

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, June 19, 2007
Metro Council Chamber

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

Councilors Absent: David Bragdon (excused)

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

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JUNE 21, 2007//ADMINISTRATIVE/CHIEF OPERATING OFFICER COMMUNICATIONS

Deputy Council President Park reviewed the June 21, 2007 Metro Council agenda. Councilor Harrington asked to remove item 5.2 (Resolution No. 07-3802) from the consent agenda and place it after item 6.2 (Ordinance No. 07-1147). Both related to waste recovery, and staff advised that the ordinance should be passed before the resolution. Public testimony was expected. She would be making an amendment before the vote.

Councilor Newman asked about item 7.2 (Resolution No. 07-3804) regarding Cornelius. Was that the final action? Councilor Harrington said it was; the item had been passed unanimously at the Metro Policy Advisory Committee (MPAC) with no controversy.

Councilor Harrington added that she had heard concerns from constituents about Oregon Zoo elephants. Councilor Newman believed that it was one particular person, and that Zoo staff were working to address the person's concerns.

2. LAKE OSWEGO TO PORTLAND TRANSIT AND TRAILS ALTERNATIVE ANALYSIS UPDATE

Councilor Newman said staff was here today to give information on the Milwaukie-Lake Oswego connection, financing scenarios, development potential, and decision-making schedule. There was no decision needed today; it was a chance to identify issues and ask questions, not to comment on the individual options. Richard Brandman, Transit Program Director, said the overarching issue was how this project fit in with the regional planning effort. This regional rail system plan had been on the books for about 20 years. A question to be answered in the fall was, did it make sense to go forward with a project in this area? He also had capital cost and ridership information, responding to the Council's interest in connecting across the bridge to the Milwaukie light rail project. Ross Roberts, Transit Program Director, gave a PowerPoint presentation and distributed a handout on visual simulations (a copy of each is included in the meeting record). He introduced Dave Unsworth of TriMet, to talk about the rail from downtown Milwaukie to Lake Oswego. Mr. Unsworth said they had cost information that included the line from Lake Road, a new bridge across Kellogg Lake, new underpasses, and a station. A major issue was choosing between parallel or shared use. The parallel use was costed at \$212 million in today's dollars. Using existing rail lines would lower the capital cost but would require upgrading all the track, fixing the existing bridge, and paying annual operations and insurance fees. Freight traffic would be limited to between one and five o'clock in the morning. The figure for shared use had not been completed yet; it may not really be that much lower. He responded to Councilor Liberty that the Kellogg Lake bridge alone would be in the \$20 million zone.

Mr. Roberts added that the increase in daily ridership to the Milwaukie line would be about 6,000. He recapped the ridership and travel time figures. There was the potential for streetcar travel times to improve over auto travel times by the year 2025. Congestion was projected to be a big factor. Councilor Liberty asked for a more detailed description of the no-build travel time projection of 42 minutes. Mr. Roberts said the no-build would be the existing bus service. Councilor Liberty asked if it was possible to show travel times for automobiles along with bus rapid transit (BRT). Mr. Roberts didn't think that would affect auto travel times. He talked about in-vehicle times from PSU to West Linn. Auto, streetcar, and BRT were all competitive. Councilor Newman asked if the streetcar time included the bus trip. Ross said it did and agreed that information would enhance the graphic. Average daily ridership was expected to increase fivefold by 2025. He showed slides on capital costs. It did not include the opportunity cost of what the trail would displace (due to the loss of federal funding). Cumulative operating costs were consistent with other costs. Councilor Liberty wondered if the figures were discounted to present value. He found the comparison difficult to grasp.

Mr. Roberts turned to cost-effectiveness measures. The streetcar had higher one-time capital costs and lower operating costs; BRT had the opposite. Regarding development impacts, all forecasted development used existing zoning. The alternatives all predicted significant development. He then talked about funding scenarios. One involved New Starts federal funding. He finished with next steps—the completion of remaining documents, the public comment period, and the decision process. The steering committee was to meet June 21 and then not again until fall.

Councilor Newman said Council needed to very clearly express what information they needed in order to be comfortable with any of the alternatives. This was not the time to express a preference for a specific alternative. Councilor Liberty had a comment about the ridership on the extension of the Portland Milwaukie line. The \$212 million figure accounted for 6,000 additional boardings; what would be the volume for streetcar? Mr. Brandman said it would be about 7,000 riders coming from south of Nevada Street for \$139 million, vs. 6,000 from Milwaukie at \$210 million. Councilor Newman asked if the shared scenario would be revisited. Mr. Unsworth observed that the capital cost information was fairly complete; operating costs were harder to nail down. Councilor Liberty was still interested in seeing cost information on the shared alternative.

Councilor Hosticka said he had been thinking of commuter rail as heavy rail on the existing line, not as light rail. Had commuter rail even been analyzed? Mr. Brandman said that would be looked at as part of the system plan. Councilor Hosticka was confused about what would go between the Lake Oswego segment and the Johns Landing segment. Councilor Newman supported Mr. Brandman's statement that information on those corridors would become available during the system planning. Mr. Brandman added that they were trying to answer the question of how to have a direct transit connection from Lake Oswego to Milwaukie; the transfer mode from commuter rail to light rail would affect the analysis.

Councilor Liberty asked about the cost of the minimum operable segment (MOS). Mr. Roberts replied that it would be around \$30 million for a one to one-and-a-half mile extension. Councilor Liberty wondered if the project could be done in pieces. Mr. Brandman thought the process was driven by what mode we were interested in and by the extent of the project. Information on different MOS's could come as a result of those decisions. Councilor Hosticka observed that a better way to compare costs would be to merge capital and operating costs and give a single number in terms of net present cost. Mr. Roberts said more detail would come as they got deeper

into the alternatives. Councilor Liberty agreed with Councilor Hosticka; he also questioned the figures on development potential.

Denny Egner, Planning Director for the City of Lake Oswego, happened to have a zoning map with him. He pointed out the foothills industrial area. There was significant redevelopment opportunity there. Councilor Liberty asked for information about the redevelopment in the Portland Brewery Blocks. He thought it had been about a million square feet total. He asked Mr. Denny about Lake Oswego's 35-foot height limit. Mr. Denny said the limit was actually 60 feet; that stepped down as it got closer to residential areas. Councilor Liberty requested that the staff analysis include a comparison of the square footage, with and without streetcar, from a return on investment perspective.

Councilor Newman wondered if the statement about development being based on existing zoning included industrial use of the foothills, with no residential or riders coming from the industrial zone. Mr. Egner responded that the capacity without new zoning could include 2,000 additional units. Mr. Roberts said they had looked at that as part of the ridership forecasts. Councilor Newman said it seemed as if the ridership figures assumed new zoning in the foothills, but the development figures did not. Mr. Roberts said he would take a look at that. Councilor Newman said the foothills had been the subject of debate for quite a long time; what was the current status? What was the current view of the property owners? Mr. Egner stated that the property owners had hired a new consultant; they were waiting for the results of that study. There was some tension between the property owners wanting more intense zoning, and neighborhood associations wanting less dense zoning. It was in a sort of holding pattern for now. Councilor Newman observed that other streetcar projects had included language on development agreements; he wondered what was being done with this project. Mr. Egner described some of the efforts that had been made along those lines.

Councilor Newman appreciated the requests for information. Further questions needed to be given to him by the end of the week. Deputy Council President Park asked for more information on annualized costs, and on the relationship between the high initial costs of operating and TriMet's ability to operate the lines long-term. Councilor Newman agreed more discussion with TriMet was warranted. Mr. Brandman noted that there was a lot about this project that was speculative. Councilor Newman wondered when the more detailed information would be available. Mr. Brandman replied that it would come in the Environmental Impact Statement (EIS) phase. By the end of the draft EIS, the TriMet question would be answered. Councilor Newman asked for some better sense of how it would affect other transportation projects; how did they compete or complement each other? Mr. Roberts mentioned that Council had a separate handout on visual simulations (a copy is included in the meeting record); those could be reviewed at the July 24 work session.

3. OREGON ENVIRONMENTAL COUNCIL STORMWATER SOLUTIONS TEAM PRELIMINARY RECOMMENDATIONS

Stacey Triplett, Nature in Neighborhoods Manager, introduced Teresa Huntsinger, Oregon Environmental Council, who distributed an updated version of the stormwater solutions document (a copy is included in the meeting record). Ms. Triplett said Metro had been participating in a statewide team. This was an early look at something that would be discussed through the whole system. Today she wanted to give Ms. Huntsinger the opportunity to walk through the draft, and to focus on the questions from the worksheet. Councilor Harrington asked if the intent was for Council to call out specific recommendations for approval, or were the recommendations to be

approved as a set? Ms. Triplett said it was not all or nothing. All the partners would be actively discussing all the recommendations throughout the summer.

Ms. Huntsinger identified Gail Shaloum, Senior Development Practices Coordinator, as Metro's representative on the stormwater team. Ms. Shaloum would need to know about the Council's concerns so she could accurately present those to the team. Ms. Huntsinger encouraged Councilors to express their level of support for individual recommendations, as well as to identify those that they found problematic. After the report was completed, Metro would be requested to put some effort into promoting the recommendations region wide. Ms. Triplett added that many of the recommendations were already supported by Metro policy, code, and goals and objectives.

Deputy Council President Park questioned the lack of a team representative from the landscaping industry. Ms. Huntsinger said she had tried to recruit a landscaper but couldn't find one whose schedule could accommodate the team. Councilor Newman asked if the recommendations on legislation were considered state wide or regional. Ms. Huntsinger said it was for state level legislation; the legislative concept would need a lot of work. Metro had already adopted many of the recommendations in Title 13.

Councilor Harrington asked what was considered a "smaller city." Ms. Huntsinger responded that, in this context, it would be cities that were not subject to the Department of Environmental Quality's (DEQ) permitting requirements for the 1200-C stormwater construction program; roughly, cities with less than 100,000 population. Ms. Shaloum thought that translated on the ground as meaning cities that didn't have their own staff to be involved in the permitting process. Councilor asked to see that more clearly defined. Ms. Triplett stated that the final goal was the endorsement in September. Today was starting the conversation. If approved, Ms. Shaloum would endorse the recommendations on behalf of Metro and the Metro Council.

Councilor Harrington asked why the recommendations called for greater consistency. Ms. Huntsinger said that issue had come up a lot in the team discussions. It was frustrating for people to encounter different standards across jurisdictions. Councilor Harrington asked about items from the recommendations in the agenda packet, compared with items from the new version. Ms. Huntsinger said the new version was just the priority list; those recommendations would be included in the executive summary. The ones from the packet were not going away, they just wouldn't be as high priority.

Councilor Burkholder wondered about the pieces that Metro would be asked to do. Ms. Huntsinger replied that Metro's endorsement of the report did not commit us to any particular action. Many of the recommendations were closely related to Metro's portfolio, such as promoting the removal of jurisdictional code barriers, developing regional stormwater goals, and increasing coordination between jurisdictions. Deputy Council President Park wanted to make sure Metro did not end up at cross-purposes with DEQ. Councilor Burkholder wondered which recommendations would affect Metro. Councilor Hosticka preferred a supportive approach over heavy regulation.

Ms. Huntsinger said the team's primary recommendations were in the educational category. Metro programs could be used as models for stormwater treatment in growing communities. The team wanted to bring in as many partners as possible, emphasizing education of elected officials and staff as well as developers and builders.

Deputy Council President Park wondered about the potential implication that compliance would provide some kind of immunity from accountability for performance; what would happen if a jurisdiction followed all the recommendations, but they still had problems? Ms. Huntsinger believed that was the nature of DEQ stormwater permit programs—they did not currently require local jurisdictions to meet water quality standards; they required them to put best management practices (BMPs) in place and basically do their best. Deputy Council President Park wasn't sure what incentive we had to offer jurisdictions that followed all the recommendations but were less than 100% successful. Ms. Triplett observed that one of our tools was the REIN.org web site as a clearinghouse for suggestions.

Councilor Liberty commented on a recent study on green vs. conventional development in Vancouver, Canada. Successful green development showed net lower cost for both the public and the private side. Statistics on our own metro area could help us make the case here. Ms. Huntsinger observed that governments thought green development was less expensive; developers thought it was more expensive. Councilor Liberty noted the innovative stormwater treatment at Rivertech Center; the local jurisdiction had argued against any benefit accruing to a private developer. The team had presented a big laundry list. What were the priorities in terms of water quality? Ms. Huntsinger said there was difficulty in answering that question. There was a serious lack of stormwater monitoring taking place. She knew that mercury and high temperatures were big factors. Councilor Liberty stated that clarification of the priorities would be helpful. Ms. Shaloum felt that anything that would get the water into the ground instead of into a pipe would help, and that could be different in different areas and jurisdictions. Ms. Triplett looked at it in terms of getting multiple functions out of the plan.

Deputy Council President Park asked about the timeline for the endorsement. Ms. Huntsinger said the target was late fall, but the sooner Metro weighed in, the better. Please forward comments to Ms. Triplett's staff. Councilor Burkholder asked which document to comment on, the one in the packet or the one they had distributed. Ms. Huntsinger said both. Ms. Triplett said the difference was, the packet contained the complete listing of recommendations; future drafts would show some prioritization. They wanted Council to have the chance to weigh in at this point. Council was comfortable with staff proceeding.

4. BREAK

**5. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e),
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL
PROPERTY TRANSACTIONS**

Time Began: 3:48 p.m.

Time Ended: 4:42 p.m.

Members Present: Paul Garrahan, William Eadie, Jim Desmond, Kathleen Brennan Hunter, Dan Cooper, Jim Morgan

6. COUNCIL BRIEFINGS/COMMUNICATIONS

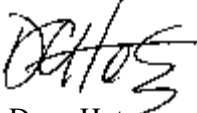
Councilor Newman observed to Mr. Desmond that the full Council had never received a briefing about the upcoming parks summit. Mr. Desmond said it was Council President Bragdon's event. There had been approximately 200 people invited—not the usual suspects, but business people

who had donated to the campaign or who had expressed interest but had not otherwise been very engaged, people in the tourism industry, people who should be natural allies of parks but hadn't yet been engaged, athletic shoe companies, and the green development community. The focus would be on how the business community and parks insiders could be more actively engaged in supporting this work at a regional level, not for Metro but for all the park providers, and how could the park providers provide a more seamless product to the public. There were three main subjects: 1) what was the regional system, what did we have now, the strengths and shortcomings, and future opportunities, 2) funding, how to strategically get more state and federal funding rather than fighting over the existing pie, and 3) marketing. Councilor Burkholder was a bit concerned about the lack of inclusion of the rest of Council in this event; he contrasted it with the extra efforts he had made to include the rest of the Council into the conservation education funding project. Councilor Newman said the lack of communication resulted in his lack of investment in the outcomes. Mr. Desmond said the interest level had gone up several notches because of the presence of Chicago's Mayor Daley.

Councilor Hosticka said Bill Bradbury was not going to be here on Thursday.

There being no further business to come before the Metro Council, Deputy Council President Park adjourned the meeting at 4:49 p.m.

Prepared by,



Dove Hotz
Council Operations Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
JUNE 19, 2007**

Item	Topic	Doc. Date	Document Description	Doc. Number
1	Agenda	6/21/07	Agenda: Metro Council regular meeting, June 21, 2007	061907c-01
2	LOAA	6/19/07	To: Metro Council From: Ross Roberts Re: Lake Oswego to Portland Transit and Trail Study (PowerPoint)	061907c-02
2	LOAA	6/19/07	To: Metro Council From: Ross Roberts Re: Lake Oswego to Portland Transit and Trail Study, Visual Simulations	061907c-03
3	Stormwater	6/18/07	To: Metro Council From: Teresa Huntsinger Re: Oregon's Stormwater Solutions Team	061907c-04