB) expansion was Clackamas County EFU. In the Chief Operating Officer's (COO's) report they assumed the claimant was disputing the 20-acre temporary hold. He spoke to the claimant's

proposed use. He said upon staff's analysis, they concluded that the property was not reduced but likely increased in value. The COO's recommendation was to deny the claim.

Councilor Liberty asked if this was the same analysis that had been used for other claims. Mr. Valone said yes.

Sharon Martin, 19715 SE Heuke Rd, Damascus, OR 97089 said they were the owners of the claim. She didn't object to the denial of the claim. They had purchased the property as an investment in 1995. She noted several misstatements on the claim. They had never asked for compensation. They wanted to protect their interest concerning the wetlands. They never received notice that they had been zoned for the 88 acres. They did purchase the properties as one piece and then subdivided two acres. She talked about refinancing but they had owned the property since March 1975. She noted Clackamas County's response on zoning. They had been zoned for one-acre lots. She did not object to the development of property into smaller lots. They were waiting from Damascus to come through with their plans and would be working with Damascus. Councilor Newman asked why they filed the claim with Metro. Ms. Martin said before they filed the claim with Metro they had no idea if their property would be declared open spaces.

Councilor Newman asked if the claimants could withdraw the claim. Dick Benner, Senior Attorney, summarized that Ms. Martin was concerned about how the City of Damascus would zone their property. Councilor Newman asked if Ms. Martin would prefer that they act on the COO's recommendation or withdraw the claim. Ms. Martin asked what the benefit would be to withdrawing the claim. Mr. Benner explained the claimant's options. Councilor Harrington asked if it was a good idea to delay their decision. Mr. Benner recommended against this idea and talked about the deadlines for Measure 37. Deputy Council President Park asked about the zoning at the time Metro brought the property into the UGB. Councilor Liberty explained the claimant's choices. If they concluded there was no reduction in value, they had to deny the claim. Councilor Burkholder talked about the housing design program. Ms. Martin asked who had the ultimate say on zoning? Councilor Newman said it was the City of Damascus. Deputy Council President Park said then the City of Damascus had to have their planning approved by the State of Oregon. Deputy Council President Park explained that Metro brought the land into the UGB and put a temporary hold until City of Damascus adopted their plan. Mr. Benner said under state law, the City of Damascus must submit their plan by December 2008. Ms. Martin said they had been attending the concept planning meetings with the City of Damascus. She talked about the history of their property. Deputy Council President Park urged her to participate in the planning discussion.

Motion:	Councilor Burkholder moved to adopt Resolution No. 07-3784.
Seconded:	Councilor Park seconded the motion

Vote:

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

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, said last Friday was the opening of Black Bear Ridge at the Oregon Zoo. This week Metro had received word that we have received a triple A rating. This would allow Metro to have lower interest rates, which would ultimately save us and the taxpayers money. It could save up to about \$7 millions. He noted the press release.

7. COUNCILOR COMMUNICATION

Councilor Hosticka said the bill in the Oregon Legislation that gave Metro a two-year extension on our UGB action passed out of the House and would move to the Senate.

Councilor Harrington updated the Council on MPAC meeting last night. The performance standards on Material Recovery Facilities was discussed with that committee. Staff was moving forward on defining the administrative rules.

Councilor Burkholder said he and Councilors Newman and Park went to Washington D.C. to talk to the elected officials about transportation and funding for maintaining the St. Johns Landfill dyke.

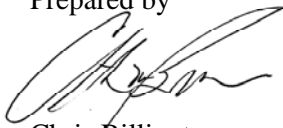
Councilor Liberty said this morning was the first in a series of Economic Speakers forums co-sponsored by Portland State University. He talked about future Economic Speakers forums.

Deputy Council President Park talked about the information being gathered on the Headquarters Hotel.

8. ADJOURN

There being no further business to come before the Metro Council, Deputy Council President Park adjourned the meeting at 12:28 p.m.

Prepared by



Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
MARCH 15, 2007**

Item	Topic	Doc. Date	Document Description	Doc. Number
1.1	PowerPoint Presentation	3/15/07	To: Metro Council From: Jonathan Makler, Planning Department Re: Congestion Management Report PowerPoint	031507c-01
3.1	Minutes	3/8/07	Metro Council Meeting Minutes of March 8, 2007	031507c-02