

**RESERVES STEERING COMMITTEE
MEETING SUMMARY**

March 14, 2008; 9:00 am – 12:00 noon
Metro Regional Center, Council Chambers

Core 4 Members Present: Washington County Chair Tom Brian, Multnomah County Commissioner Jeff Cogen, Metro Councilor Kathryn Harrington, Clackamas County Commissioner Martha Schrader.

Reserves Steering Committee Members Present: Chris Barhyte, Jeff Boechler, Craig Brown, Rob Drake, Bill Ferber, David Fuller, Mike Houck, Tom Hughes, Kirk Jarvie, Gil Kelley, Charlotte Lehan, Greg Manning, Sue Marshall, Mary Kyle McCurdy, David Morman, Alice Norris, Lainie Smith, Greg Specht, Jeff Stone.

Alternates Present: Drake Butsch, Bob Clay, Kathy Figley, Jim Johnson, Donna Jordan, Richard Kidd, Norm King, Jim Labbe, Bob LeFeber, Lidwien Rahman, John Rakowitz, Bob Rindy.

Also Present: Frank Angelo, Karla Antonini, Chuck Beasley, Richard Benner, Mathew Berkow, Carol Chesarek, Danielle Cowan, Brent Curtis, Mark Cushing, Mike Dahlstrom, Maggie Dickerson, Dan Dreutlar, Jim Emerson, Richard Goddard, Jon Holm, Adelle Jenike, Dick Jones, Seth King, Greg Leo, Jane Leo, Robin McArthur, Doug McClain, Linnea Nelson, John O'Neil, Mark Ottenad, Bob Peterkort, John Pinkstaff, Ken Ray, Pat Ribellia, Jarrett Rose, Michelle Rudd, Doug Rux, Don Schellenberg, Randy Tucker, Fred VanDomelen, John Williams, George Zaninovich.

Facilitation Team: Debra Nudelman, Aurora Martin.

I. WELCOME AND INTRODUCTIONS

Deb Nudelman called the meeting to order at 9:05 a.m., welcomed everyone, made brief introductory remarks, and asked attendees to introduce themselves.

Councilor Harrington explained that the February meeting was cancelled because the Core 4 wanted to be respectful of the Steering Committee's time and use it effectively, and take the time to make sure the Core 4 had adequately prepared topics.

Deb Nudelman went over some housekeeping items and provided an overview of the agenda and meeting materials.

II. PUBLIC COMMENT FOR NON-AGENDA ITEMS

None.

III. ADOPTION OF DRAFT OPERATING PRINCIPLES

Deb Nudelman introduced the Operating Principles, reviewed the proposed revisions page by page, asking for questions and concerns as she progressed.

Greg Specht asked about the meaning of the third bullet on the second page that mentions concurrence. He asked if this process must result in a unanimous decision or if there would be a need for a minority report.

Deb Nudelman responded that the goal of this process is to strive for concurrence. The meeting summaries will memorialize outcomes and dissents from the process, so the Core 4 has not provided for a minority report.

Councilor Harrington said that may feel odd because this process is very new and has never been done before, but the Operating Principles are trying to provide direction to show how we will do this together.

In reference to Section IV, Deb Nudelman said if Steering Committee members want to distribute information to the group to provide it to John Williams. John will post the information on the Reserves Steering Committee website.

Mike Houck said that there had been some back and forth on this since the first meeting, and that he had some information he wanted to share. The information in the packet does not include all the available information on natural resources, and he feels outside experts could be brought in. He asked if the group will share information and who will decide if the information is significant.

Deb Nudelman explained that the proposed approach has to do with quantity and content of the information. When the information is posted to the website, it is available for everyone. The information will be posted in advance of meetings and everyone is encouraged to see the information. Deb asked if that will work.

Mike Houck responded yes and no. He said if the information is critical, then it should be in the packet. He said he understands members should be respectful of one another, but asked if members are not allowed to talk to each other.

Deb Nudelman responded that the topic will be covered in a later section of the Operating Principles related to the roster.

Sue Marshall asked to clarify that there will be no judgment made about the information submitted.

Deb Nudelman responded no, but there will be gate-keeping as to what is brought to meeting.

Lainie Smith requested that when information is posted to the website that an email also be sent out with a brief notation about what the information is.

Deb Nudelman asked if the group was in agreement.

Rob Drake said he would like to choose if he wants to check out the website or not. He thinks the information should be passed out as quickly as possible and attached to the email to prompt the Steering Committee members to read it.

Deb Nudelman summarized that when information is received, an email with attached documents will be sent to the whole group. Deb encouraged Steering Committee members to write a transmittal message to be included with the email. [Action Item]

Gil Kelley said he thinks the new bullet under Intent and Commitment was a good idea. He suggested amending bullet to read “Strive to look beyond individual and constituent interests...”

Chris Barhyte disagreed. He asked for clarification.

Gil Kelley said the group needed to put constituent “starting points” aside.

Councilor Harrington confirmed that the Core 4 does want to problem solve together.

Chair Brian explained that everyone is here to advocate for their constituents, but the hope is in the end to work things out and come to an agreement.

Greg Specht agrees with Gil to broaden the representation.

Deb Nudelman confirmed that the group concurs to adding language. [Action Item]

Sue Marshall raised her concerns that the Core 4 is meeting as a group in separate meetings and that they may be making decisions in that forum without discussion of those decisions with the Steering Committee.

Commissioner Cogen explained that the Core 4 meetings are open to the public and any decision-making will be done in public.

Commissioner Schrader said that she fully expects this process to be open and transparent. She feels that each of the Core 4 has a reputation for being open and straightforward.

Craig Brown asked for clarification that the Operating Principles do not preclude anyone from having a personal opinion and will not prevent any member from giving testimony if it is contrary to what the Steering Committee agrees on.

Councilor Harrington said she would like to turn that question around, and asked if there was anything in the Operating Principles that would make someone think they would be giving up their rights to an opinion.

Craig Brown responded that he was concerned by the word “ensure” in the original draft.

Commissioner Cogen said it is a constitutional right to voice your opinions. The hope is that Steering Committee members will work together to reach consensus in support of the process, but that does not mean Steering Committee members cannot voice their opinions.

Deb Nudelman said it is best to clarify this now before the group is further along in the process. She referenced the “no surprises rule” on page 5. She said concerns should be brought up and

addressed at the Steering Committee, so the issues will not be a surprise to anyone when they are brought up in another forum.

Deb moved to the subject of the Roster and said the intent is yes, we want you to talk to each other, however please be respectful and responsive to the needs of others.

Deb reviewed the agreed-upon changes and asked the group for adoption. Seeing no dissent, Deb confirmed the group was in agreement with the language and can abide by the Operating Principles, and deemed them adopted.

Steering Committee members held a brief discussion about adding signatures and concluded it would not be necessary.

IV. DISCUSSION OF LCDC ADMINISTRATIVE RULE AND FACTORS FOR RESERVES ANALYSIS

Councilor Harrington introduced the topic of the LCDC administrative rule. She introduced Dick Benner with the Office of Metro Attorney to provide an overview of the rule.

Dick Benner provided some background and review of the administrative rule, and briefly walked through the outline provided in the meeting packet. Dick said he feels the rules are remarkably faithful to what the region set out to do in the ag/urban study by incorporating the impulse toward collaboration while leaving the Core 4 governments with the flexibility to make decisions. He said the outline provided in the packet is not a summary of the rules and instead highlights just the provisions that guide how we are going to proceed. Dick clarified the difference between factors and criteria. A factor is something to be considered and looked at against other factors, and a criterion is something that must be satisfied. The rulemaking chose to use factors and not criteria, so you do not have to show that each of the factors has been satisfied, but that it has been addressed and explained. After the designations, there generally will be no changes to the land use regulations for that land until it has been brought into the UGB.

Tom Hughes noted that the topic *Foundation Agricultural Land* referenced a map by the Oregon Department of Agriculture. He asked if that map exists or if it is in the process of being created, and if so, if there is an opportunity for public comment when the map is in place.

Dick Benner responded that the map has existed since the end of the ag/urban study and is accessible to everyone, but that it has no regulatory effect. The map is just one of the pieces to come into this process to inform decisions.

Tom Hughes said it seems that the map has been elevated to certain regulatory status because it makes foundation agricultural land more difficult to be designated urban or rural reserves. Since that map is not under control of Metro, Tom would like some process for review of the map.

Dick Benner said there are higher thresholds for foundation agricultural land, but that this is not regulatory because the presence of this land on the map does not bind the Core 4.

Greg Manning said it seems that the power and risk in new legislation is in thinking these factors will do better than old factors. He said he would think that defining these factors and how they are

required would be a top priority of this committee because without a clear definition, the Steering Committee will be in the same position. He said he would like to move toward criteria to flesh out the factors.

Dick Benner said that the group will get to this a little later when talking about the work program. He said that the group will have to develop a method for analysis of those lands. He said the group may get more objective about them, but that does not change the fact that it is a factor and not a criterion. Just because land would be good for agricultural land does not mean the Core 4 cannot take some of that and designate it as urban reserves.

Deb Nudelman noted that as of next month, the factors will become an important part of this discussion.

Greg Specht commented on the references to agricultural foundation land on page 14 and noted that the bar is raised higher. He said if there is a map, then the Steering Committee should be aware of it now.

Councilor Harrington noted that the map is in the packet from the first meeting.

Greg Specht said he felt the word “may” is troubling under the *Urban Reserve Service Agreements* heading and asked for the context of choosing “may” over “shall.”

Dick Benner explained that the old rules for urban reserves had authorization for long-range rules. The feeling of the people working on the current rule was that they did not want to force themselves to do anything in the rule, even if they make themselves do it.

Greg Specht asked if there are no written requirements, then who is to say what the group has to do.

Dick Benner said that the thinking of the group creating the rules was that they wanted to do it differently. Dick said that Metro will probably have to review Title 11, and that would be a good opportunity for Greg to say the wording should be changed to “shall.”

Jeff Stone commented that the rules finally acknowledged agriculture as a productive use of the land. He said that we have to look for new paradigms and decision pathways, and that the last thing he wants to do is the same old thing with a new name. The two mile area around the UGB consists predominantly of agricultural lands. He asked how we come to this collectively and acknowledge the impact of the surrounding area.

Craig Brown said we do not know if there will ever be urban services there. He asked for clarification on the 0070 sections. He asked if there was a provision by which you can parcellize the land for subdivision purposes before it comes into the UGB.

Commissioner Cogen said that those comments are directed at Area 93, which is basically undeveloped. He said Area 93 is a failure of past practices and is an example of why we are doing the process we are now.

Dick Benner said he felt the rules are being misread. For areas outside the UGB, the existing land use regulations will remain in place.

Gil Kelley said he looks at this as an iterative exercise over time, and that there will be more refined and detailed work to do when land is brought into the UGB. He said he hopes the group will do a “pre-planning” phase so we do not look at this as just numbers. He said he hopes that this is not simply a numbers by the acres exercise now, but that it will look at the shape of the region and what it will look like.

Mike Houck said that from an economic impact perspective, the group has yet to talk about the concept of ecosystem services. He said there are very real economic values to natural ecosystem resources, and he hopes that even though it is not referenced in the document, that the group would look at economic consequences to the region of natural resources.

Deb Nudelman thanked Dick for the overview and the group for their comments and discussion.

V. DISCUSSION OF COORDINATED PUBLIC INVOLVEMENT PLAN

Commissioner Schrader introduced the coordinated public involvement plan. She introduced Ken Ray, Metro senior public affairs coordinator, to provide an overview of the plan.

Ken Ray emphasized that the plan in the meeting packets is a coordinated effort from Metro and the three counties. The plan is organized around the Key Milestones chart and is also coordinated with the work program. Ken walked the group through the phases of public involvement. He said this is designed to give a broad outline to how we will approach the public involvement, but that more details will come as we move through the process. Ken said the idea is to be proactive, to inform people how the process will work, and to get feedback on factors and analysis. The administrative rules required coordinated public involvement plan, and the plan has received comments from LCDC and citizen advisory committees. He said he would like to have an opportunity for MPAC to review the public involvement plan. He said that the hope is that the information will come out of public involvement to inform the decisions made by the committee.

Sue Marshall said she would like to commend everyone for putting the document together. She said she had a couple thoughts. She said she does not feel that the county level committees need to be identical, but she thinks they should have things in common such as representation from schools, special districts, and other key representatives. She said that the work of the Steering Committee needs to be coordinated with schools and special districts. She would like a timeline to be provided so everyone can know who is meeting and when.

Councilor Harrington said that the timeline will become clear as we go through the workplan.

Commissioner Schrader said that she is interested in an open process. She said that as the counties are looking at who we need to contact, that information about who should be included would be gathered. She thinks the counties can come to an agreement about who, when, and how groups should be included in the public involvement.

Sue Marshall said she wants to be sure that constituents are represented and included in the process.

Commissioner Schrader said that Metro and the counties have striven to do that.

Mary Kyle McCurdy said she is concerned about the background on urban and rural reserves. She said that the public outreach appears to be focused on landowners at the edge of the UGB, but in reality, it concerns cities, ratepayers, taxpayers, and so many more. She is concerned that setting a tone like this in the plan will set a negative tone for the public outreach. She said that the first paragraph sounds like a complaint and that we need to do public outreach with a positive approach.

Ken Ray said that was not the intent and that he will look at wording to make it understood that we are interested in more than just the edge of the UGB. [Action Item]

Greg Manning said he would like to see focused outreach to the business community. He said it seems that there is a tremendous opportunity to reach out to major employers and landowners and bring them to the table to hear about their needs. He said they are major users of transportation infrastructure and will affect land-use decisions. He said he felt that the symposium Metro held at the Oregon Zoo was a successful approach to emulate.

Gil Kelley said that this group is not charged with making recommendations to citizen committees. He said this is not just about the people at the edge of the UGB, but the decisions are momentous for the shape of the region including people within the current urbanized area.

Donna Jordan said she wanted to speak to the term of taking “public comment in a meaningful way.” She is concerned that we do not get into a process where more is heard from one particular area just because they are in tune to the process. She said we need to be mindful of how this information is filtered and brought to the Steering Committee. This process is not just about expanding the UGB, but also about how to build within the UGB.

Sue Marshall said we should look at our ability to charge sub-committees with specific tasks, and we might want to think about that sooner than later to help move this process along.

Deb Nudelman said she wanted to pause to explain how information and suggestions are being collected. She said that Steering Committee members should look to the meeting summary and to the lead on a topic who is taking notes to consider comments and proposed revisions. Deb said she will also summarize information as needed on flipcharts.

John Rakowitz said he supports Greg Manning’s process on involving the business community. He asked how the process works, and if head nodding means that the changes or comments will be incorporated.

Ken Ray said that he is taking notes and will bring back a revised plan to the next meeting. [Action Item]

Chair Brian said that he does not want nodding to imply acquiescence. He said Washington County has been modeling their public involvement after what they think is a successful effort of the last couple of years. He said Washington County has stopped including people on the committee because there are so many people. He said instead, they will keep the committee to a core group

and conduct aggressive public outreach. He said he also agrees with Mary Kyle and sees this as definitely more than just public involvement at the edge of the UGB.

Sue Marshall said that she still thinks it would be valuable to have representatives from all constituents on the committee.

Jim Labbe said he feels it is necessary for the natural resource perspective to be at the table.

Sue Marshall said it would be helpful to know what venue decisions will be made in if it comes down to the Core 4 being the ultimate decision-makers.

Commissioner Schrader said she recognizes the concern about the Core 4 meetings, but that they are open and transparent and anyone is welcome to come. She said it is good to get together to have times when they can have those hard conversations that are frank and open. She said she wanted to assure the group that having those frank conversations is useful. She feels anything she decides will be made in front of this group.

Councilor Harrington said that there are four bodies who are working in a very different way than in the past and who have responsibilities to government entities as well as the Steering Committee. She said the Core 4 is committed to transparency and openness about what the decisions are and how they made those decisions. She said the Core 4 is being as clear as possible about their intentions and what they hope for, but they cannot give a specific level of how that will work today because they have never done it before.

Commissioner Schrader said that one of the key intents of the Core 4 is to build trust.

Deb Nudelman said that the Core 4 chose to hire a neutral process facilitator and that it is critical to build trust and credibility. She said she urges the group to speak up and contact the Core 4 or Deb if they feel that the Core 4 has not been open. She said the best way to make decisions is to brainstorm and offer up something to see if you can get something in return – in this way reaching something higher and better than you could reach on your own. Deb asked that the group try to keep thoughts in a space of good, honest brainstorming and not make judgments on what is said while brainstorming.

Jim Labbe said it would help if we could have information from the counties to see who the committees are, who will be on them, and if they are still in flux.

Ken Ray said that the Metro website will have links to the county websites and that those links will be to the specific urban and rural reserves websites. These links will be available as soon as possible.

Alice Norris said she feels this is an important conversation we are having. She said the information on the website is important, but oral reporting of what happens at each of the county meetings will be important. The Steering Committee members are not direct constituents of the Core 4, so she hopes the Core 4 will explain what is happening at each of their constituent levels.

VI. DISCUSSION OF APPROACH TO INCORPORATING POPULATION AND EMPLOYMENT FORECASTS

Commissioner Cogen introduced the topic of population and employment forecasts. He said that the group will need to reach consensus on areas that we have never reached consensus on before. It is not enough to have consensus, but we must also make decisions that are correct. In order to make those informed decisions, we need data of what we project population and employment will be, and what part of that growth can be placed in the UGB and what cannot be. He said we need numbers, but we do not want to start out so entrenched with numbers that you cannot see the forest for the trees. He then read through the *Framing Growth Forecasts* document.

Greg Specht asked what the decision points will be as mentioned in Framework #5, and how many there will be.

Commissioner Cogen said that is referring to the work program overview.

Greg Specht asked if the growth forecasts are going to be refined at each point.

Robin McArthur said the decision points will be refined with increasing specificity. She said they intend to have a peer-reviewed 50-year forecast available this spring and future refinements would correspond with phases of the work program.

Greg Specht said that if the initial forecast is going to be out in April or May, then we need to talk about this.

Robin McArthur said we need to start out with a range forecast for the Portland metro area. As the process continues and more information is available, we will need to move from the metro wide total to allocations by county to guide establishment of urban and rural reserves.

Greg Specht asked who will choose the peer reviewers.

Robin McArthur said that Metro is looking for recommendations for peer reviewers. [Action Item]

Greg Specht asked when the last forecast was done and if that information is still valid.

Dick Benner said there was a forecast done in 2002 that was in the base report for expanding the UGB in 2002 and 2005. He said there is also a forecast with the regional transportation plan that forecasts out to 2035.

Greg Specht asked that the most recent forecast be put on the website.

Gil Kelley asked how this fits with the New Look process. He said it seems that some of the work is being done here, but in the beginning there has to be some analysis about how much is going in, and how much is going out. His understanding is that the incoming is part of New Look, and the outgoing is the Steering Committee process. He said we have to be really clear about how that process is going to work.

Councilor Harrington added that Core 4 technical staff is working hard to create an outline to show how the process comes together. She said the topics schedule will provide additional clarity along the way. [Action Item]

Gil Kelley said that Metro will be circulating its urban growth report in the summer of 2009. He asked if there is a point in trying to nail down allocations in advance of that report.

Commissioner Cogen said that is what we are trying to balance; the need for information with the need not to wait a year for that process.

Mary Kyle McCurdy said it is important for the group to have some presentations early on to show what is going on inside the UGB. She said it is important to understand what the Great Communities is focused on. She said if the group is supposed to be choosing reserves complementary to Great Communities, then the group should hear from the counties and Metro about what is going on inside the UGB that is important to them.

Councilor Harrington said she appreciates the concern but is worried that presentations will take a lot of time from the meetings.

Rob Drake suggested that to be respectful of time, background papers should be provided and we should rely on the fact that people will read the information. He said he is worried that rehashing what we have done in past to get us to the point we are at now will take too much time.

Mary Kyle McCurdy said she is not suggesting a presentation rehashing what has gone on for the last few years, but to hear how Metro is planning on implementing the Great Communities study.

Councilor Harrington said she feels compelled to clarify that this process is not about what Metro is doing to implement Great Communities, but how Metro will work with community partners through a collaborative work process to develop reserves recommendations.

Craig Brown said his purpose is to see how much and where the land will be designated and would like to see this discussion focused on how much property is needed in 40 to 50 years.

Jim Labbe said we have a lot of good information on natural features. He said it would be useful for that information to be made available to the committee. He said it is not clear how the factors will be applied to natural features, and that there needs to be a technical process to take inventory and determine the best candidates for rural reserves or what should be left out of urban reserves. He feels that information is lacking in the rulemaking process. He said there is urgency around this because he does not want to get to a point of having to make decisions without information.

Greg Manning raised the concern that if Metro is doing initial forecasting for population and employment numbers then those might be colored from previous processes. He said there seem to be some discrepancies between count and expectations.

Tom Hughes said that numbers have the problem that they pretend to have validity that they do not really have. He said that numbers are driven by policy. If we use the numbers from one policy, then the next policy will look just like the old policy. He said he would like to change the numbers as we

change the policy, and that it would be good to have policy options that show what different numbers would do to the policy.

Donna Jordan said that she is concerned about a broad population or economic forecast. She asked if the panel would be looking at demographics and what other numbers they are looking at. She said that it is important what numbers the expert panel will get for review.

Charlotte Lehan is concerned about who is on the panel. She said she is not concerned that policy drives numbers, but that numbers drive the policy. She said that we need input from both experts and stakeholders, but that it is critical to be clear who are experts and who are stakeholders. She said she is concerned that the list does not include anyone from agriculture.

Commissioner Cogen asked what list she was referring to.

Robin McArthur clarified that the expert review panel has not been established, so there is no list.

Charlotte Lehan said the point is that agriculture needs to be represented on the panel.

Robin McArthur said they have not included someone from agriculture on the expert panel because there is not a list yet for the expert review panel. She noted the interest in the expert review panel and said that the Steering Committee and interested party list will be invited to the peer-review meeting. [Action Item]

Jim Johnson said that population numbers should not be equated to the number of acres. He said that the group needs to look at what is going on inside the UGB, how we can incorporate population into current communities, and what makes great communities, and not just “X” amount of acres for urban growth.

Jeff Boechler asked if there was consideration for factors that could limit growth, such as water and climate change. He asked how we account for the fact that we will run into barriers and when to say we will achieve our capacity to support additional growth.

Bob Rindy said that it looks like we are doing two forecasts at once. The 20-year forecast will be adopted at different time than the 40-50 year forecast. He asked if these are two different processes or if the forecasts are being done together.

Robin McArthur said the group needs to be aware of the 20-year forecast, but this group will be looking at the 50-year forecast for reserves, so there will need to be two sets of numbers.

Bob Rindy asked if they are separate review processes.

Robin McArthur said that they are related but we have not yet decided who is on the peer review panel for the 50-year process.

Sue Marshall said she wanted to follow up on stakeholder meetings and public involvement. She said if Metro or the Core 4 in particular are pulling groups together, she wants to know how they are forming these groups.

Deb Nudelman asked that the group allow the Core 4 to take under advisement how best to inform the Steering Committee on opportunities for stakeholder groups to participate. [Action Item]

Sue Marshall said there are also constituency groups at multiple levels.

Councilor Harrington thanked the group for the clarifying questions. She said that as a public official, her calendar is public record, but that she will not give up her right to meet with other groups. She said it is perfectly reasonable to request information on what is going on, but she cannot give an update to every meeting the elected officials have.

VII. REVIEW OF POTENTIAL RESERVES STUDY AREAS

Deb Nudelman respectfully requested to table this discussion until the next meeting due to time.

VIII. REVIEW OF DRAFT WORK PROGRAM AND TOPIC SCHEDULE


Deb Nudelman provided a brief overview of the Reserves Work Program.

IX. SUMMARY

Deb Nudelman requested adding an extra hour to the April 9 meeting. After brief discussion, it was agreed to extend the April 9 Steering Committee meeting until 12:00 noon. Due to the time, she requested that we adopt the January 28 meeting summary at the April meeting and requested that Steering Committee members submit comments on the January and March meeting summaries in advance of and at the April meeting.

There being no further business, Deb Nudelman adjourned the meeting at 11:59 am.

Respectfully submitted by Kearns & West.



ATTACHMENTS TO THE PUBLIC RECORD FOR MARCH 14, 2008

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

AGENDA ITEM	DOC TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
1.	Contact List	3/12/08	Reserves Steering Committee Members Contact List	031408rsc-01
8.	Flowchart	3/13/08	Coordinated Reserves Work Program Overview	031408rsc-02