



METRO COUNCIL MEETING

Meeting Summary

Nov. 7, 2013

Metro, Council Chamber

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

Councilors Excused: None

Council President Tom Hughes called the regular council meeting to order at 2:03 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. AWARD PRESENTATION BY THE ASSOCIATION OF ZOOS AND AQUARIUMS (AZA)

Ms. Kim Smith of the Oregon Zoo provided a brief presentation on the zoo's Columbia Basin Pygmy Rabbits program and recent marketing campaign for Packy's 50th birthday celebration. The Oregon Zoo was the first institution to breed pygmy rabbits out of the wild and develop protocols for future recovery. After 12 years, in 2012, 300 pygmy rabbits were released into the wild. The Oregon Zoo received the Association of Zoos and Aquariums' prestigious North American Conservation Award for the program. In addition, the Zoo received the AZA's Excellence in Marketing Award for its efforts promoting Packy's 50th birthday. The birthday event was an opportunity to connect with and educate the public on conservation and animal welfare. A variety of promotions were completed for the event to inform the community of the zoo's goals; examples included print ads and videos.

Ms. Smith welcomed Ms. Kris Vehrs, Executive Director of the AZA to present the awards. The AZA is an accredited body and professional services organization with over 200 national and international accredited zoos and aquarium members. Ms. Vehrs presented the two awards to the Metro Council and Ms. Smith.

Council discussion

Councilors thanked Ms. Vehrs and AZA for the awards, and congratulated Ms. Smith and her team. Councilors emphasized the importance of receiving an award for the Zoo's conservation activities, and stated that conservation is at the heart of what the Zoo does. Councilors were proud of the zoo, and stated that as admission rates approach 1.6 million people per year, the Zoo has become a wonderful attraction in the Portland metro region. Councilors expressed their appreciation to the AZA for setting high standards and continuing to monitor the Oregon Zoo and other AZA members

carefully; and stated that receiving an award is simply icing on the cake and reflective of Ms. Smith and staff's hard work.

4. CONSIDERATION OF THE COUNCIL MINUTES FOR OCT. 31, 2013

Motion:	Councilor Bob Stacey moved to approve Oct. 31 Council minutes.
Second:	Councilor Shirley Craddick seconded the motion.

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

5.1 Ordinance No. 13-1321, For the Purpose of Annexing to the Metro District Boundary Approximately 2.54 Acres Located at 6500 NW Kaiser Road in the North Bethany Area of Washington County

Council President Hughes stated that Ordinance No. 13-1321 required a quasi-judicial hearing. As part of the hearing process, councilors were required to declare a conflict of interest or ex parte contact prior to the staff presentation. No councilors declared conflicts of interest or ex parte contacts for Ordinance No. 13-1321.

Metro Attorney Alison R. Kean read the procedural requirements for the quasi-judicial hearing for Ordinance No. 13-1321.

Council President Hughes gaveled and opened a public hearing on the ordinance. He welcomed Mr. Tim O'Brien of Metro for staff's presentation. Mr. O'Brien presented the proposed property, approximately 2.54 acres in the North Bethany area, for annexation into the Metro District Boundary. He stated that the land was included in the urban growth boundary in 2002 and is part of the North Bethany Subarea Plan that the county completed consistent with Metro Title 11 for planning new urban areas. The land must be annexed into the Metro District Boundary for urbanization to proceed. The territory was annexed into the necessary Washington County service districts on Sept. 17, 2013 and is zoned residential. Once all of the annexations are complete, building may occur consistent with the approved plan. Mr. O'Brien overviewed how the application satisfies each of the 3 criteria for annexation as outlined in Metro Code, Section 3.09.070E:

1. The affected territory is within the UGB:
The territory was included in the UGB in 2002.
2. The territory is subject to measures that prevent urbanization until it is annexed to a city or service districts that will provide necessary services:
Washington County applied the Future Development 20 acres designation to prevent premature urbanization of the North Bethany area prior to annexation to the appropriate service districts; and

3. The proposed change is consistent with any applicable or cooperative urban service agreements and any concept plan:

The territory proposed for annexation is part of the County's North Bethany Service District and the annexation is consistent with the North Bethany Sub-Area Plan.

Lastly, staff noted that notice of the Nov. 7 quasi-judicial hearing was forward directly to the Washington County citizen participation organization office for distribution to interested parties. Staff recommended Council approve the application and adopted Ordinance No. 13-1321.

Seeing no citizens – either in support or opposition – who wished to testify, the public hearing on the ordinance was closed.

Motion:	Councilor Kathryn Harrington moved to approve Ordinance No. 13-1321.
Second:	Councilor Carlotta Collette seconded the motion.

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

6.1 **Resolution No. 13-4467**, For the Purpose of Allocating \$142.58 Million of Regional Flexible Funding for the Years 2016-18, Pending Air Quality Conformity Determination.

Motion:	Councilor Collette moved to approve Resolution No. 13-4467.
Second:	Councilor Craddick seconded the motion.

Mr. Ted Leybold of Metro introduced Resolution No. 13-4467. In the fall 2012, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council adopted a resolution to establish a new policy direction for allocation of 2016-18 Regional Flexible Fund monies, and established a new three tier process to distribute funds. The three step process included (1) region-wide programs and high capacity transit bond payment; 2) Active Transportation and complete streets/green economy and freight initiatives; and 3) the new Regional Economic Opportunity Fund. Mr. Leybold's presentation included information on Regional Flexible Fund project solicitation and prioritization over the last year, and JPACT's recommendation on how to distribute the 2016-18 funds. Resolution No. 13-4467, if approved, would allocate approximately \$142.5 million as follows:

- **Step 1:** Approximately \$74.5 million would be allocated to region-wide programs and high capacity transit bond payments. Examples of programs to be funded include the Transit-Oriented Development and Regional Travel Options programs.
- **Step 2:** Approximately \$34.2 million would be allocated to Active Transportation and Complete Streets/Green Economy and Freight Initiatives. Funds were divided with 75 percent of the monies allocated to active transportation projects such as the City of Gresham's Sandy Boulevard improvements from NE 181st to the east Gresham city limits.

The remaining 25 percent of the funds were allocated to freight and economic-focused projects, such as the City of Portland's South Rivergate project.

- **Step 3:** Approximately \$33.8 million would be allocated through the Regional Economic Opportunity Fund. Examples of projects funded in Step 3 include the Sunrise System – Industrial area freight access and multimodal project in Clackamas County, and the US 26/Brookwood interchange in Washington County.

Pending the resolution's adoption, staff will add the projects and programs selected for regional flexible funding – as well as the projects funded by ODOT, TriMet and SMART – to the next Metropolitan Transportation Improvement Program for consideration and adoption in summer 2014. Additionally, Mr. Leybold noted that staff will begin a retrospective of the 2016-18 RFFA process to receive feedback from stakeholders. The feedback received will be used as a starting point for the next allocation round. (See Exhibits A – D for the full list of projects funded and the breakdown by the sub-regions – Washington, Multnomah, and Clackamas counties and City of Portland – and for the public comments received.)

Council discussion

Councilors asked clarifying questions about the Regional Economic Opportunity Fund monies and how the 5 projects chosen to receive funding were selected. Staff clarified that the metropolitan area received additional funds as part of MAP-21 – the latest federal transportation authorization bill – through a set of consolidated federal programs and changes in earmarks. In 2012, JPACT and the Metro Council decided to use the additional funds received to create the new Regional Economic Opportunity Fund to support large scale projects that were difficult to fund at the local level. In addition, JPACT and the Metro Council affirmed the selection criteria for REOF. The criteria were largely based on the federal TIGER grant criteria which includes environmental, multimodal and equity criterion among other things. Staff also confirmed that funding for step 1 and step 2 was kept at the same level as the previous RFF cycle.

Councilors were mixed on how RFF should be allocated. While the majority of the Council stated the process and projects were thoroughly vetted through stakeholder and public engagement, other councilors were concerned that flexible funds should not be allocated to highway projects but rather spent on active transportation projects – projects that lack designated federal funding. Councilors emphasized the rigorous TIGER criteria and stated that for many of the projects the Regional Economic Opportunity Fund provided funds to complete the multimodal element of a larger project. Councilors highlighted the Sunrise Corridor project as an example, which received over \$100 million in funding from ODOT. Additionally, councilors emphasized that the majority of the projects funded in step 2 for active transportation and freight/green economy were on-the-ground construction projects, projects that the region's residents would benefit from in the not too distant future.

Councilor Stacey recognized the fine work completed by staff and partners on the 2016-18 RFFA cycle. He stated that transportation infrastructure is underfunded in the region, and that JPACT could have allocated twice the amount on worthy projects. He stated that Oregon's state highway trust fund, funded by a variety of mechanisms including the gas-tax and vehicle registration fees, is declining and not able to meet local community needs or fund improvements to the road and bridge system. Councilor Stacey stated that if the Oregon Legislature stepped up and raised the necessary resources good projects, such as the Sunrise Corridor, could be funded by the state's highway trust fund. This would leave the federal flexible funds to be allocated to off-street or out of right-of-way active transportation improvements. He stated that in order to send a strong signal that he did not

support creating the Regional Economic Opportunity Fund in the future, he would oppose the resolution.

Vote: Council President Hughes, and Councilors Craddick, Harrington, Chase, Dirksen, Collette voted in support of the motion. Councilor Stacey voted in opposition. The vote was 6 ayes, and 1 nay, the motion passed.

6.2 **Resolution No. 13-4482**, For the Purpose of Renewing the Historic Cemeteries Advisory Committee.

Motion:	Councilor Craddick moved to approve Resolution No. 13-4482.
Second:	Councilor Stacey seconded the motion.

Mr. Verne Duncan, chair of the Historic Cemeteries Advisory Committee, provided a brief presentation on the committee's membership and program accomplishments. The Cemetery Advisory Committee, composed of 10 community professionals, was established in August 2012 to advise the Chief Operating Officer and program staff on strategies to protect, preserve, and promote Metro's historic cemeteries. Program highlights for 2013 included the completion and opening of the cremation garden at Lone Fir Cemetery, and large-scale clean-up of burial spots and memorials to bring sites up to standards and consistent with Metro's rules and regulations. Resolution No. 13-4482, if approved, would renew the advisory committee for one year and confirm the Council President's chair and committee member appointments. (Full committee annual report included as part of the meeting record.)

Council discussion

Councilors thanked Mr. Duncan for his leadership and willingness to continue to serve as chair in 2014. Councilors discussed the importance the cemeteries play in the community and stated that Metro takes the historic cemeteries program seriously and appreciated the advisory committee's direction and recommendations. Councilors asked that Mr. Duncan extend their thanks and appreciation to the full committee. Councilors also thanked Mr. Paul Slyman of Metro for his leadership over the program, and welcomed Ms. Melisa McDonald, the program's new manager, to Metro.

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

7. **CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided updates on the following items:

- The City of Portland is scheduled to begin installation of parking meters in Washington Park. Direct questions and/or comments to Teri Dresler.
- Metropolitan Exposition and Recreation Commission held a budget discussion on Nov. 6 which included a discussion on the venue's reserve policy for capital replacements. Contact Ms. Bennett with questions and/or feedback.

- The Expo Center will host Cirque du Soleil's Totem in spring 2014.
- Metro staff and councilors are scheduled to participate in the Portland area's Veteran's Day parade on Monday, Nov. 11.
- November is Native American Month. In honor of the month, Metro staff Amy Croover is scheduled to provide a presentation on Indian County on Nov. 19.
- Metro staff has already raised approximately \$40,000 as part of the agency's annual giving campaign.
- As part of the charitable giving campaign, the Metro Council and COO offices are sponsoring a potluck lunch on Nov. 20. Staff will sell tickets to Metro staff to raise money for the campaign.

8. COUNCILOR COMMUNICATION

Councilors provided updates on the following meetings or events: councilor quarterly exchange at the City of Fairview, Willamette Falls workshop with Tom Meyer, downtown revitalization workshop in Cornelius with Michelle Reeves, Tigard Community Planning forum, Metro Central Enhancement Committee meeting, and Tigard Chamber of Commerce meeting.

9. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:40 p.m. The Metro Council will convene the next regular council meeting on Thursday, Nov. 21 at 2 p.m. at Metro's Council Chamber. The Metro Council recessed to the council annex for an executive session held pursuant to ORS 192.660 2 (h), regarding consultation with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Respectfully submitted,



Kelsey Newell, Regional Engagement & Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOV. 7, 2013

Item	Topic	Doc. Date	Document Description	Doc. Number
	Agenda	11/7/13	Revised Nov. 7, 2013 council agenda	110713c-01
3.	PowerPoint	N/A	Oregon Zoo awards	110713c-02
4.	Minutes	10/31/13	Council minutes for Oct. 31, 2013	110713c-03
6.1	PowerPoint	N/A	2016-18 Regional Flexible Fund Allocation – final recommendation	110713c-04
6.2	Legislation	N/A	Resolution No. 13-4482 (redline), Exhibit A and staff report	110713c-05
6.2	Report	N/A	Metro Historic Cemetery Program – Cemetery Advisory Committee Annual Report – 2013	110713c-06