



**METRO COUNCIL MEETING**

Meeting Summary

June 9, 2011

Metro Council Chambers

Councilors Present: Council President Tom Hughes and Councilors Carl Hosticka, Barbara Roberts, Rex Burkholder, Kathryn Harrington and Shirley Craddick

Councilors Excused: Councilor Carlotta Collette

Council President Tom Hughes convened the regular Council meeting at 2 p.m.

**1. INTRODUCTIONS**

There were none.

**2. CITIZEN COMMUNICATIONS**

Carol Chesarek, 13300 NW Germantown Rd., Portland: Ms. Chesarek requested a clarification on the Metro Council's position on House Bill 3225 which addresses construction of new roads in urban reserves. She was concerned that Metro support of the bill would undermine the urban reserves premise that concept planning in new urban areas must be completed prior to approval of new infrastructure.

Councilor Carl Hosticka clarified the origin of the bill and Metro's involvement to date. He confirmed that the Metro Council is not actively promoting nor opposing the bill at this time.

**3. "IT'S OUR NATURE" COMMUNICATIONS INITIATIVE**

Ms. Kathleen Brennan-Hunter and Ms. Laura Odom of Metro provided a brief presentation on Metro's new "It's Our Nature" initiative which launches in June 2011. The communication initiative, supported by Metro's voter-approved natural areas program, was designed to provide visibility to invested voter-approved funds, engage citizens and provide follow through to important recommendations on transparency and accountability raised by the bond oversight committee and Metro Auditor. Information on the communication initiative may be accessed online at [www.oregonmetro.gov/naturalareas](http://www.oregonmetro.gov/naturalareas)

Additional presentation information included the 1995 and 2006 voter-approved bond measures, the initiative's publication and promotional materials, and new interactive web site.

**4. CONSIDERATION OF THE MINUTES FOR MAY 19, 2011**

Motion:	Councilor Kathryn Harrington moved to adopt the May 19, 2011 Council minutes.
Vote:	Council President Hughes and Councilors Roberts, Harrington, Hosticka, Craddick, and Burkholder voted in support of the motion. The vote was 6 aye, the motion <u>passed</u> .

**5. RESOLUTIONS**

5.1 **Resolution No. 11-4261**, For the Purpose of Adopting an Order on a Request for an Extension of Time for Completion of Comprehensive Planning for Bonny slope West 9 Study Area 93) by Multnomah County on Appeal from an Order of the Chief Operating Officer.

Motion:	Councilor Rex Burkholder moved to adopt Resolution No. 11-4261.
Second:	Councilor Harrington seconded the motion.

Councilor Burkholder, with assistance from Metro staff Ray Valone, introduced Resolution No. 11-4261. According to Metro Code Section 3.07.830, cities and counties may request a time extension for compliance with an Urban Growth Management Functional Plan requirement. In addition, the Chief Operating Officer may grant the request if the city or county is making progress toward compliance and that the COO may “establish terms and conditions for the extension in order to ensure compliance is achieved in a timely and orderly fashion and that land use decisions made by the city of county during the extension do not undermine the ability of the city or county to achieve the purposes of the functional plan...”

While Multnomah County has continued to make progress on the Bonny Slope West Concept Plan since the area was first brought into the urban growth boundary in 2002, on March 11, 2011 the County applied for an extension for fulfilling the Title 11 requirements for the area. The COO approved, by Order No. 11-053, the County’s request for the extension and established that the County or another body by agreement with the county shall adopt the comprehensive plan provisions that comply with Metro Code within 2 years following the agreement or within 10 years of the date of the approved order, whichever comes earlier. Property owner Mr. James Crawford appealed the COO decisions in April 2011.

If adopted, the resolution would approve, by Order 11-055, the County’s request for an extension based on the above terms/conditions and deny the Mr. Crawford’s appeal of the COO’s Order No. 11-053.

Council President Hughes opened a public hearing on Resolution No. 11-4261:

- James Crawford, 24955 NW Oak Hill, Yamhill: Mr. Crawford was opposed to the resolution. He stated that the County has intentionally avoided not enabling development of the area. He expressed support for the City of Beaverton and Beaverton School District to use the Bonny Slope land for the new proposed public high school. He was concerned that granting the extension would prevent this potential development. (Written testimony included as part of the meeting record.)
- Guillermo Maciel, Multnomah County: Mr. Maciel read written testimony on behalf of Chair Jeff Cogen, Multnomah County, in support of the resolution. While the County has not provided urban planning services since the mid-1980s, when funding became available the County, in partnership with the community, created a concept plan for the area. Unfortunately, there is no plan to move forward with implementation as the City of Portland is legally unable to provide urban services and no other jurisdiction has expressed interest in serving the area. (Written testimony included as part of the meeting record.)

- Karen Schilling, Multnomah County: Ms. Schilling's testimony was in support of the resolution. She briefly highlighted how the County has met the Metro Title 11 extension criteria including acquisition of Construction Excise Tax (CET) monies for concept planning, entering an intergovernmental agreement with the City of Portland to assist in the planning process and release of the *Existing Conditions Opportunities & Constraints* and creating a concept plan. She provided a brief overview of the County's actions to date, the county's transfer of services (i.e. urban planning and building permits) and governance challenges. (Written testimony included as part of the meeting record.)

Council discussion included Washington County's interest in providing governance and service to the area.

- John Orlando, 12735 NW Skyline Blvd., Portland: Mr. Orlando was opposed to the resolution stating that while technically this is the first request for an extension, the County should have completed this planning in 2003-2004 as part of the comprehensive plan. He recommended the Council apply pressure to the County. He also noted the site's potential for infill.
- Carol Chesarek, 13300 NW Germantown Rd., Portland: Ms. Chesarek supported the resolution, but recommended that the 10-year timeframe be removed. She outlined some of the area's governance and development challenges. She was not opposed to the area being developed as long as the cities' provide governance.
- Mike Nelson, 12401 NW Thompson Rd., Portland: Mr. Nelson was opposed to the resolution. He believed the value of his property had decreased since brought into the UGB in 2007 due to his inability to subdivide the land for residential purposes. He also discussed Multnomah County and the City of Portland's roles and potential exposure to Measure 49 claims. (Written testimony included as part of the meeting record.)

Seeing no further citizens who wished to testify, Council President Hughes closed the public hearing.

Council discussion included the need for early evaluation of the urbanization potential for possible UGB expansion areas, the urban and rural reserves process, the 2002 UGB expansion, and Washington County and Washington County cities' abilities to provide services.

Vote: 

Council President Hughes and Councilors Roberts, Harrington, Hosticka, Craddick, and Burkholder voted in support of the motion. The vote was 6 aye, the motion <u>passed</u> .
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5.2 **Resolution No. 11-4264**, For the Purpose of Concluding that the Concerns and Considerations Raised about the Columbia River Crossing Project in Exhibit A t Resolution No. 11-08-3960A have been Addressed Satisfactorily.

Motion:	Councilor Burkholder moved to adopt Resolution No. 11-4264.
Second:	Councilor Harrington seconded the motion.

Councilor Burkholder and Council President Hughes introduced Resolution No. 11-4264 and provided a brief historical overview of the project and the Columbia River Crossing (CRC) Locally Preferred Alternative adopted by the Metro Council in July 2008.

Mr. Andy Cotugno of Metro, with assistance from Ms. Nancy Boyd of the CRC project, provided a brief presentation on the status of the LPA conditions. The presentation included information on how the project has either resolved or continues to track 11 conditions or concerns identified by the Council in July 2008:

- Tolling
- Demand Management
- Financing Plan
- Light Rail
- Bridge Design
- Design of Bicycle & Pedestrian Facilities
- Number of Auxiliary Lanes
- Impact Mitigation & Community Enhancement
- Urban Development Impacts at Redesigned Interchange
- Preservation of Freight Access
- Urban Development Impacts at Redesigned Interchange

The resolution, if approved, would concur that the 11 concerns and considerations have been sufficiently addressed to proceed with finalizing the Final Environmental Impact Statement (FEIS) and also acknowledge that further refinements and decisions will be made and will include engagement by the Metro Council.

Council President Hughes opened public comment on Resolution No. 11-4264:

- Jeff Bernard, 2138 SE 16<sup>th</sup>, Portland: Mr. Bernard requested the total cost of the project be provided. He was concerned that the project's carbon footprint had not been addressed. He also questioned where the \$9 million joint contribution by ODOT and WSDOT was coming from and potential impacts to other entities.
- Terry Parker, P.O. Box 13503, Portland: Mr. Parker stated that the CRC does not have an equitable finance plan. He was specifically concerned with the share auto users – versus transit riders or cyclist or pedestrians – will be contributing to the bridge through tolling and motorist-paid taxes and fees. He cited impacts to jobs and the economy as reasoning. He recommended tolls for bicycles and a surcharge for transit be considered. (Written testimony included as part of the meeting record.)
- Ron Buel, 2817 NE 19<sup>th</sup> Ave., Portland: Mr. Buel opposed the resolution. He stated that the greenhouse gas (GHG) and air pollution portions completed by the CRC Independent Review Panel were inadequate. (Written testimony included as part of the meeting record.)
- Pai Welch, Portland Freight Committee: Ms. Welch expressed her support for the resolution.
- Douglas Allen, 734 SE 47<sup>th</sup>, Portland: Mr. Allen opposed the resolution. He stated that Condition F, regarding GHG, had not been met and that the project is not consistent with the state's GHG emission reduction goals. He was concerned with MetroScope's assumptions and recommended the project look at work completed by Portland State University's Transportation Studies group. (Written testimony included as part of the meeting record.)
- Chris Lopez, Northeast Coalition of Neighborhoods: Mr. Lopez was opposed to the resolution citing traffic congestion impacts on I-5 and the project cost as reasoning. He was concerned that the cost of the project would prevent funding for other congestion and

traffic infrastructure improvements needed in the neighborhoods he represents. He recommended that the project consider other alternatives that are less expensive, can be phased and provide benefits to GHG emissions.

- Carie Weisenbach-Folz, 6325 N. Albina Ave. #1, Portland: Ms. Folz was opposed to the resolution stating that the CRC project would negatively impact her neighborhood. She cited reduced safety, less walkable neighborhoods, increased pollution and increased auto dependency as reasoning.
- Kevin Jensen, Ironworkers/CR Coalition: Written testimony provided only. Testimony included as part of the meeting record.
- JoAnn Bowmon, Coalition for a Livable Future: Ms. Bowmon was opposed to the resolution. She was concerned that there has not been enough work completed to determine potential impacts to the community. She was also concern that there was no mechanism called out to address air quality issues.
- Jonathan Schlueter, Westside Economic Alliance: Mr. Schlueter supported the resolution. While the Washington County is geographically removed from the project area, the county is the 9<sup>th</sup> largest county in Oregon for shipping containerized freight over the Port of Portland docks. The Washington County Coordinating Committee unanimously voted in support of the resolution. He emphasized the project's importance to Washington County businesses. (Written testimony included as part of the meeting record.)
- Greg Benison, 4320 SW Corbett Ave., Apt. 102, Portland: Mr. Benison was opposed to the resolution. He was concerned that only 5 of the 11 conditions have been satisfied.
- John Reinhold, 2004 NE 15<sup>th</sup> Ave., Portland: Mr. Reinhold stated that the finance plan does not include the recent numbers that show the Vehicle Miles Traveled over CRC target area have decreased. He indicated that the reduction would adversely impact the revenue generated tolls. He stated that the cost of the bridge has not been adequately finalized, and that the GHG numbers do not take into account the new bridge construction or removal of the existing bridge. Additional comments included bridge design.
- Bob Stacey, 3434 SE Brooklyn, Portland: Mr. Stacey was opposed to the resolution. He supported building communities and a transportation system that provide more choices for travel. He stated that tolling the I-5 and building world-class transit and bike-pedestrian facilities would enable reduce travel times and allow freight to move reliably. (Written testimony included as part of the meeting record.)
- Rebecca Hamilton, AROW: Ms. Hamilton was opposed to the resolution. She stated that the financial impact of the project was underestimated; she cited traffic projections over the bridge and unfunded community enhancement fund as reasoning.
- Fred Nussbaum, 6510 SW Barnes Rd., Portland: Mr. Nussbaum was opposed to the resolution. He stated that there was memorial in the state legislature, HJM-22, that has passed out of the House's Transportation and Economic Committee that removed specifics of the CRC proposal and spoke generally to the modernization building and rebuilding of facilities in the CRC corridor. He also addressed the finance plan.

- Jim Labbe, 6325 N. Albina, Portland: Mr. Labbe was opposed to the resolution, stating that the project will be tremendously destructive to the region. He addressed climate change and GHG emissions, and emphasized that the project should do better than a no-build option. Mr. Labbe also expressed support for the CLF testimony.
- Ray Polani, AORTA: Mr. Polani expressed support for rail transit and freight movement. He recommended the Council review work recently completed by Sightline Institute in Seattle, WA. (Written testimony included as part of the meeting record.)
- Joe Clinkenbeard, 3951 N. Williams Ave., Portland: Mr. Clinkenbeard was opposed to the resolution. He requested that more consideration be given to the financing plan and environmental impacts. Mr. Labbe also expressed support for the NECA, and Ms. Hamilton and Mr. Stacey's testimonies.
- Donna Murphy, 1501 N. Hayden Island Dr., Portland: Ms. Murphy, Co-Chair of the Hayden Island Livability environmental justice group, was concerned that the current CRC plan does not address impacts to the community during the project's construction phase. She was specifically concerned with impacts or removal of the local Safeway.
- Pamela Ferguson, Hayden Island Livability Project: Ms. Ferguson requested that the arterial bridge to Hyden Island be one of the first items to be constructed as it provides an important connection to her community. She also stated that the manufactured housing development has already established community enhancement agreements with ODOT, WSDOT, Portland and Vancouver, WA and she encouraged Metro to honor those agreements in the future.
- Tom Buchele, PEAC: Mr. Buchele stated that, for legal reasons, the level of new project analysis provided could not be included in the FEIS. He inquired as to what elements of the plan would be dropped should the project come in over budget; he anticipated that the mitigation efforts and community enhancement components would be dropped. (Written testimony included as part of the meeting record.)

The Council requested a clarification on the difference between the DEIS and FEIS processes.

- Jim Howell, AORTA: Mr. Howell was opposed to the resolution stating that the current CRC proposal does not reduce traffic congestion, pollution or GHG emissions, improve freight, or create jobs. He provided a CD to the Council with a set of proposed project alternatives. (Written testimony and CD included as part of the meeting record.)
- Roger Staver, Hayden Island Neighborhood Network: Mr. Staver stated that HiNooN had concerns with the resolution as it related the neighborhood's Hayden Island Plan components: (1) neighborhood retail center; (2) stormwater treatment wetlands; (3) park and ride, (4) eastside multi-use path, (5) public areas and park facilities; and (6) local street design. He concluded that Hyden Island continues to support the concepts in the plan. (Written testimony included as part of the meeting record.)
- Victor Viets, 421 N. Tomahawk Island Dr., Portland: Mr. Viets was in support of the resolution. He highlighted land use conflicts created by the project's designed interchanges. He specifically requested that conflicts between wetlands and the neighborhood retail area be addressed. (Written testimony included as part of the meeting record.)

- Chris Girard, Plaid Pantry: Mr. Girard addressed the CRC's finance plan. He requested that the Council at least withhold action on the finance plan, stating that approval would endorse a finance plan that still has issues to address.
- Carolee Collen, 1501 N. Hayden Island, Portland: Ms. Collen stated that the residents in her community have and continue to be impacted. She stated that while the community is excited about the project, impacted residents need to be heard.
- Chris Smith, 2353 NW Pettygoe, Portland: Mr. Smith opposed the resolution, stating that testimonies given articulate that the Council's conditions have not yet been met.

Council discussed Mr. Joe Cortright's independent review of the project and if his report had been reviewed by his peers. Mr. Smith indicated that independent citizen reviews of project – that provide significant contradicting data -- has not been included or evaluated during the process.

- Joesphine Wentzel, US Digital: Ms. Wentzel emphasized the lack of support by both Oregon and Washington state legislatures. She stated that Vancouver residents have hired a forensic auditor to look at the project spending. She emphasized the need for transparency.
- Corky Collier, Columbia Corridor Association: Mr. Collier supported the resolution. He stated that the Exhibit B, project conditions, was a very objective, thorough and succinct report. He stated that everyone needs to continue to work to improve the project and address community impacts and bike access. He believed that the project improvements would occur.
- Brad Perkins, Cascadia High Speed Rail: Mr. Perkins stated that the project does not meet National Environmental Policy Act (NEPA) requirements. He stated that High Speed Rail, between Portland and Vancouver, WA, should to be considered and studied. (Written testimony included as part of the meeting record.)
- Mara Gross, Coalition for a Livable Future: Ms. Gross was opposed to the resolution stating that WSDOT and ODOT have not addressed the concerns identified by the Council in 2008. She addressed the project's perspective on community enhancement funds, increased climate pollution, and expensive finance plan.
- Ian Williams, 9715 SE Evergreen Hwy, Vancouver, WA: Mr. Williams supported the resolution. He stated that if the project continues to look for the perfect bridge, the project would never be completed.
- Sharon Nasset, Third Bridge Now: Ms. Nasset addressed the Council on the NEPA process. She stated that the SW Regional Transportation Council and Clark County Commission confirmed that the Third Bridge and other options were not studied. She stated that this is against civil rights outline in the NEPA process.
- Walter Valenta, 173 NE Bridgeton Dr., Portland: Mr. Valenta addressed the Council on the Governors' truss bridge selection. While he was disappointed by the selection, he remained hopeful that a world-class architecture firm would be brought in to the project. He requested that the Council hold firm to the design elements as they risk being cut if the budget is impacted.

- Robert Liberty, 3431 SE Tibbitts St., Portland: [Councilor Hosticka read testimony into the record.] Mr. Liberty encouraged the Council to table the resolution until June 2012 stating that the project had failed to satisfy the conditions. He indicated that the Council legislation did not satisfy the conditions, but rather described of how the conditions would be met in the future. He also addressed issues with the finance plan. (Written testimony included as part of the meeting record.)
- Katie Eyre Brewer, P.O. Box 3027, Hillsboro: [Councilor Hosticka read testimony into the record.] Representative Brewer requested that the Council delay their vote, pending legislative action. Her testimony addressed the finance plan and preservation of freight access. (Written testimony included as part of the meeting record.)
- Michael Powers, 1538 NE 24<sup>th</sup>, Portland: Written testimony provided only. Testimony included as part of the meeting record.

Seeing no additional citizens who wished to comment, Council President Hughes opened the resolution for Council discussion.

Councilor Hosticka was opposed to the resolution stating that the project had yet to satisfy the conditions raised by the Council. Additionally, he could not support a resolution that expressed Council's comfort that discussions would continue and that future work would satisfy the concerns. He also was concerned with the lack of a detailed finance plan.

Council discussion included:

- The statewide significance of the project
- Oregon and Washington states' participation
- Collaboration among project stakeholders and the public
- Council touch points on the CRC including the Land Use Final Order (LUFO), publication of FEIS, Regional Transportation Plan, project finance plan, etc.
- Importance of mitigating impacts to the local community during and after project construction (i.e. air pollution and dust)
- Importance of developing a long-term monitoring system for air pollution
- Importance of building a bridge that the region is proud of that has artistic architecture and design elements.

Vote:

Council President Hughes and Councilors Roberts, Harrington, Craddick, and Burkholder voted in support of the motion. Councilor Hosticka opposed the motion. The vote was 5 aye, 1 nay, the motion <u>passed</u> .
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## 6. **CHIEF OPERATING OFFICER COMMUNICATION**

Mr. Dan Cooper provided an update on the first Annual All-PES meeting and work party at the Howell Territorial Park, the anticipated Hoyt Street Station Café opening, and the June 14 All Managers meeting regarding the Diversity Action Plan.

7. **COUNCILOR COMMUNICATION**

There were none.

8. **ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 5:07 p.m. The Metro Council will reconvene the next regular council meeting on Thursday, June 16 at 2 p.m. in the Metro Council Chambers.

Prepared by,



Kelsey Newell,  
Regional Engagement Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 16, 2011**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
	Agenda	6/9/11	Revised 60911 Council agenda	60911c-01
3.0	Publication	Summer 2011	Metro Green Scene	60911c-02
3.0	Handouts	N/A	Trifold publication and button	60911c-03
5.1	Letter	4/4/11	Letter to Council President Tom Hughes regarding appeal to Order 11-053	60911c-04
5.1	Article	5/30/11	Written testimony submitted by Jim Crawford	60911c-05
5.1	Letter	6/9/11	Written testimony submitted by Jeff Cogen	60911c-06
5.1	Letter	6/9/11	Written testimony submitted by Karen Schilling	60911c-07
5.1	Handout	N/A	Written testimony submitted by Mike Nelson	60911c-08
5.2	PowerPoint	6/9/11	<i>A Long-Term, Comprehensive Solution: Status of LPA Conditions</i> provided by Andy Cotugno	60911c-09
5.2	Publication	5/12/11	Columbia River Crossing Project Overview	60911c-10
5.2	Handout	6/9/11	Errata Sheet for Resolution No. 11-4264, Exhibit B	60911c-11
5.2	Handout	5/9/11	Written testimony submitted by Terry Parker	60911c-12
5.2	Handout	N/A	Written testimony submitted by Ron Buel	60911c-13
5.2	Memo	6/9/11	Written testimony submitted by Douglas Allen	60911c-14
5.2	Handout	6/9/11	Written testimony submitted by Kevin Jensen	60911c-15
5.2	Handouts	N/A	Written testimony submitted by Jonathan Schleuter	60911c-16
5.2	Handout	6/9/11	Written testimony submitted by Bob Stacey	60911c-17
5.2	Handout	6/1/07	Written testimony submitted by Ray Polani	60911c-18

5.2	Letter	6/9/11	Written testimony submitted by Tom Buchele	60911c-19
5.2	Handout & CD	6/9/11	Written testimony and CD submitted by Jim Howell	60911c-20
5.2	Letter	6/9/11	Written testimony submitted by Roger Staver	60911c-21
5.2	Handouts	N/A	Written testimony submitted by Victor Viets	60911c-22
5.2	Letter	6/8/11	Written testimony submitted by Joe Cortright	60911c-23
5.2	Memo & Attachments	6/8/11	Written testimony submitted by Brad Perkins	60911c-24
5.2	Handout	6/9/11	Written testimony submitted by Robert Liberty	60911c-25
5.2	Letter	6/8/11	Written testimony submitted by Katie Eyre Brewer	60911c-26
5.2	Letter	6/9/11	Written testimony submitted by Michael Powers	60911c-27