

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, May 15, 2008  
Forest Grove Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Rod Park, Carl Hosticka, Carlotta Collette, Robert Liberty

Councilors Absent: Rex Burkholder (excused)

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

### 1. INTRODUCTIONS

Terry Keirner, Forest Grove Chamber of Commerce, 2417 Pacific Ave, Forest Grove, OR, 97116, welcomed the Council. She hoped Council had a chance to travel through Forest Grove. Washington County was having a Tourism Show in Beaverton, and she invited Council to attend this show.

Mayor Kidd, City of Forest Grove, provided a PowerPoint presentation on the City of Forest Grove Economic Development Issues and Challenges (a copy of which is included in the meeting record). Councilors asked clarifying questions about his presentation. Councilor Harrington thanked the Mayor for the presentation. She introduced Councilors Miller and Uhing as well as City Manager Sykes.

Dave Waffle, City of Cornelius, presented a DVD titled: "An Accessible Future." He said this DVD was developed after there was a presentation before the Metro Council about parents with disabled children and the difficulties they had getting around the community. It explained the accessibility challenges in Cornelius including the lack of sidewalks, accessibility to the park, and crossing streets that had heavy traffic. Councilor Liberty talked about his experience with being in a wheel chair and the dangers of crossing streets. He felt it was nice to see the new sidewalk built with Metropolitan Transportation Improvement Program (MTIP) funds. Mr. Waffle explained the MTIP project. Councilor Harrington thanked Mr. Waffle for sharing his presentation and noted that the City of Forest Grove and Cornelius have benefited from the MTIP funds. She also talked about transportation funding for the City of North Plains, which was not part of the Metro Jurisdictional Boundary. She noted the large presence of state highways that run right through both the City of Forest Grove and Cornelius. Councilor Park asked about MTIP dollars and the matching fund issues. Mr. Waffle talked about the decrease of buying power in matching funds. Councilor Liberty asked if they had been successful in having the Department of Transportation come and look at Cornelius. Mr. Waffle said they had yet to visit, but now that the DVD was available they would be sharing that the information.

### 2. CITIZEN COMMUNICATIONS

Tom Beck, Fernhill Wetlands Council, 1324 Hawthorne Street, Forest Grove, OR, 97116, shared a brochure of the Fernhill Wetlands. He thanked Council for coming to this part of the county. He said they were a nonprofit organization that oversaw the wetlands. He shared details of the wetlands. He said the group had built viewing stations in the area. He also spoke of partnership that promoted activities about wetlands. He talked about the trail system and the connection to the wetlands. They appreciated the work that Metro was doing.

**3. CONSENT AGENDA**

- 3.1 Consideration of minutes of the May 8, 2008 Regular Council Meeting.
- 3.2 **Resolution No. 08-3946**, For the Purpose of Confirming the Appointment of David Davies and Cece Hughley Noel to the North Portland Rehabilitation and Enhancement Committee (NPREC).
- 3.3 **Resolution No. 08-3942**, For the Purpose of Allocating Regional Flexible Funding to Regional Transportation Programs for the Years 2012 and 2013, Pending Air Quality Conformity Determination and to Commit \$144.8 Million of Regional Flexible Funding to Bond Payments for Contributions to the Milwaukie Light Rail Transit and Wilsonville to Beaverton Commuter Rail Project.
- 3.4 **Resolution No. 08-3943**, For the Purpose of Declaring the Cemetery Perpetual Care Fund a Permanent Fund.

Motion:	Councilor Hosticka moved to adopt the meeting minutes of the May 8, 2008 Regular Metro Council and Resolution Nos. 08-3946, 08-3942, and 08-3943.
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Vote:	Councilors Harrington, Park, Collette, Hosticka, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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**4. ORDINANCES – SECOND READING**

- 4.1 **Ordinance No. 08-1185**, For the Purpose of Annexing Lands on the West Side of SW 229<sup>th</sup> Avenue South of Tualatin Valley Highway to the Metro Jurisdictional Boundary.

Motion:	Councilor Harrington moved to adopt Ordinance No. 08-1185.
Seconded:	Councilor Liberty seconded the motion.

Councilor Harrington said this property was part of the Urban Growth Boundary but needed to be annexed into the jurisdictional boundary. She urged support.

Council President Bragdon opened a public hearing on Ordinance No. 08-1185. No one came forward. Council President Bragdon closed the public hearing.

Councilor Park asked about the Metro Code requirements for this annexation. Paul Garrahan, Senior Metro Attorney, said the Office of the Metro Attorney had reviewed this request and felt it was in compliance with the Code. Ken Martin, Consultant, provided an overview of the annexation request. Mr. Martin said there was nothing in state statutes that prohibited a cherry stem annexation. This was a normal annexation. Councilor Park said this was part of the 2002 Urban Growth Boundary (UGB) decision. He explained his reasoning for the question. Councilor Harrington clarified that this parcel was in the UGB.

Vote:

Councilors Park, Collette, Harrington, Hosticka, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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4.2 **Ordinance No. 08-1186A**, For the Purpose of Amending Metro Code Chapter 5.02 to Establish Metro's Solid Waste Disposal Charges and System Fees for Fiscal Year 2008-09.

Council President Bragdon opened a public hearing on Ordinance No. 08-1186A and indicated that this was continued from last week.

Dave White, Tri County Council, 1739 NW 156<sup>th</sup> Ave, Beaverton, Oregon, 97006, said he spoke last week on the regional system fee and the outdoor school. He thanked Council for coming to his community. He noted that Councilor Park had asked a question about supporting the work that Metro does to pay for Metro functions. He said they do support Metro's work by paying the system fee. He noted Clackamas County Refuse and Recycling Association (CCRRA) Waste Reduction Education Highlights and how the haulers had supported schools. They were dedicated and committed to education. The issue was how you should pay for outdoor schools. He said haulers had asked him, was the money being distributed to all school districts in the Metro region or just Portland Public Schools, and what was there a formula or methodology for distributing the funds? He asked if Metro was going to pay for outdoor schools, was Metro going to pay for Green Schools as well? Councilor Park responded that the funds would be available to all students across the region. It was set up as a reimbursement program. He could have staff provide additional information on methodology. Council President Bragdon said he would like to see the figures as well. Mr. White said he needed to understand how the \$1.4 million would be utilized. Councilor Collette said it was not clear yet how the funds would be distributed. She said Multnomah Service District paid for children to go to outdoor school. Councilor Harrington said they were expecting to get information from Councilor Burkholder. She said the information was being put together and would be shared with the Council. She urged patience from her colleagues.

Council President Bragdon closed the public hearing and announced that this ordinance would be held over until May 29, 2008 for final consideration.

4.3 **Ordinance No. 08-1187A**, For the Purpose of Amending Metro Code Chapter 7.01 Relating to Excise Tax, Regarding Exemptions and Calculations.

Council President Bragdon opened a public hearing on Ordinance No. 08-1187A. No one came forward. Council President Bragdon closed the public hearing and announced that this ordinance would be held over until May 29, 2008 for final consideration.

**5. RESOLUTIONS**

5.1 **Resolution No. 08-3935**, Authorizing the Chief Operating Officer to Execute an Intergovernmental Agreement With the City of Forest Grove For Trail Development.

Motion:	Councilor Harrington moved to adopt Resolution No. 08-3935.
Seconded:	Councilor Hosticka seconded the motion

Councilor Harrington said this Intergovernmental Agreement (IGA) was in response to a request from the City of Forest Grove to assist with trails. The City of Forest Grove was requesting continuation of a trail across the Metro property. Jim Morgan, Regional Parks and Greenspaces

Department, said this would authorize an IGA, which would lead to the development of an easement across Metro property. He further explained the IGA. The IGA committed Metro to allow the City to construct as well as maintain the trail. It was a relatively small easement but central to the linkage of the trail. He explained the trail alignment. Metro's program had tried to acquire the area but was unsuccessful. Fortunately the City of Forest Grove was able to acquire the property. This was something they had anticipated for some time. He talked about the grant to fund the trail. This would be a success project for a large trail system. Councilor Park asked about a city trail going through Metro property and the issue of dogs. Mr. Morgan said their policy was clear regarding dogs in natural areas. This was a possible exception and they would refer this issue to the local jurisdiction. Councilor Park said he was a bit uncomfortable doing this ad hoc without having the IGA in front of them. Councilor Harrington asked if this could be worked out in the IGA. Mr. Morgan said the IGA could be modified. Councilor Harrington summarized Councilor Park's concern about dogs not being allowed on Metro natural areas. Councilor Park said his concern was not pro or against dogs but was about a consistent policy across the region and possible exceptions. Council President Bragdon suggested having the Chief Operating Officer negotiate this issue with City of Forest Grove. Mr. Morgan said there was urgency from the City of Forest Grove for Metro to move forward but terms could be negotiated. Councilor Park said unless there was a change in Metro policy he felt they could work through this. Councilor Hosticka suggested a leash law to ensure dogs stay off Metro property. Council President Bragdon summarized the resolution and asked legal counsel about limitations to dogs, given the resolution mentioned bike and pedestrian access only. Mr. Garrahan said there had been discussion about dogs on Metro property. He suggested Council might want to suggest the COO negotiate this issue. If there were a substantive change, they would have to return to the Council for action. Councilor Park said he understood that the COO couldn't move forward without dealing with this issue. He said he was comfortable with moving ahead as long as there was consistency with the policy.

Vote:

Councilors Park, Collette, Harrington, Hosticka, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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## **6. CHIEF OPERATING OFFICER COMMUNICATION**

Michael Jordan, COO, was not present.

## **7. COUNCILOR COMMUNICATION**

Councilor Hosticka reported on the Metro Policy Advisory Committee (MPAC) meeting and indicated they recommended the resolution, Resolution No. 08-3940, having to do with Performance Based Growth management, as written. Councilor Park talked about Regional Solid Waste Management Plan and the Enforcement ordinances, which MPAC would consider on June 11<sup>th</sup>.

Councilor Collette said she was heading to Oregon City to consider applications for the enhancement grants. There were 22 applications.

Councilor Harrington updated the Council on the Regional Urban and Rural Reserves committee meeting. They had had a presentation on the forestry report. Mike Houck made a presentation on natural areas. Jim Johnson made a presentation on agriculture. The committee was presented with

a bit more clarity on rural reserve factors in addition to the proposed five-mile map, in order to kick-start the study areas. She also noted the public involvement activities and that at least seven events were being planned.

Councilor Liberty said the large national homebuilding firms, which had been active in the area were now discounting homes substantially as values dropped.

Council President Bragdon said there would be no meeting next week and the meeting was adjourned until May 29, 2008 at 2:00 p.m.

**8. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:30 p.m.

Prepared by

A handwritten signature in black ink, appearing to read 'Chris Billington', written in a cursive style.

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF  
 MAY 15, 2008**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
3.1	Minutes	5/8/08	Metro Council Meeting Minutes of May 8, 2008	051508c-01
1.0	Power Point Presentation	5/15/08	To: Metro Council From: Mayor Kidd, City of Forest Grove Re: City of Forest Grove Economic Development Issues and Challenges May 15, 2008	051508c-02
4.2	Newsletter	March 11-13, 2008	To: Metro Council From: Dave White, Tri-County Council Re: CCRRA Waste Reduction Education Highlights May 15, 2008	051508c-03
2.0	Brochure	5/15/08	To: Metro Council From: Tom Beck Re: Friends of Fernhill Wetlands brochure on the wetlands May 15, 2008	051508c-04
1.0	DVD	5/15/08	To: Metro Council From: Dave Waffle, City of Cornelius Re: DVD on An Accessible Future May 15, 2008	051508c-05