

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 1, 2007
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Robert Liberty, Carl Hosticka, Rod Park , Rex Burkholder (by phone)

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. VOTE ON DISTRICT 2 CANDIDATES

Council President Bragdon outlined the process and called for nominations. He noted that the nomination must be seconded.

Motion:	Councilor Hosticka moved nominated Sue Marshall.
Seconded:	Councilor Liberty seconded the motion

Motion:	Councilor Harrington moved to nominate Dennis Derby
Seconded:	Councilor Hosticka seconded the motion

Motion:	Council President Bragdon moved to nominate Carlotta Collette
Seconded:	Councilor Liberty seconded the motion

Written signed ballots were turned into the Clerk of the Council.

Clerk of the Council announced that Sue Marshall received three votes, Dennis Derby received one vote and Carlotta Collette received 2 votes. Councilor Harrington voted for Dennis Derby, Councilor Burkholder and Council President Bragdon voted for Carlotta Collette and Councilors Park, Liberty and Hosticka voted for Sue Marshall.

Council President Bragdon announced that Dennis Derby having received one vote was eliminated from the next round of vote. He asked Councilors to vote again. Carlotta Collette received three votes and Sue Marshall received three votes.

Councilors Harrington, Burkholder and Bragdon voted for Carlotta Collette, Councilors Park, Liberty and Hosticka voted for Sue Marshall.

Council President Bragdon announced that this item would be held over until November 6, 2007. Councilors made remarks about District 2 candidates and all councilors thanked the 11 candidates who applied.

3.1 **Resolution No. 07-3865**, For the Purpose of Appointing a Replacement Councilor to Fill the Office of Metro Councilor for Council District 2. – delayed until November 6, 2007

4. OATH OF OFFICE FOR DISTRICT 2 – Delayed until November 6, 2007

5. METROPOLITAN EXPOSITION RECREATION COMMISSION (MERC) PERFORMANCE MEASUREMENT SYSTEMS

Suzanne Flynn, Metro Auditor, summarized her report on performance measures (see summary in the report). They found staff to be very responsive and receptive. David Woolson, MERC Chief Executive Officer, added that it had been a professional productive discussion about how they could do a better job on performance measures. He talked about Event Business Management System (EBMS). Many of the performance measures will be better tracked with this system. He also mentioned that this project was a request from MERC to the Metro Auditor's Office. They wanted to be proactive. It had been presented to the MERC Commission as well. Council President Bragdon talked about the attributes of the software and whether there was applicability for the Oregon Zoo. Mr. Woolson said he could explore this.

6. CONSENT AGENDA

6.1 Consideration of Minutes for the October 25, 2007 Metro Council Regular Meeting.

6.2 **Resolution No. 07-3866**, For the Purpose of Authorizing the Chief Operating Officer to Execute License Amendments to Extend the Term of Certain Non-System Licenses to December 31, 2008.

Motion:

Councilor Harrington moved to adopt the meeting minutes of the October 25, 2007 Regular Metro Council and Resolution No. 07-3866
--

Vote:

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

7. ORDINANCES – FIRST READING

7.1 **Ordinance No. 07-1162**, For the Purpose of Adopting the Regional Solid Waste Management Plan, 2007-2017 Update.

Council President Bragdon assigned Ordinance No. 07-1162 to Council.

7.2 **Ordinance No. 07-1166**, For the Purpose of Amending Metro Code Chapter 10.02 Regional Park Fees to Provide Free Admission to U.S. Veterans With Service-Connected Disabilities.

Council President Bragdon assigned Ordinance No. 07-1166 to Council.

8. ORDINANCES – SECOND READING

8.1 **Ordinance No. 07-1161**, For the Purpose of Amending Metro Code Chapter 5.01 and 5.05 to Extend Moratoria on Applications for New Solid Waste Transfer Stations and Putrescible Waste Non-System Licenses Until December 31, 2008; and Declaring an Emergency.

Motion:	Councilor Harrington moved to adopt Ordinance No. 07-1161.
Seconded:	Councilor Liberty seconded the motion

Councilor Harrington said per Council direction, staff was asked to align many different policy and strategic planning decisions in 2009. These include:

- Local transfer station franchises
- Regional transfer station franchise agreement at Forest Grove Transfer station
- Waste Transport Contract
- Waste Allocation across the various transfer stations.
- Related to this item, Metro’s bonds for the two publicly owned transfer stations will be paid off providing further opportunity for waste allocation adjustments
- Completing the analysis of Self Haul system and further service improvements

This ordinance would extend two existing moratoria by one additional year, until December 31, 2008, on certain new putrescible waste activities in Metro’s solid waste system. These included new transfer stations and new non-system licenses (NSLs). The moratoria extension was intended to maintain the status quo while assuring completion of major projects regarding the future of Metro’s solid waste system.

In 2008, Metro was scheduled to complete the System Improvement Planning project, which would assess: Putrescible waste allocation - including tonnage caps for transfer stations, conditions and criteria for new transfer stations, limits on wet waste hauled out of the region to non-system facilities and self haul capacity and needs at transfer stations. These moratoria would also provide Council with the opportunity to review all wet waste authorizations at the same time. The proposed moratoria extension would not impact renewals of existing transfer station franchises or solid waste non-system licenses.

An extension of the moratoria would not negatively impact the region’s solid waste system or Metro’s disposal contract. The region’s transfer and disposal needs were well served by six Metro authorized transfer stations, and transfer capacity for wet waste exceeds need by approximately 1 million tons.

Council President Bragdon opened a public hearing on Ordinance No. 07-1161. No one came forward. Council President Bragdon closed the public hearing. Councilor Harrington urged support.

Vote:	Councilors Park, Hosticka, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed.
-------	---

8.2 **Ordinance No. 07-1163**, Amending Metro Code Chapter 2.19 to Establish the Nature in Neighborhoods Capital Grants Review Committee; and Declaring an Emergency.

Motion:	Councilor Liberty moved to adopt Ordinance No. 07-1163.
---------	---

Seconded:	Councilor Harrington seconded the motion
-----------	--

Councilor Liberty introduced the ordinance and its purpose. He noted what the committee would help achieve the goals of the bond measure.

Council President Bragdon opened a public hearing on Ordinance No. 07-1163. No one came forward. Council President Bragdon closed the public hearing. Councilor Liberty urged an aye vote.

Vote:	Councilors Park, Hosticka, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed.
-------	---

8.3 **Ordinance No. 07-1164A**, Amending Metro Code Sections 2.01.010 and 2.20.030 and Repealing Metro Code Section 2.01.200 to Require Metro’s Chief Operating Officer to Prepare and Submit the Metro Budget.

Motion:	Councilor Hosticka moved to adopt Ordinance No. 07-1164A
Seconded:	Councilor Harrington seconded the motion

Councilor Hosticka talked about the ordinance and the reasons for the change in preparing the budget. It allowed the Chief Operating Officer, Michael Jordan to prepare and submit the budget rather than the Council President Bragdon. He noted the change in the “A” version, which had to do with the Auditor’s budget. Council President Bragdon said they suggested this at the end of last year’s budget cycle. He talked about the last five years and the advantages of the change. Councilor Liberty talked about his experience with the budget process. Councilor Park said in process either one would work. He talked about the governance of the agency. This was the one opportunity where the Council President had the opportunity to shape the agency. He preferred the current system. He noted it was no reflection on Mr. Jordan.

Council President Bragdon opened a public hearing on Ordinance No. 07-1164A. No one came forward. Council President Bragdon closed the public hearing.

Councilor Hosticka said any Council President or Councilor had the opportunity to shape the budget. He suggested that this process clarified the lines of authority, the Chief Operating Officer would handle the managerial aspects of the budget.

Vote:	Councilors Hosticka, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 4 aye/1 nay, the motion passed with Councilor Park voting no.
-------	---

9. RESOLUTIONS

9.1 **Resolution No. 07-3831**, For the Purpose of Approving the Federal Component of the 2035 Regional Transportation Plan (Public Hearing).

The resolution had been moved and seconded last week.

Councilor Park said he had provided his remarks at last week’s public hearing. Kim Ellis, Planning Department, provided a summary by a power point presentation (a copy of which is included in the record).

Council President Bragdon opened a public hearing.

Jim Gardner, 2930 SW 2nd Portland OR 97201 provided his testimony for the record.

John Perry, 3430 SW First Portland OR 97201, followed up on Mr. Gardner's comments. He submitted a Here's What the Study Area Looks Like Today, alternative 5A Concept Design and Alternative 4: Naito Parkway as a Limited Access Boulevard. He talked about these alternatives and specifically talked about issues with Alternative 4. He noted there were very few bus stops. He talked about the plan that was adopted by the City Council of Portland, 5A and urged support for 5A. It met many of the goals of the Regional Transportation Plan.

Noelle Dobson, 315 SW 5th Suite 202 Portland, OR 97201, provided her testimony for the record.

Councilor Hosticka said he wanted staff to talk more about the project that Mr. Gardner and Mr. Perry talked about. Councilor Liberty said he looked forward to the discussion about criteria.

Terry Parker, 1527 NE 65th Portland, OR 97213, said the funded projects should be based on the need, on where growth was going. He urged more investment in highways and throughways. He said reducing congestion was a must in the whole mix of things. He suggested one mode should not displace another mode. He recommended bus pullouts. To ensure equitability, bicycle riders should be licensed and taxed, transit users should pay a greater share of transit costs. Citizen participation should be more objectives.

Fred Nussbaum, 6510 SW Barnes Rd Portland, OR 97225, provided his testimony for the record.

Councilor Liberty said they had a debate about urban forum in September concerning corridors and centers. He asked which would work better. Mr. Nussbaum said there was a need for both transit alternatives.

Lenny Anderson, 4567 N Channel, Portland OR, said his first reaction to preliminary goals and objectives was that he was pleased. He thought the list of projects looked like a different group of people wrote Chapter 1. When you did analysis, the more affordable ways were the most effective. He talked about freight movement. They moved freight on Swan Island by helping people not bring their cars to Swan Island. This was a way to improve freight movement. It was essential that we develop a document that continued across the river. This needed to become a bi-state plan. Councilor Liberty asked about efficiency measurements that made sense to him. Mr. Anderson said measurement of freight volumes, understand and monitor the mode split of cars and freight. Why didn't we look at understanding how that bridge was being used and look at strategies to increase freight movement. Council President Bragdon talked about his comment on the different RTP chapters.

Francie Royce, 1854 NE Aspen, Portland OR, said given the goals of human health impact and transportation choices, trails were an important component. They believed the North Portland Greenway Trail was an essential piece to the RTP. She talked about a feasibility study. They supported seeing the RTP include the North Portland Greenway Trail.

John Putman, 1216 NW 25th Portland, OR 97210, said he was here to talk about the part of the RTP that talked about the elderly and disabled transportation. He said they needed to take a stronger look at transit modes that supported the elderly and disabled. He talked about the cab

industry and how many were hauling the elderly and disabled. He added that he had never taken a supportive lift ride. He had used light rail and streetcar, fixed routes. He asked how were we going to continue to keep the cost of where it was at today, as elderly and disabled numbers increase. Councilor Liberty asked clarifying questions. He also talked about needing more information on this issue. Mr. Putman said today we needed to go further. We were hauling at least 60,000 elderly and disabled a month.

Carol Cheserak, 13300 NW Germantown Portland, OR 97231, said the RTP had tons of impressive work. She talked about upgrades to Cornelius Pass Road between Hwy 30 and milepost 3. This road ran through Forest Park. She talked about the negative impacts on the wildlife corridor. She suggested some kind of accommodations for wildlife crossings. She felt we needed to be consistent with Metro's other goals and objectives. Staff had done a good job but they had a very thin set of road kill. She had specific suggestions to upgrade the overall projects and plan.

Council President Bragdon closed the public hearing.

9.2 **Resolution No. 07-3861**, For the Purpose of Amending the Transit-Oriented Development (TOD) Program Work Plan to Designate Focus Centers, Establish the Urban Living Infrastructure Program, and Make Technical Changes.

Motion:	Councilor Liberty moved to adopt Resolution No. 07-3861.
Seconded:	Councilor Park seconded the motion.

Councilor Liberty talked about the Transit Oriented Development (TOD) program. They were considering an amendment to the work plan to focus the money more precisely into centers, create an urban living infrastructure program and additional technical changes. They wanted to focus on repeated investments.

Vote:

Councilors Park, Hosticka, Harrington, Liberty, and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed.
--

9.3 **Resolution No. 07-3879**, Confirming the Appointment of Members to the Nature in Neighborhoods Capital Grants Review Committee.

Motion:	Councilor Liberty moved to adopt Resolution No. 07-3879
Seconded:	Councilor Harrington seconded the motion

Councilor Liberty said this would appoint the committee to review Nature in Neighborhoods Capital Grants. He noted the composite of the committee. Councilor Hosticka said this was a very good list of committee members. He asked about appointment of the chair. Council President Bragdon said he would like to talk with the council representatives about their suggestions. Councilor Park supported the committee. Councilor Harrington asked about the water quality representatives and which would serve on the committee for one-year term and for a two-year term. Councilor Liberty said he would be having a conversation with them and let Council know. He hoped his colleagues would view themselves as part of the marketing team in soliciting projects.

Vote:

Councilors Park, Hosticka, Harrington, Liberty, and Council President

Bragdon voted in support of the motion. The vote was 5 aye, the motion passed.
--

10. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, talked about the charge he was given in September to gage the support of other elected bodies. He noted his report (a copy of which is included in the meeting record). He also noted letters of support attached to his report. Dan Cooper, Metro Attorney, talked about the final draft of the development agreement. He said this would be an exhibit to the resolution under consideration at next week's Council meeting. They would be preparing a summary of the development agreement for the Council. There may be some fine-tuning of the document over the next week. There will be no material changes. Mr. Jordan said his recommendation was to move forward on phase one of the headquarters hotel. Councilor Park provided a copy of the resolution to the Council. He thanked all of those who had participated in helping move this along. He had a private meeting with a private developer yesterday. Any proposals that they had would have to go through Portland Development Commission rather than Metro. He also noted a letter from Jeff Cogen, Multnomah County Commissioners, suggesting Council look at both public and private options (a copy of which is included in the meeting record). Councilor Harrington asked for clarification on a private hotel proposal and would it be a convention center hotel. Councilor Liberty commented on the letters. He said Councilor Hosticka had asked to see some "scratch" before we moved forward. He didn't see this in the letters. It wasn't clear to him that there were financial commitments from these entities. He was looking for extra cushion. Councilor Park said the plan was that Mr. Jordan was authorized to work on a financial plan. Councilor Liberty asked if they had to spend the \$600,000 to get the commitment from the other governments. Councilor Park said yes, he reiterated what Council had charged staff to do in September. Councilor Hosticka asked about the extra \$69,000. Mr. Cooper said he didn't know, he suggested that there might be other costs incurred. Council President Bragdon asked if the development agreement covered the \$600,000. Mr. Cooper said the development agreement covered all of the phases of the project. The agreement called for certain work back that would come back to Council as to whether we would proceed with additional phases. If Council felt the financial plan was reasonable they could authorize going forward with additional phases. This was all laid out in the development agreement. Councilor Park talked about the thoughtful work of the legal team to look at all phases of the plan.

11. COUNCILOR COMMUNICATION

Councilor Harrington said during the summer she raised the topic of veterans' preference for employment at Metro (see email). Second, she thanked Metro staff for putting on a great event, the Regional Roundtable. It drew a high number of city councilors. Lastly, she wanted to know the process for appointments to the Transportation Policy Alternative Committee. She was interested in an update on this process. Councilor Park said they had been through an initial review process. They had six individuals vying for positions.

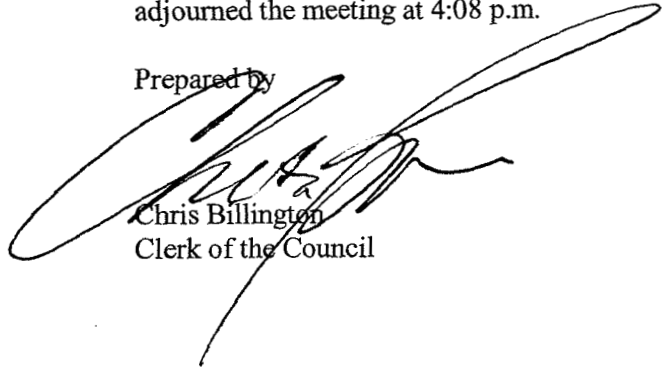
Council President Bragdon announced the RTP hearing next week November 8th would be held at Hillsboro Civic Center in the Auditorium.

12. ADJOURN

Metro Council Meeting
11/1/07
Page 8

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:08 p.m.

Prepared by

A large, stylized handwritten signature in black ink, appearing to read 'Chris Billington', is written over the printed name and title.

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
 NOVEMBER 1, 2007**

Item	Topic	Doc. Date	Document Description	Doc. Number
6.1	Minutes	October 25. 2007	Metro Council Meeting Minutes of October 25, 2007	110107c-01
9.1	Testimony	11/1/07	To: Metro Council From: Francie Royce Re: RTP Comments	110107c-02
9.1	Testimony	11/1/07	To: Metro Council From: Lenny Anderson Re: RTP comments	110107c-03
9.1	Testimony	11/1/07	To: Metro Council From: Terry Parker Re: RTP Comments	110107c-04
9.1	Testimony	11/1/07	To: Metro Council From: John Perry Re: RTP Comments	110107c-05
9.1	Testimony	11/1/07	To: Metro Council From: Jim Gardner Re: RTP Comments	110107c-06
9.1	Testimony	11/1/07	To: Metro Council From: Fred Nussbaum Re: RTP Comments	110107c-07
9.1	Testimony	11/1/07	To: Metro Council From: Noelle Dobson Re: RTP Comments	110107C-08
9.1	Power Point Presentation	11/1/07	To: Metro Council From: Kim Ellis, Planning Department Re: 2035 Regional Transportation Plan power point presentation	110107c-09
9.1	"A" version	11/1/07	Ordinance No. 07-1164A , Amending Metro Code Sections 2.01.010 and 2.20.030 and Repealing Metro Code Section 2.01.200 to Require Metro's Chief Operating Officer to Prepare and Submit the Metro Budget.	110107c-10
10.0	Memo	11/1/07	To: Metro Council From: Michael Jordan, COO Re: Oregon Convention Center Headquarters Hotel Project	110107c-11
10.0	Development Agreement	11/1/07	To: Metro Council From: Alison Keane Campbell, Senior Metro Attorney Re: Development Agreement for the Oregon Convention Center Headquarters Hotel between Metro and Garfield Traub Ashforth LLC	110107c-12

Item	Topic	Doc. Date	Document Description	Doc. Number
10.0	Letter	11/1/07	To: Council President Bragdon and Metro Council From: Jeff Cogen, Multnomah County Commission Re: Headquarters Hotel	110107c-13
3.0	Signed ballots	11/1/07	Metro Council Ballot #1 for Metro Council District 2 position	110107c-14
3.0	Signed ballots	11/1/07	Metro Council Ballot #2 for Metro Council District 2 position	110107c-15