



METRO COUNCIL MEETING

Meeting Summary

May 16, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Shirley Craddick, Carlotta Collette, Kathryn Harrington, Sam Chase, Bob Stacey, and Craig Dirksen

Councilors Excused: None

Council President Tom Hughes called the regular council meeting to order at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Ellen Ino, 5769 N. Vancouver Ave., Portland: Ms. Ino addressed the Council on transit passes for temporary employees at the Oregon Zoo. She stated that the Zoo has a summer program that allows temporary employees to exchange their morning transit pass for a valid one-way ticket to use for their commute home. She did a comparison on how much the Zoo spends purchasing tickets for temporary employees and offered that Metro should consider splitting the cost of a monthly pass for employees. She anticipated that Metro could save a substantial amount, especially given that she and several of her peers qualified for honor citizens passes.

Councilors thanked Ms. Ino for the suggestion and asked that staff look into the recommendation. Councilors noted that not only could this solution reduce costs for Metro; it could provide employees with increased transit flexibility.

Ninette Jones, 7637 N. Interstate, Portland: Ms. Jones addressed the Council on the potential for hydrosophilic acid (fluoride) to be added to the City of Portland's water sources, and potential impacts to the elephants at the Oregon Zoo. She referenced a study that stated that elephants are directly affected by acid in water, and that notable impacts included bone loss and arthritis. She listed a series of local health organizations that were speaking out against the fluoridation measure and emphasized that there was no way to control the dose once added to water. She directed her comments towards Councilor Chase, whose council district includes the Oregon Zoo.

Council President Hughes noted that the fluoride measure was not a Metro measure. In addition, he stated that the format for citizen participation in regular meetings was not a debate and therefore did not expect his colleagues to provide a rebuttal or direct response to the testimony.

3. CONSENT AGENDA

Motion:	Councilor Shirley Craddick moved to approve May 16, 2013 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the Minutes for May 9, 2103; and• Resolution No. 13-4425, For the Purpose of Confirming the Reappointment of Metro Audit Committee Members and Appointment of a New Member.
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Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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4. ORDINANCES – SECOND READ

- 4.1 **Ordinance No. 13-1304**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add the NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements; Remove the East Buttes Loop Trail and Beaver Creek Trail Projects; Amend Policies in Chapter 2 and 6.

Councilor Carlotta Collette provided introductory comments for Ordinance No. 13-1304 and Resolution Nos. 13-4420, 13-4421, 13-4422, 13-4423, and 13-4424 regarding proposed amendments to the 2035 Regional Transportation Plan. Councilor Collette stated that the amendments represented a series of projects submitted by local jurisdictions that must be added to the RTP prior to advancing to the design or construction phases. Local project partners have indicated that waiting until the next RTP update in 2014 will impact the projects' design or construction. The Metro Council received a briefing on all of the legislation at its April 2 work session. In addition, the Metro Council held a public hearing on May 2 for each of the projects. Councilor Collette stated that the comments received at the hearing were presented the Joint Policy Advisory Committee on Transportation for its consideration. The Metro Policy Advisory Committee and JPACT both unanimously approved the ordinance and resolutions.

Motion:	Councilor Collette moved to approve Ordinance No. 13-1304.
Second:	Councilor Kathryn Harrington seconded the motion.

Council President Hughes gaveled and opened a public hearing on Ordinance No. 13-1304:

- Diane McKeel, Multnomah County Board of Commissioners: Commissioner McKeel expressed her support for Ordinance No. 13-1304, specifically the East Metro Connections 238th Avenue project. She stated that the corridor study created a process to determine what to do along 238th Avenue and that Metro Council action in favor would be a great milestone in having regional policy reflect the community's decision. She stated that the community has been working on this project for years and now can move forward in pursuit of economic development opportunities as well as implementation of freight, mobility and safety improvements.

Council stated that the East Metro Connections Plan was a good proposal and solution, and stated that the plan would not have come together if it had not been for Commissioner McKeel championing its effort.

Seeing no additional members of the public who wished to testify, the public hearing was closed.

Councilor Craddick expressed her support for the ordinance and stated that, pending approval, the ordinance would allow strategic investments to be made on 238th to allow freight movement on all four east metro corridors 121st, 223rd, 238th and 257th. She stated that after years of disagreement, the 238th Avenue project was selected as by the East Multnomah County leaders as the most important project in the plan. Approval of the ordinance would allow Multnomah County to design and construct the project.

Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5. **RESOLUTIONS**

5.1– 5.5 **Proposed Amendments to the 2035 Regional Transportation Plan**

Council President Hughes asked that Agenda Item Nos. 5.1-5.5 be read by title only:

- **Resolution No. 13-4420**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Change the Terminus of the City of Beaverton’s Crescent Street Multimodal Project from Cedar Hills Boulevard to Westgate Drive.
- **Resolution No. 13-4421**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the N. Williams Traffic Operations Safety Project.
- **Resolution No. 13-4422**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Projects that Extend an Existing Auxiliary Lane on Interstate 205 Southbound at Interstate 84, Extend an Existing Acceleration Lane on Interstate 205 Northbound at Powell, and Extend an Existing Auxiliary Lane on Interstate 5 Southbound at Lower Boones Ferry.
- **Resolution No. 13-4423**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Project and Remove the 174th/173rd Undercrossing Project from the Financially Constrained 2035 RTP.
- **Resolution No. 13-4424**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Two New Collector Connectivity Projects; Four Roadway Widening Projects and Remove the 174th /173rd Undercrossing Project.

Council President Hughes called for a motion to approve the above 5 resolutions en bloc.

Motion:	Councilor Collette moved to approve Resolution Nos. 13-4420, 13-4421, 13-4422, 13-4423, and 13-4424.
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Second:	Councilor Sam Chase seconded the motion.
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Councilor Bob Stacey reiterated his favorable comments from the May 2 hearing regarding Resolution No. 13-4424, projects submitted by the City of Hillsboro. He stated that the city did a thorough job addressing the RTP's criteria for exceeding the five-lane arterial standard, and that the city thoughtfully demonstrated how its two arterial projects were in compliance with the standards. He also thanked staff for clarifying that the policy questions surrounding arterial lanes would be addressed as part of the 2014 RTP update.

Councilor Chase also reiterated his support for the City of Portland's North Williams project and the city's work to bring the local community together to develop a project that provided bike lanes while addressing safety and equity concerns.

Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5.6 **Resolution No. 13-4428**, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2040 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 12-1292A in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036.

Motion:	Councilor Harrington moved to approve Resolution No. 13-4428.
Second:	Councilor Collette seconded the motion.

Councilor Harrington introduced Resolution No. 13-4428, which if approved would adopt the 2040 growth distribution forecast for local communities. The Metro Council adopted the last growth distribution, for year 2035, in November 2012. Councilor Harrington stated that the 2040 distribution would set the stage for the 2014 RTP update as well as fulfill the requirements of the Federal Clean Air Act, which requires Metro to use its forecast distribution as the basis for its federally required air quality conformity determination. She also stated that the resolution would help the region and local communities support ongoing efforts such as plan updates to local transportation system plans and inform the Climate Smart Communities effort. The resolution was informed by local communities' plans and improved by the contributions of local government partners who challenged Metro's assumptions and provided a critical review of Metro's methodology and results.

Councilors asked clarifying questions about the projected forecast distribution for the City of Damascus and potential impacts to the 2040 forecast should the city disincorporate. Staff clarified that the forecast was based on numbers included in the city's draft comprehensive plan submitted to the Department of Land Conservation and Development for review. Should the city in fact disincorporate, the 2040 forecast many need to be revisited.

Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5.7 **Resolution No. 13-4430**, For the Purpose of Authorizing the Chief Operating Officer to Grant an Easement to the Burlington Water District.

Motion:	Councilor Harrington moved to approve Resolution No. 13-4430.
Second:	Councilor Chase seconded the motion.

Ms. Kathleen Brennan-Hunter provided a presentation on Resolution No. 13-4430. In 1997, the Council adopted a policy that requires review of requests for easements and other property interests in Metro's natural areas. The policy established a consistent approach and outlined a process for a timely review and resolution of such requests. Ms. Brennan-Hunter stated that the policy required full mitigation, cost recovery and payment of fair market value. In addition, the policy required applicants to submit a detailed plan for a Metro to review. Once received, Metro staff reviews the proposal and to determine if the proposal can be accommodated without significant impact and if the applicant can demonstrate that there are no feasible alternatives to easing a Metro property. Metro staff then forwards the easement request to the Metro Council for review and consideration.

Ms. Brennan-Hunter stated that the Burlington Water District, a public entity that provides water to local service areas in the Burlington Forest natural area, has completed an application for an easement on a Metro property. The water district submitted an application to expand and improve an existing water tank to bring it up to industry standards. The district has requested an easement of .17 acres that would require the removal of 4 trees. In addition the easement would formalize the district's right to access the existing road already in place. Ms. Brennan-Hunter stated that the district would be required to regrade the existing site contour, plant native trees, and shrubs. Additionally, she noted that the district has requested that Metro waive the easement fee; a fee with an estimated value of \$2,800. She shared photos of the site and overviewed how the district satisfied the requirements for the easement. Lastly, Ms. Brennan-Hunter noted that a revised staff report to the resolution had been distributed to reflect the correct the requested square footage of the easement request. (Revised staff report included as part of the meeting record.)

Ms. Brennan-Hunter welcomed Patricia Maenza and Mark Doyle of the water district to share a few comments regarding the district's history, easement need, and request to waive the fee.

Council discussion included the average water rate for local households, the maximum height of the water tank, and the number Metro properties that have easements.

Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5.8 **Resolution No. 13-4433**, For the Purpose of Adopting Technical Amendments to the 2008 South/North Land Use Final Order Amendment in Conformance with Full Funding Grant Agreement Executed by TriMet and the Federal Transit Administration.

Motion:	Councilor Craddick moved to approve Resolution No. 13-4433.
Second:	Councilor Collette seconded the motion.

Mr. Roger Alfred provided a brief staff presentation on Resolution No. 13-4433. Mr. Alfred stated that the purpose of the legislation was to update the Portland to Milwaukie light rail Land Use Final Order, adopted by the Council in 2008, to be consistent with the Full Funding Grant Agreement signed by TriMet. Between 2008 and 2012, the federal funding for the project declined from a 60 percent share to a 50 percent share. As a result, a number of changes to the project were completed to close the gap; highlighted examples included the elimination of a couple stations and/or combining station platforms. Metro is required to amend the LUFO to be consistent with the terms and conditions of the FFGA, and Mr. Alfred noted that amendments made to ensure consistency with an executed FFGA are consider technical and environmental and therefore not subject to judicial or administrative review.

Vote:

Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .

6. CHIEF OPERATING OFFICER COMMUNICATION

Ms. Bennett provided updates on:

- Ms. Bennett thanked Councilors Collette and Dirksen for attending the May employee service award luncheon and welcomed councilor attendance throughout the year.
- A work session has been scheduled for the Metro Council for May 23 to debrief the results from the May 21 election.
- Metro received 25 applications for the Equity Advisory Committee.

7. COUNCILOR COMMUNICATION

Councilor updates included the following recent meetings or events: Local Official Advisory Committee, Westside Trail open house, Westside Transportation Alliance, North Portland Enhancement Committee, and Portland Business Alliance. Highlighted upcoming meetings included May 16 Willamette Falls Heritage Coalition meeting, May 23 Regional Active Transportation Plan open house, May 17 State of the Region address, and May 21 election day.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 2:58 p.m. The Metro Council will convene the next regular council meeting on Thursday, May 30 at 2 p.m. at the Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement & Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 16, 2013

Item	Topic	Doc. Date	Document Description	Doc. Number
2.	Testimony	N/A	Written submittals submitted by N. Jones	51613c-01
3.1	Minutes	5/9/13	Council minutes for May 9, 2013	51613c-02
5.7	Legislation	N/A	Revised Staff Report to Resolution No. 13-4430	51613c-03
5.7	Photos/Maps	N/A	Images and maps of the Burlington Bottom area and current water tank	51613c-04