



METRO COUNCIL MEETING

Meeting Summary

May 24, 2012

Metro, Council Chamber

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

Councilors Excused: None

Council President Tom Hughes convened the regular council meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none at this time.

3. CONSIDERATION OF THE MINUTES FOR MAY 17, 2012

Motion:	Councilor Carlotta Collette moved to approve the minutes for April 17, 2012.
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Vote:	Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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4. CONTRACT REVIEW BOARD

4.1 **Resolution No. 12-4351**, For the Purpose of Approving a Contract Amendment for Geotechnical Services on the New Elephant Habitat Project at the Oregon Zoo.

Council President Hughes declared that the Metro Council was now acting as the Metro Contract Review Board.

Motion:	Councilor Shirley Craddick moved to approve Resolution No. 12-4351.
Second:	Councilor Carl Hosticka seconded the motion.

Councilor Craddick introduced Resolution No. 12-4351, which if approved, would authorize Metro to amend the professional services contract with Shannon and Wilson, Inc. (S&W), an external environmental consulting firm, for geotechnical services on the New Elephant Habitat Project at the Oregon Zoo. Councilor Craddick explained during the evaluation of the elephant site, S&W discovered considerable geotechnical risk that was not identified in the pre-schematic design of the

project. Councilor Craddick noted that the amendment includes additional costs, but that the work is necessary to reduce and mitigate risk.

Mr. Craig Stroud of Metro introduced Mr. Jim Mitchell of Metro who provided background on the land and soil conditions at the zoo. Much of the elephant habitat project's improvements are sited along the zoo campus perimeter, which has had less prior assessment than centrally located areas. It was noted that the zoo sits atop a landslide prone zone, and that the underlying site conditions of the improvement area are much more challenging than initially expected. Mr. Mitchell stated that amending Metro's contract with S&W would be more cost-effective and practical, given the firm's experience, rather than initiating a competitive request for proposal (RFP) process.

Mr. Stroud reiterated that the conclusion of further geotechnical analysis will provide a more comprehensive outlook of the zoo campus, benefiting both the elephant habitat as well as future construction. Councilor Craddick encouraged support for the contract amendment.

Vote:

Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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Council President Hughes then declared the Metro Contract Review Board closed and reconvened the Metro Council for the remainder of the meeting.

5. **ORDINANCES – SECOND READING**

5.1 **Ordinance No. 12-1275**, For the Purpose of Amending Metro Code Section 2.12 Regarding the Office of Citizen Involvement and Metro Code Section 2.19.100 Regarding the Metro Committee for Citizen Involvement (MCCI).

Motion:	Councilor Kathryn Harrington moved to approve Ordinance No. 12-1275.
Second:	Councilor Barbara Roberts seconded the motion.

Councilor Harrington introduced Ordinance No. 12-1275, which if approved, would amend the Metro Code regarding the office of Citizen Involvement to dissolve the MCCI and establish the Metro Public Engagement Review Committee (PERC). Councilor Harrington explained that Metro's commitment to public involvement is reflected by staff's efforts to evaluate and modify engagement processes in need of modernization. Councilor Harrington stressed that Metro's objective to exude transparency, trust and public involvement remains the same while the means to achieve this end will be improved. Metro staff has worked with stakeholders and public involvement peers to develop the proposal in Ordinance No. 12-1275.

Councilor Harrington listed the five tools and techniques that the proposal brings forward:

- Public Engagement Review Committee (PERC)
- Peer Group
- Annual Stakeholder Summit
- Annual Public Survey
- Annual Report

Councilor Harrington then mentioned the proposal's review at the Metro Policy Advisory Committee (MPAC), the Joint Policy Advisory Committee for Transportation (JPACT), the Metro Technical Advisory Committee (MTAC), the International Association of Public Participation (IAP2) and with regional stakeholders such as Mr. Hal Ballard. Councilor Harrington noted that amendments to the code include the process of monitoring and continuing to improve public involvement practices, but do not include outreach and engagement efforts that accompany Metro projects.

Council President Hughes opened a public hearing on Ordinance No. 12-1275.

Hal Ballard, 544 E Main St. Hillsboro, OR 97123: Mr. Ballard discussed his wide-ranging experience in the community, including the MCCI in the last 4 years of its existence. Mr. Ballard stated that MCCI's purpose was to ensure projects are properly presented to the public and to insist that Metro act on citizen feedback and responses. Mr. Ballard then described MCCI members' concern when presented with the realignment of Metro's public involvement review structure. Some believed the changes would dilute the effectiveness of the citizen body. Mr. Ballard then expressed his support for the formation of the stakeholder review group and urged that they have more than one meeting annually.

Linda Peters, 25440 NW Dairy Creek Rd. North Plains, OR 97133: Ms. Peters of the Washington County Citizen Action Network (WCCAN) expressed her hope that Metro's assessment of citizen involvement does not stop at number of people and distribution of those who participate, but that it aims to make a serious attempt to determine the impact citizen involvement has on policy making. Ms. Peters stated the WCCAN can help in this process, noting the group's experience in program evaluation. Lastly, Ms. Peters emphasized the importance of quality relationships and trust between elected officials and the public.

Tara Sulzen, 133 SW 2nd Ave. Portland, OR 97204: Ms. Sulzen of 1000 Friends of Oregon testified in support of Ordinance No. 12-1275 and thanked Metro staff for their hard work developing a new strategy. Ms. Sulzen expressed appreciation for the proposal's focus on measurement and evaluation. Ms. Sulzen noted that diverse representation needs to be engaged in order to build towards the goal for a more equitable region.

Mara Gross, 107 SE Washington St. #239, Portland, OR 97214: Ms. Gross of Coalition for a Livable Future (CLF) expressed support for the ordinance, mentioning that it addresses issues CLF has noted for many years. Ms. Gross recommended that advisory groups be made up of diverse representation across the region, including from communities of color. Ms. Gross noted that diversity is important not only for adequate representation but also in the development of relationships between the public and government. Regarding the Annual Stakeholder Summit, Ms. Gross recommended that there be an open discussion and evaluation of public involvement practices, that citizens receive a progress report and that the order be amended so reports are reviewable before the summit.

Kay Durtschi, 2230 SE Caldw St. Portland, OR 97219: Ms. Durtschi, a former citizen member of MCCI and current citizen representative on MTAC, voiced opposition to changing the name of the citizen advisory group from the Metro Committee for Citizen Involvement (MCCI) to the Public Engagement Review Committee (PERC). Ms. Durtschi expressed concern regarding distribution of committee members, 3 of whom are at large representatives while the other 6 are either appointed or are public employees representing each of the 3 counties. Ms. Durtschi cited her experience, mentioned her strong feeling that citizens are left out of the public process and stated that only a

couple meetings a year is not enough time for citizens to evaluate public involvement practices and strategies.

Councilors asked Ms. Durtschi clarifying questions regarding her concerns about citizen representation on PERC. Ms. Durtschi explained that the 3 appointed jurisdictional representatives could maintain political commitments, which have the potential to influence voting. In response to Ms. Durtschi concern, Councilors questioned staff on the limit of 9 members to serve on PERC. Ms. Patty Unfred of Metro commented that initial feedback increased the number of members to 9 because it was considered feasible and representative of best practices and a solid level of knowledge. However, Ms. Unfred noted that there is no magic number. Mr. Jim Middaugh of Metro expressed staff's openness to and support of Council direction.

Councilor Collette proposed amending the ordinance to include more flexible language regarding the number of members to serve on PERC. Ms. Alison Kean-Campbell of Metro and Ms. Martha Bennett of Metro noted the amendment would provide Council with the most flexibility if language was included in subsection one (1) of 2.19.100 in Exhibit D to Ordinance 12-1275.

Motion:	Councilor Carlotta Collette moved to amend Exhibit D, section 2.19.100 (b) and subsection (1) of Ordinance No. 12-1275 to state, "The PERC consists of <u>at least</u> nine (9) members" and, " <u>At least</u> (3) at large representatives from the region" rather than just "nine (9) members" and "three (3) at large representatives".
Second:	Councilor Shirley Craddick seconded the motion.

Vote: Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion passed.

Councilors discussed Metro's role as a regional convener and recognized that new creative practices of engaging people in the political process should be continuously considered and evaluated. Councilors expressed support and appreciation for the refocusing of the purpose and effectiveness of PERC as well as the high level of citizen participation in the process.

In closing, Councilor Harrington acknowledged the fine work done by Metro Auditor Suzanne Flynn in putting together an objective report to staff, which aided the refinement of Metro's public involvement structure and practices. Councilor Harrington complemented Mr. Middaugh and Ms. Unfred in their efforts to engage a broad spectrum of experts as well as the public, which has ensured Metro maintains a public involvement system in place to monitor and improve practices.

Vote: Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion passed.

5.2 **Ordinance No. 12-1278**, For the Purpose of Amending the Regional Transportation Functional Plan to Remove the Schedule for Updating City and County Transportation System Plans; to Add an Exemption Process; and to Revise Procedures for Extensions and Exceptions.

Motion:	Councilor Carlotta Collette moved to approve Ordinance No. 12-1278.
Second:	Councilor Kathryn Harrington seconded the motion.

Councilor Collette introduced Ordinance No. 12-1278, which if approved, would amend Title 6 of Regional Transportation Function Plan (RTFP) regarding compliance procedures. Councilor Collette then described the process in which each local jurisdiction in the region updates their Transportation System Plans (TSP) as required to be consistent with the RTFP. Essentially, the amendments would simplify and streamline implementation of the Regional Transportation Plan (RTP), making the process to get an extension easier and adding a provision that makes it possible for really small jurisdiction to seek exemption from regional requirements. Councilor Collette explained that updating TSPs for smaller communities with minimal staff and volunteer councils can be a huge challenge. Amendments to the RTFP’s Compliance Procedures have been presented as housekeeping measures to TPAC, MPAC, MTAC and JPACT with unanimous approval from each engagement committee.

Ms. Kean-Campbell noted that Exhibit B to Ordinance No. 12-1278 is not yet attached to the record and advised Council to postpone voting until the next meeting.

Councilors asked clarifying questions regarding the consistency of the title and staff report of the ordinance. Councilors expressed the importance of maintaining the schedule of updating local TSPs in accordance with the RTP. Mr. Dick Benner of Metro explained that the adoption of the 2035 RTP included a schedule that showed a timeline for each jurisdiction. Mr. Benner reminder Council that staff has learned the timeline is difficult for some local governments. Mr. Benner noted that the schedule will be kept in the planning department. Ultimately, Councilors reiterated that it should not be confused that there is no schedule simply because it is being moved, and that local governments are still responsible for updating TSPs in a timely manner. Mr. Benner pointed to the standard timeline, which remains applicable even with proposed amendments.

Councilors then expressed support for the intention of the ordinance, noting their confidence in staff’s ability to track local TSP updates and schedule modification requests. There was discussion regarding public access to the schedule and timeline. Councilors asked if a summary list of timelines will be maintained on the website as a public resource. Ms. Sherry Oeser of Metro concurred that a summary list can be made public similar to the way land use updates benchmarks are posted.

Motion:	Councilor Carlotta Collette moved to continue Ordinance No. 12-1278 to June 14, 2012.
Second:	Councilor Kathryn Harrington seconded the motion.

Vote: Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion passed.

6. RESOLUTIONS

6.1 **Resolution No. 12-4349**, For the Purpose of Adopting the Regional Travel Options 2012-2017 Strategic Plan.

Motion:	Councilor Rex Burkholder moved to approve Resolution No. 12-4349.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Burkholder introduced Resolution No. 12-4349, which if approved, would adopt the Regional Travel Options (RTO) 2012-2017 Strategic Plan and approve the plan’s missions, goals, strategies and actions. Councilor Burkholder quoted the program mission, which is to make the Portland metro region a great place by working with local and regional partners to promote travel options that support economically vibrant communities, increase active transportation and advance environmental sustainability. Councilor Burkholder then introduced Mr. Dan Kaempff of Metro who provided a presentation on the RTO Strategic Plan.

Mr. Kaempff explained that the RTO program supports Metro’s mission to make a great place by increasing awareness of single occupancy vehicle mode choices such as walking, bicycling, ride sharing and taking transit. Mr. Kaempff pointed to the many regional partners that work to carry out the RTO program including transit providers, state agencies, transportation management associations and nonprofit organizations. Mr. Kaempff then overviewed program accomplishments, which can be found in Appendix D of the plan. Among highlights was the ride sharing program, Drive Less Connect, which helps people carpool to work or for shopping and recreational trip.

Mr. Kaempff noted the 2012-2017 plan builds on previous strategic planning records and incorporates significant improvements such as a refocusing the mission and goals to the triple bottom line objectives of equity, environment and economy. The plan also includes a more sophisticated strategy for measuring program performance and streamlines grant programs.

Councilors expressed support for the resolution, noting appreciation for measurable facts and outcomes from RTO projects and programs. Councilors discussed how effectively the RTO program returns investment by focusing on public information and education. There was agreement that people need to have choices during tough economy times, and that RTO’s efforts leverage more out of what Metro does in the region already. Councilors thanked Mr. Kaempff and other staff for their work.

Vote:	Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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7. CHIEF OPERATING OFFICER COMMUNICATION

Included in Chief Operating Officer (CCO) communications were:

- Request of Council and MERC to attend and represent Metro at Travel Portland’s “Portland familiarization tour” in June and July 2012. Approval by Council would address ethics laws and authorize all councilors to attend the Travel Portland events.

Motion:	Councilor Carlotta Collette moved to approve the Authorization to Represent Metro on Trade-Promotion Mission; Fact-Finding Mission; Economic Development Activity; or Negotiation.
Second:	Councilor Barbara Roberts seconded the motion.

Vote:

Council President Hughes and Councilors Burkholder, Roberts, Hosticka, Collette, Harrington and Craddick voted in support of the motion. The vote was 7 ayes, the motion passed.

- On June 7, Council will have a public hearing with the Tax Supervising and Conservation Committee (TSCC).
- Metro experienced a very successful bond sale because of favorable market conditions, which resulted in the agency receiving a premium sale, or an additional 25 million dollars. This result means Metro can levy fewer taxes, better fund projects and provide additional money to animal exhibits at the zoo. Ms. Bennett thanked Margo Norton, Scott Robinson, Finance and Regulatory Services, Sustainability Center and Oregon Zoo staff for their efforts to take advantage of market conditions.
- Ms. Kean-Campbell updated councilors on the Oregon Supreme Court's request for oral argument on the Columbia River Crossing remand. There will be no public testimony other than from attorneys of both sides. Metro will split testimony time with TriMet.

8. COUNCILOR COMMUNICATION

- Councilor Craddick attended the Johnson Creek Watershed Annual Luncheon, and provided a report to Council regarding the conditions of the watershed and the work being done to mitigate issues.
- Councilor Collette commented on the Johnson Creek Committee which is working to alleviate the impact of Tacoma Light Rail Station on the watershed.
- Councilor Collette attended the Full Funding Grant Agreement Ceremony for the Portland Milwaukie Light Rail project, and reminded Council that there are a lot of people in Clackamas County excited to welcome the MAX.

9. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:40 p.m. The Council will reconvene the next regular council meeting on Thursday, June 14 at 2 p.m. at the Metro Council Chamber.

Respectfully submitted by,



Josh Springer
Council Policy Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 24, 2012

Item	Topic	Doc. Date	Document Description	Doc. Number
5.1	Testimony	5/24/12	Written testimony from Linda Peters of the Washington County Citizen Action Network	52412c-01
5.1	Testimony	N/A	Written testimony in support of Ordinance 12-1275	52412c-02
6.1	PPT	N/A	Regional Travel Options: Creating healthy, vibrant communities	52412c-03
7.0	Report	N/A	Authorization to Represent Metro on Trade-Promotion Mission	52412c-04
8.0	Handout	5/22/12	Portland-Milwaukie Light Rail Song	52412c-05