

**MINUTES OF THE METRO COUNCIL
NATURAL RESOURCES COMMITTEE REGULAR MEETING**

Wednesday, January 16, 2002
Council Chamber

Members Present: Susan McLain (Chair), Carl Hosticka (Vice Chair), David Bragdon, Rod Park, Bill Atherton

Also present:

Absent:

Chair McLain called the meeting to order at 1:06 p.m.

2. Resolution No. 02-3148, For the Purpose of Authorizing the Executive Officer to Enter into an Intergovernmental Agreement with the City of Gresham to Provide Metro Real Estate Services

Charles Ciecko, Director, Regional Parks and Greenspaces, explained the background of the resolution. This IGA lays out all the provisions associated with the service. He noted Metro would be fully compensated for any staff time spent providing technical assistance to the City of Gresham for real estate acquisition.

Jim Desmond, Regional Parks and Greenspaces, detailed the IGA for the committee. Metro would provide negotiation services and be reimbursed for staff time. He noted the fee arrangement, based on total employee cost, is set forth in the IGA. He said the acquisition funds would not pass through Metro and they were not required to do more deals than they had the capacity to do. He felt the IGA was a benefit to both agencies.

Mr. Ciecko added that it was a relatively short term contract that would expire the end of June 2002.

Mr. Desmond anticipated an extension of the contract at that time.

Councilor Bragdon asked if particular employees were designated for the work or if hours would be tracked case by case.

Mr. Desmond responded that department staff was already assigned to projects by target area and whoever's area the activity was in would most likely do the work. He said all time spent on those projects would be kept separate from regular Metro work for billing purposes.

Councilor Bragdon asked if other jurisdictions might want to avail themselves of this kind of service.

Mr. Desmond said they have had discussions with Tualatin Hills Park and Recreation and other local jurisdictions had also been offered the service.

Mr. Ciecko said there was a fine line in marketing their services and still maintaining focus on Metro's work. He appreciated any feedback from the committee regarding the issue.

Councilor Park felt if marketed properly, it could be a unique opportunity that should be explored, not only as a cost savings, but a unique service that Metro could provide across the region.

Chair McLain was supportive and felt it provided continuity between bond measure and non-bond measure money. She felt linking local and regional programs was extremely positive.

Motion:

Councilor Park moved to recommend Council adoption of Resolution No. 02-3148.

Vote:

Chair McLain and Councilors Hosticka, Bragdon and Park voted to recommend Council adoption of Resolution No02-3148. The vote was 4 aye/ 0 no/ 0 abstain, and the motion passed. Councilor Atherton was absent from the vote.

Chair McLain assigned Councilor Park to carry the Resolution to the full council.

1. Consideration of the Natural Resources Committee Minutes of December 5, 2002.

Motion:

Councilor Hosticka moved to adopt the minutes of the Natural Resources Committee meeting of December 5, 2002.

Vote:

Chair McLain and Councilors Hosticka and Bragdon voted to adopt the minutes as presented. The vote was 3 aye/ 0 no/ 1 abstain, and the motion passed. Councilor Park abstained, Councilor Atherton was absent from the vote.

3. Goal 5 Update - Basin Approach

Andy Cotugno, Director, Planning Department, said staff met with the Basin Group, resulting in the proposal now before the committee. He said they were using the proposal as a means of soliciting input from others, as was the Tualatin Basin Steering Group and Policy Group. The proposal attempts to be responsive to questions laid out in December's resolution. He summarized the issues. (See Brent Curtis/Andy Cotugno letter dated January 15, 2002 with attachments, included with the permanent record of this meeting). He noted the MTAC recommendations (see copy with permanent record of this meeting). He said there was a feeling more specific standards should be set so there would be a clear cut definition of expectations. They also felt there needed to be region wide consistency, particularly in the ESEE evaluation step.

Councilor Bragdon asked if they had been able to involve other communities that were ecologically part of the Tualatin Basin, but not necessarily part of the Clean Water Services territory.

Brent Curtis, Tualatin Basin Goal 5 Steering Committee, responded that Metro staff had been concerned about coordinating those groups and there was a meeting planned for the following morning to sit down with those groups to listen to their concerns.

Councilor Park asked for clarification of "region wide consistency".

Mr. Cotugno said staff had envisioned that the ESEE study would be conducted, first at a regional, then at a local level. The regional level would define parameters regarding how significant a resource was vs. how significant the conflicting use was, and they expected the methodology to be consistent both inside and outside the basin. He said they recognized the importance of doing a local assessment,

looking for unique differences. He said Metro was not doing the Clean Water Act work that some of the local governments were doing which could cause some differences.

Councilor Park clarified that the methodology would be consistent but the resulting application could be different based on the ESEE analysis. He felt the language needed to be cleaned up a little to point out that the methodology would be consistent, but not the actual conclusion.

Councilor Atherton saw advantages to the basin approach. He asked what would be the role of best management practice.

Mr. Cotugno responded that best management practice was an implementation tool at the program step where there were a variety of approaches to consider. He said some best management practices would fit into a regulatory tool box where others would fit into an incentive or acquisition oriented approach. He felt all of the best management approaches should be on the table for consideration.

Mark Turpel, Planning Department, said there were several best management practices in draft form or being put together now. He noted some examples in the attachments to the Curtis/Cotugno letter to local governments (included in the permanent record of this meeting).

Councilor Hosticka wondered if more detail was needed to meet the intent of the Council resolution.

Ken Helm, Office of General Counsel, anticipated that the Intergovernmental Agreement would be fairly complex. He said it was hard to anticipate what would go into it as it was still being discussed. He said a description of where the process was with as much detail as everyone was comfortable with would fulfill the intent of the resolution and allow for further direction.

Councilor Hosticka felt the review standards were the major sticking point and hoped to start developing those very quickly. He added that they not only had to define a methodology for the ESEE review, but at some point Metro would have to provide input into certain conflicting uses.

Mr. Curtis said the Steering Committee was fundamentally recognized that Metro would be doing Goal 5 and asking those questions. He said they wanted to do basin approach that was compatible with Metro's work so they could participate productively. He acknowledged that there would be circumstances that would come to different conclusions. He agreed that the ESEE review was the next stage.

Councilor Hosticka appreciated the work that the Tualatin Basin was doing and hoped other basins would follow.

Chair McLain commented that the MTAC recommendations did not just say cumulative factors, it also said integrated factors. She felt it was important to recognize that terminology.

Councilor Bragdon commented that the work already done regarding regional centers and transportation plans could also be used to consider regional significance in an economic sense.

Mr. Cotugno said perhaps they could categorize the Conflicting Uses as they had categorized the Resources, 1 through 30. He felt that could help with prioritizing.

Councilor Bragdon added that priority might also relate to uniqueness, as it does with habitat.

Councilor Park asked Mr. Curtis how much he anticipated would be translated beyond the Metro jurisdictional boundary.

Mr. Curtis said they would start work with the whole of the basin and were primarily responding to Goal 5 within the Metro boundary. They would have the highest priority for integrating and ensuring cooperation inside the boundary. He said outside the boundary was more the responsibility of the local jurisdictions but because of the nature of environmental resources and because the basin as a whole was already organized and recognized, they wanted to address the issues on a basin wide level. He added there were limitations to doing Goal 5 and meeting legal requirements outside the boundary. He envisioned working creatively with Metro and other basin partners to get to the best approach to dealing with the whole of the basin.

Mr. Cotugno commented that acquisition was also part of the picture and that Metro had spent a lot of money outside the boundary.

Councilor Park said Washington County was distinct about what was inside the boundary, but there was not as clear a line on the east side. He wondered if they would have a modified program inside the boundary but outside the UGB.

Mr. Cotugno responded that they would face the same challenges on the east side as Mr. Curtis had just described.

Chair McLain said Council had requested this work to be done in time for them to take action on January 31st. She said staff needed to have the document as far as it could be before then. She noted some timing issues that would affect several committees and work with the state.

4. Discussion of Committee Work Plan

Charles Ciecko, Director, Parks and Greenspaces, said his department anticipated the following issues to come before the Natural Resources Committee in the coming year:

- a proposal for a formal partnership with the National Fish and Wildlife Foundation that would bring outside funding into the agency.
- an update of the Regional Trails and Greenways map
- a Regional System map of parks and greenspaces
- a contract with ECONorthwest to look at incentive programs appropriate for the region
- GTAC work on master planning guidelines
- an environmental education plan

Councilor Bragdon asked about the law enforcement issue and discussions with the neighbors regarding water quality at Blue Lake Park.

Mr. Ciecko said the Fairview police issue was still being discuss as a potential component of the Executive Officer's budget proposal. He said the next step in the Blue Lake Master Plan would include conversation with the Portland Water Bureau and the Interlachen PUD.

Andy Cotugno, Director, Planning Department, detailed his work plan (see copy of *Upcoming Regional Fish and Wildlife Habitat Work Tasks* included in the permanent record of this meeting).

Councilor Hosticka felt development of review and performance standards for ESEE analysis should be added.

Councilor Bragdon said the Basin Approach should not be looked at as a single transaction with one group, but something that could also serve as a template applicable to other basins as they organize themselves. He suggested a final bullet point regarding suitability.

Mr. Cotugno commented that they had always said they expected to have a safe harbor, a riparian district plan and a local discretionary option. He expected that the riparian district plan would be whatever council adopted would be used as the template.

Councilor Park wondered what would happen if someone wanted to give a piece of property and nobody was willing to take it, would there be some type of financial credit for the person who wanted to give the property. He felt that should be part of the economic decision.

Chair McLain said the inventory, ESEE and program stages blended and those questions would come up again for discussion. The final decision would link all the pieces together.

Councilor Hosticka anticipated proposed legislation regarding carrying capacity and similar issues would come to the committee as well as budget recommendations from the Executive Officer regarding increased funding for the Parks Department. He said the proposed sale of a piece of land along Fanno Creek may also appear.

5. Councilor Communications

None.

Adjourn

There being no further business to come before the committee, Chair McLain adjourned the meeting at 2:51 p.m.

Prepared by

Cheryl Grant
Council Assistant

**Attachments to the Public Record for the
Natural Resources Committee Meeting of January 16, 2002:**

Topic	Doc Date	Document Description	Doc Number
Goal 5 basin approach	1/15/02	Letter from Brent Curtis and Andy Cotugno to local governments RE: Goal 5 basin approach	011602nr-01
Goal 5 basin approach	1/16/02	MTAC Recommendation concerning Regional Fish and Wildlife Habitat Protection and The Basin Approach	011602nr-02
Work Plan	1/16/02	Upcoming Regional Fish and Wildlife Habitat Work Tasks	011602nr-03

Testimony Cards:

None