

## MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, August 11, 2009  
Metro Council Chamber

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

Councilors Absent: Carl Hosticka (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 2:06 p.m.

### **1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, AUGUST 13, 2009/ADMINISTRATIVE/CHIEF OPERATING OFFICER COMMUNICATIONS**

Councilor Bragdon briefly overviewed agenda items for the Council meeting on Thursday August 13, 2009. The freight team will be presenting, along with staff from the Port of Portland, about the Regional Freight and Goods Movement plan. Also on Thursday, version C of the Ordinance No. 09-1221, which would implement COO Michael Jordan's recommendation regarding the MERC general manager, will have its second reading. Lastly, Nature in Neighborhoods staff and a group of grant recipients will be present for the reading of Resolution No. 09-4050 which would approve second round funding for Nature in Neighborhoods capital grants.

Mr. Dan Cooper, Metro attorney, announced that the Home Builders Association (HBA) has filed a review of preceding challenging the validity of the council ordinance passed earlier this year regarding Construction Excise Tax (CET) and preemption language adopted into state law.

COO Michael Jordan acknowledged existing and new interns in the Council office including undergraduate interns Milena Hermansky, Tom Matney and Kayla Mullis and graduate interns Amy Chow, Beth Cohen, Sarah Schooley and Luc Schuster.

### **2. FUNCTIONAL PLAN TITLE 13 COMPLIANCE UPDATE: UPDATE AND DISCUSSION**

Mr. Tim O'Brien of Metro provided an update on the Title 13 Compliance and discussed possible methods of dealing with jurisdictions that are not yet in compliance. Many jurisdictions did not meet the deadline of January 15, 2009 but are on track to come into compliance. The cities of Milwaukie, Fairview and Portland will be requesting extensions. The city of Portland is requesting an extension in order to use a phase district planning process as allowed in the Title 13 compliance and in the mean time will use interim protection measures in the form of conservation and preservation zones.

Councilor Robert Liberty questioned whether interim protection measures leaves things unrelated to land use unprotected. He also asked when the city plans on completing the compliance if they are granted an extension. Mr. O'Brien noted that the city of Portland plans to be in compliance by June 2011. Councilor Bragdon questioned whether there is a particular reason jurisdictions are not yet in compliance and Mr. O'Brien responded that each jurisdiction has different obstacles. Councilor Rod Park commented that as part of periodic review jurisdictions are required to be in compliance with Metro functional plan. He also suggested that this issue go before MPAC so the region can comment on it.

Mr. O'Brien outlined the process for applying for an extension to the Title 13 Compliance. Jurisdictions would submit a formal request for an extension, a public hearing would be held and the extension can then be granted if the jurisdiction is showing progress. Extensions cannot be granted for more than one year and can only be extended twice. Councilor Liberty pointed out that Portland is asking for a 2 ½ year extension, which is not allowed in the administrative rules. Councilor Kathryn Harrington requested that the staff report and resolution for this issue have state level requirements context and suggested that if the region is leading in the state for Title 13 compliances then it should be noted to citizens. Councilor Park confirmed that Metro property around the region is in compliance.

The council agreed that Councilor Carl Hosticka will carry this item when it comes back to council in the fall.

### **3. BREAK**

### **4. REGIONAL EMERGENCY PREPAREDNESS AND RECOVERY ACTIONS: BRIEFING AND DISCUSSION**

Mr. Jerry Uba of Metro introduced Ms. Carmen Merlow, director of the Portland office of emergency management, to brief the council on potential roles for Metro in regional emergency preparedness and response. Ms. Merlow summarized the following four regional emergency management roles Metro could play:

- Develop a regional natural hazard mitigation plan and recovery plan for 5-county area;
- Short term GIS mapping for the City of Portland's Emergency Coordination Center;
- Regional disaster debris management ;
- Use of large regional facilities in during emergency response and recovery operations.

Mr. Uba added that there is no single government agency for regional emergency preparedness, resulting in duplication of work and inefficiencies. CH2M Hill has been contracted to design a more effective regionally coordinated system and has suggested REPO, a commission of 17 elected officials in the region responsible for coordination regional emergency preparedness, be formed.

Councilor Bragdon added that REPO would be a policy group who would determine in advance who will do what during an emergency. Councilor Liberty commented that allowing people to build in hazard prone areas is a land use issue that should be addressed. Councilor Bragdon commented that most of the suggestions are more of products that Metro could offer REPO than roles. He suggested that is appropriate for Metro to play a role on REPO but that financially Metro could only be responsive in providing a product. Councilor Collette feels that someone should be responsible for convening REPO but is not sure whether Metro has the capacity to play that role. Councilor Harrington feels that most of these options in their current form are too large for Metro to handle and also suggested that experience to date should be added in the language for option three.

Ms. Merlow clarified that the aim is to sustain a regional emergency preparedness organization without grant funds which includes transitioning from multiple organizations, which already have funded staff, into one organization called REPO. Staff members already in place in these multiple organizations will transfer to REPO which will ideally have an Executive Director that answers to the REPO commission. Michael Jordan, Metro COO, summarized the council's comments and said that, of the proposed options, Metro could be *involved* in convening REPO but does not have

the capacity to play a direct role in disaster mitigation at this time. Councilor Harrington commented that once roles are identified by REPO we will be more prepared to have a strategic policy discussion.

## **5. COUNCIL BRIEFINGS AND COMMUNICATIONS**

Councilor Liberty commented on his experience as host for Congressman David Wu's town hall on health care. He and Councilor Park also shared their experience at the Washington County planning commission meeting on Reserves. Councilor Liberty discussed specifically the difference between the staff recommendation and the Citizen Advisory Committee recommendation and the lack of context given when presenting reserves materials at the meeting. Councilor Park agreed saying that there seemed to be misinformation is circulating.

Councilor Harrington described her experience at the Clackamas County planning commission on reserves. She specifically commented that urban reserves and rural reserves issues were listed separately and that even though there was not a larger context given most of the comments were thoughtful and from organized areas. The council continued to discuss future county meetings on reserves and the role of Counties and the Core 4 team in making decisions on reserves.

Councilor Burkholder announced that Gateway Green has been designated as an Oregon Solutions Project and that Jay Graves and himself will be the co-conveners for the project.

With no further business Councilor Bradgon adjourned the meeting at 4:34 p.m.

Prepared by,



Kayla Mullis  
Council Intern

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF**  
**August 11, 2009**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
1	Agenda	08/13/09	Agenda: Metro Council regular meeting, August 13, 2009	081109cw-1