

MINUTES OF THE METRO COUNCIL MEETING

Thursday, December 10, 2009
Metro Council Chamber

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

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Neil Shannon, Sherwood, provided testimony on Sherwood planning issues, including transportation testimony.

Sharon Nasset, Portland, provided testimony on Columbia River Crossing (CRC) issues. She thanked the Council for their work.

3. CONSENT AGENDA

- 3.1 Consideration of minutes of the December 3, 2009, Regular Council Meeting.
- 3.2 **Resolution No. 09-4087**, Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to American Sanitary Service, Inc. for Delivery of Putrescible Waste to the West Van Materials Recovery Center and the Central Transfer and Recycling Center.
- 3.3 **Resolution No. 09-4088**, Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Crown Point Refuse, Inc. For Delivery of Putrescible Waste to the Wasco County Landfill.
- 3.4 **Resolution No. 09-4089**, Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Arrow Sanitary Service, Inc. For Delivery of Putrescible Waste to the West Van Materials Recovery Center and the Central Transfer and Recycling Center.
- 3.5 **Resolution No. 09-4090**, Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Willamette Resources, Inc. For Delivery of Putrescible Waste to the Coffin Butte Landfill.
- 3.6 **Resolution No. 09-4096**, Confirming the Reappointment of Members to the Nature In Neighborhoods Capital Grants Review Committee and Appointing a New Person in the Water Quality Specialist Position.

- 3.7 **Resolution No. 09-4097**, For the Purpose of Approving a Settlement Agreement with Waste Connections of Oregon, Inc., DBA Arrow Sanitary Service, Inc., and Waste Connections, Inc. Regarding Metro Notice of Violation Nos. NOV-227-09, NOV-228-09, and NOV-227A-09.

Motion:

Councilor Harrington moved to adopt the meeting minutes of the December 3, 2009 Regular Metro Council and Resolution Nos. 09-4087, 09-4088, 09-4089, 09-4090, 09-4096, and 09-4097.

Vote:

Councilors Burkholder, Harrington, Liberty, Park, Collette, Hosticka and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

4. RESOLUTIONS

- 4.1 **Resolution No. 09-4094**, For the Purpose of Accepting the Population and Employment Forecasts and the Urban Growth Report as Support for Determination of Capacity of the Urban Growth Boundary.

Motion:	Councilor Hosticka moved to adopt Resolution No. 09-4094.
Seconded:	Councilor Harrington seconded the motion.

Councilor Hosticka introduced the resolution and discussed focusing growth on primary principles. He discussed assessing capacity and development. He discussed work processes, background, and results from research and stakeholder group meetings.

Robin McArthur, Planning and Development Director, introduced technical background involved in the Urban Growth Report (UGR). Malu Wilkinson, Metro Principal Planner, discussed technical specifics of the UGR and forecasts of population, employment, and housing. She discussed market realities and trends. She discussed recommendations from the Metropolitan Policy Advisory Committee (MPAC) and other stakeholder input. She noted necessary investments and connections between capacity and demand.

Ms. Wilkinson outlined next steps, processes, and outcomes.

Council President Bragdon opened a public hearing on Resolution No. 09-4094.

Tom Cusak, Portland, provided testimony on the Housing Needs Analysis and resource allocation. Councilor Liberty asked if changes were made, if policy directions would change. He was interested in estimates. Mr. Cusak discussed additional federal funding as a resource.

Bob Clay, City of Portland, provided testimony on City of Portland housing analysis and needs, and capacity analysis. He discussed housing requirements. Councilor Hosticka clarified key points. Councilor Burkholder asked about infrastructure comments. Michael Jordan, COO, discussed system development charges. Councilor Liberty discussed market provided lower-cost housing. He asked about discussions to make housing cheaper and more abundant. Mr. Clay said City of Portland discussions were occurring.

Jeff Bachrach, Portland, commended the development of the UGR and final results. Councilor Liberty asked about the role of affordable housing.

Martha McLennan, Milwaukie, provided testimony on the housing needs assessment. She said the results painted an alarming picture. She discussed housing cost burdens and connections between transportation and affordable housing. Councilor Collette asked about creative strategies for discussion engagement.

Julie Massa, Director, Oregon Opportunity Network, provided testimony regarding the Housing Needs Analysis. She talked about definitions of infrastructure and current stakeholder discussions. She urged the inclusion of affordable housing in further discussions. Councilor Burkholder asked about collaboration and program background.

Mara Gross, Coalition for a Livable Future, provided testimony on the role of affordability and equity within the UGR. She said households and individuals could very easily maintain a negative and heavy housing cost-burden throughout the region. Councilor Liberty asked about various interest groups and their ability to help Metro during 2010.

Ramsay Weit, Beaverton, Community Housing Fund, provided testimony on technical housing assistance and best practices. He said incentives and proactivity were key to implementation. Councilor Harrington asked about increasing the effectiveness of education.

Council President Bragdon closed the public hearing.

Councilor Liberty asked about collecting data on rents and income-restricted housing. Ms. Wilkinson said it was not an easily-collected data source. He said he would like to see what demographics new housing was serving. He asked Dick Benner, Metro Attorney, about legal and Goal 10 obligations. Mr. Benner outlined responsibilities of local governments to provide affordable housing. Councilor Harrington discussed policy questions to consider. She was interested if Metro was at risk of meeting planning requirements. Councilor Park asked about Goal 10 specifics. Mr. Benner said cities had individual responsibilities. Councilor Burkholder discussed future actions. He said there was opportunity to bring more ideas to the table.

President Bragdon discussed setting the stage for subsequent decisions. Councilor Liberty said there was nothing in the United States comparable to Metro's UGR and Housing Needs Analysis. Councilor Hosticka closed discussion on Resolution No. 09-4094.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty, Hosticka and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

4.2 **Resolution No. 09-4095**, Authorizing the Chief Operating Officer to Purchase Property in the Chehalem Ridgetop to Refuge Target Area Under the 2006 Natural Areas Bond Measure and Subject to Unusual Circumstances.

Motion:	Councilor Harrington moved to adopt Resolution No. 09-4095.
Seconded:	Councilor Park seconded the motion

Councilor Harrington introduced Resolution No. 09-4095. She described property and purchasing specifics. She discussed unusual circumstances involved in the acquisition. Councilors discussed their support of acquiring such an important property in terms of ecology and natural enjoyment.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty, Hosticka and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

5. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, discussed Metro holiday events.

6. COUNCILOR COMMUNICATION

Councilor Hosticka discussed reserves recommendations and proposed processes for Council recommendation to the Core 4 – giving direction to Metro’s Core 4 representative and any other persons authorized to negotiate on behalf of the Council regarding intergovernmental agreements (IGA). He discussed procedure. He said decisions and direction given should not be taken lightly. He said he wanted to follow procedure as though formal legislation would be voted on. Councilor Liberty did not appreciate that direction and Council discussion on reserves issues were occurring during Councilor Communication rather than a specific agenda item. He thought discussion would happen on December 17, 2009 during discussion regarding Resolution No. 09-4100. President Bragdon said actual decisions would happen in February or March 2010. Councilor Hosticka clarified the process by stating that they were giving direction to people who were negotiating with other parties to come to a proposed IGA. He said it happened with many contractual negotiations and that it was not unusual. He said outcomes of any negotiation may be different than when they began and said there would be a lot of negotiation and discussions – and it was additionally important to discuss roles and representative roles. He said direction and authorization were very important. Councilor Park echoed Councilor Liberty’s concerns. Councilor Burkholder hoped for more dialogue, including farmland protection and range discussions.

Councilor Hosticka moved to direct and authorize Councilor Harrington and any other person authorized to negotiate for the purpose of generating an IGA. Councilor Harrington seconded the motion. The motion included the possibility to substitute maps. Councilor Hosticka proposed a map for recommendation. Councilor Hosticka discussed discrepancies between the Core 4 recommendation and his and President Bragdon’s proposal map (see attachments). He discussed differences in proposals and specifics of urban and rural reserve designations. President Bragdon said it was important to note that the ultimate product be acceptable and complete. He said their proposal was a snapshot of where they thought they were. Councilor Collette said fifty years was a comfortable forecast. She said there was a lot of foundation farmland on the proposed map. She discussed dense development as well as mixed-density development. She talked about negotiations surrounding the Borland area.

Councilor Liberty motioned to substitute the Liberty/Park map (see attachments) with the Hosticka/Bragdon map. Councilor Park seconded the motion. Councilor Liberty described and provided specifics regarding the Liberty/Park map and proposal. He discussed errors in past land forecasts and underestimation of boundary capacity. Councilor Park discussed specific land designation proposals and noted concerns and differences. Councilor Harrington discussed

opportunities to incorporate aspects of the different proposal maps, but ultimately did not find the motion to substitute the Liberty/Park map workable. President Bragdon discussed his opposition to the motion to substitute. Councilor Burkholder discussed his thoughts on scale. The motion to substitute the Liberty/Park map was opposed 3-4 (Councilors Harrington, Hosticka, Collette and President Bragdon opposed).

Councilors resumed discussion on Councilor Hosticka's original motion to authorize and direct Councilor Harrington and substitute. Councilor Harrington discussed timeframe differences, and acreage designations. She said there had not been a solid opportunity for concrete timeframe discussions.

Councilors discussed specific geographic locations on the proposal maps (original proposed Core 4 map, Councilor Harrington amendment map, and the Hosticka/Bragdon map). Councilor Hosticka talked about development and infrastructure abilities and the logic behind different designations. Councilor Harrington asked further questions about specific geographic areas on the Liberty/Park map, and outlined acreage discussions. President Bragdon discussed agreement and differences between proposals. Councilors further discussed specific amendments to reserve designations and specific geographic areas, and Councilor Harrington provided comments on different options available. Councilor Harrington proposed amendments north and west of Forest Grove (see attachments). Councilors briefly discussed amendments. The motion to amend passed 5-1-1 (Councilor Liberty opposed/Councilor Park abstained). Councilor Park asked a clarifying question regarding specific voting actions. Councilor Harrington said it was to finalize a best effort proposal.

Councilor Hosticka closed the discussion on his original motion (see above). He appreciated refinement and amendment discussions and described next steps. He said it was an opportunity to reengage with regional partners. The original motion passed 4-2-1 (Councilors Liberty and Burkholder opposed/Councilor Park abstained).

Councilors discussed events and meetings they had attended.

7. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 5:30 p.m.

Prepared by

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

Tony Andersen
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
 December 10, 2009**

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	12/3/09	Minutes of the Metro Council Meeting, Thursday, December 3, 2009	121009c-1
4.1	E-mail	12/9/09	To: Tom Matney, Carl Hosticka From: Dee Walsh, Executive Director, REACH Community Development Re: Resolution No. 09-4094 Date: December 8, 2009	121009c-2
4.1	Letter	12/9/09	To: Michael Jordan, Metro COO From: Ellen Johnson, President, Housing Land Advocates Re: Strategies for a Prosperous and Sustainable Region Date: December 9, 2009	121009c-3
4.1	Testimony	12/10/09	Objections to Metro Council Acceptance of Urban Growth Report, and Needed Housing Projections, Tom Cusak, Oregon Housing Blog, December 10, 2009	121009c-4
4.1	Testimony	10/28/09	City of Portland, Proposed Amendments, submitted by Bob Clay	121009c-5
6.0	Map	12/10/09	Forest Grove reserves maps, introduced by Councilor Kathryn Harrington	121009c-6
6.0	Graph	9/2009	COO Recommendation on Regional Urban Reserves	121009c-7
6.0	Chart	12/10/09	Differences between Bragdon/Hosticka map and Liberty/Park map by numbers	121009c-8
6.0	Map	12/03/09	Core 4 Proposed Areas of Preliminary Agreement, and Areas for Further Discussion	121009c-9
6.0	Map	12/08/09	David Bragdon/Carl Hosticka proposed map	121009c-10
6.0	Map	12/10/09	Robert Liberty/Rod Park proposed map	121009c-11