



METRO COUNCIL MEETING

Meeting Minutes

Jul. 17, 2014

Metro, Council Chamber

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

Councilors Excused: Council President Tom Hughes

Deputy Council President Sam Chase called the regular council meeting to order at 2:03 p.m.

1. INTRODUCTIONS

Deputy Council President Chase stated that the Metro Council meeting agenda had been re-organized to allow for consideration of the Ordinance to adopt the Regional Transportation Plan (RTP) [Ordinance No. 14-1340] to immediately follow consideration of Resolutions related to the RTP so that public testimony on the legislation could be heard in succession.

2. CITIZEN COMMUNICATIONS

Ellen Ino, Portland: Ms. Ino identified herself as a union organizer retired from state service under SEIU 503 and discussed cuts to classification for new hires at the Oregon Zoo. She requested that the Metro Council consider union workers as an investment in the Oregon Zoo.

Matt Ellison, Vancouver: Mr. Ellison shared his status and experience as a food worker at the Oregon Zoo. He discussed privileges of union wages and benefits as he witnessed growing up with parents in unions. He stated that the best thing the Metro Council can do to make the Zoo a more profitable and sustainable place is to support the workers through a contract recognizing human dignity.

3. CONSENT AGENDA

Motion:	Councilor Craig Dirksen moved to approve Jul. 17 Consent Agenda, which consisted of: <ul style="list-style-type: none">• Consideration of the Council Minutes for Jul. 10, 2014; and• Resolution No. 14-4550, For the Purpose of Authorizing the Chief Operating Officer to Purchase Property in the Johnson Creek and Watershed Target Area.
Second:	Councilor Bob Stacey seconded the motion.

Vote:

Deputy Council President Chase, and Councilors Craddick, Harrington, Dirksen, Collette and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> unanimously.
--

4. RESOLUTIONS

4.1 **Resolution No. 14-4545**, For the Purpose of Submitting to the Voters on November 4, 2014, the Question of Whether or Not to Retain Metro Charter Provision Chapter ii, Section 5 (4)(b).

Ms. Alison R. Kean provided a brief staff report on Resolution No. 14-4545. Metro Charter requires Council to submit to the Metro area voters at the November 2014 general election the question of whether or not to retain Metro Charter provision Chapter II, Section 5 (4)(b). Ms. Kean explained that although resolutions normally have only one read, Metro Code section 9.02.020 requires that any Metro Council referral of charter language have two reads, the first being at least 28 days prior to the vote. The code also requires that a public hearing be held at the first read.

Ms. Kean summarized the three exhibits contained in the resolution: Exhibit A contains the proposed charter language, Exhibit B is the ballot titled which consists of a caption, a question, and a summary within the constraints of the law, and Exhibit C is the explanatory statement. If the resolution passes in August, all exhibits will go to onto the Oregon Secretary of State and to Multnomah County Election Offices for printing for the November ballot.

Council will consider Resolution No. 14-4545 on August 14. Council and Legal Counsel clarified that Metro Code does not require a second public hearing when the resolution is considered in August, but that Council may request one.

Deputy Council President Chase gavelled and opened a public hearing on Resolution No. 14-4545 as required by Metro Code 9.02.020(A). Seeing no citizens who wished to comment, the public hearing was closed.

4.2 **Resolution No. 14-4533**, For the Purpose of Approving the Environmental Justice and Title VI Assessment for the 2014 Regional Transportation Plan and the 2015-2018 Metropolitan Transportation Improvement Program.

Deputy Council President Chase introduced Resolution No. 14-4533, which if approved would adopt staff's report to the U.S. Department of Transportation as a summary of how Metro has addressed civil rights requirements for the 2014 Regional Transportation Plan (RTP) and the 2015-2018 Metropolitan Transportation Improvement Program (MTIP).

Motion:	Councilor Shirley Craddick moved to approve Resolution No. 14-4533.
Second:	Councilor Carlotta Collette seconded the motion.

Mr. Ted Leybold of Metro provided the staff report for Resolution No. 14-4533. Mr. Leybold stated that while Resolution Nos. 14-4533, 14-4534, and 14-4526 will be considered separately, they are each in support of the Regional Transportation Plan, representing milestones on the path of conducting an outcomes-based planning implementation process, guided by the Council's six

desired outcomes for the region. The plans represent consensus with regional partners on how to address transportation-related issues.

Mr. Leybold summarized requirements of the Environmental Justice and Title VI assessment. He identified communities of concern as persons of color, low-income persons, elderly persons, youth, and people with limited English proficiency. Based on the quantitative and qualitative assessments, a few condensed overall findings for the 2014 RTP and 2015 MTIP Environmental Justice and Title VI Assessment include:

- The region is investing in communities of concern at rates higher than the regional average.
- In the long-range RTP only, concentrated communities of youth would receive investment at a lower rate on average than the remainder of region.

The 2014 RTP and 2015-2018 MTIP Environmental Justice and Title VI report also includes a draft list of recommendations based on feedback received from stakeholders throughout the process for conducting analyses and addressing potential issues in the future.

Council discussion

Councilors inquired about Joint Policy Advisory Committee on Transportation (JPACT)'s requested change in language regarding stakeholder engagement through a workgroup. Mr. Leybold explained that the legislation under Council consideration is targeted toward the federally required report, but that there's a broader interested in the community to address transportation equity as a whole. The draft recommendations in the report direct staff to coordinate transportation equity planning beyond meeting federal regulations. Local partners expressed interest in engaging in the process to develop that work program with Metro.

Councilor Harrington discussed the quantity and quality of information on regional demographics and conditions available in the Environmental Justice and Title VI assessments. She requested that more information be available in presentations to make Metro's work more visible.

Council clarified with staff that under the RTP, but not the MTIP, concentrated communities of youth have a lower rate of investment when compared to the rest of the region. Mr. Leybold stated that the list of recommendations provided will be cognizant of this issue when Metro updates the 2018 RTP.

Deputy Council President Chase opened the meeting to citizen comment on the resolution:

- Jon Oscar, Portland: Mr. Oscar stated that 2014 marked the 50th anniversary of Title VI and the 20th anniversary of the Executive Order on environmental justice and thanked Metro staff for their engagement during the assessment process. He argued that if local jurisdictions properly engage communities and their community-based organizations, these assessments would not be necessary. He discussed the Needs Assessment outreach and engagement tool as a means to address shortcomings in reflecting the needs of communities of concern. On air quality conformity, Mr. Oscar stated that there was a six month period in which the region was not in conformity due to Tri Met's investment levels.

Vote:

Deputy Council President Chase, and Councilors Craddick, Harrington, Dirksen, Collette and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> unanimously.
--

4.3 **Resolution No. 14-4534**, For the Purpose of Approving the Joint Air Quality Conformity Determination for the 2014 Regional Transportation Plan and the 2015-2018 Metropolitan Transportation Improvement Program.

Motion:	Councilor Carlotta Collette moved to approve Resolution No. 14-4534.
Second:	Councilor Craig Dirksen seconded the motion.

Mr. Ted Leybold provided staff’s report on Resolution No. 14-4534, which if adopted would submit the air quality conformity determination to the Federal Highways Administration and Federal Transit Administration after conferring with the U.S. Environmental Protection Agency. He summarized requirements for air quality analysis work:

- Demonstrate the projected carbon monoxide emissions from transportation sources are equal to or less than the motor vehicle emissions budget established for each analysis year; and;
- Demonstrate the region is meeting performance standards for any adopted transportation control measures (TCMs), including: increasing transit service, building bicycle infrastructure, and building pedestrian infrastructure.

Mr. Leybold stated that Metro also voluntarily reports on emissions related to Ozone and air toxics and greenhouse gas emissions.

Council discussion

Councilor Stacey requested clarification on the increase in transit service from a rate of 1.0 percent to 1.8 percent. Staff explained that the shift was due to a change in methodology Metro received permission to make and in the last year Tri Met has had the capacity to start increasing service again.

Councilor Collette asked for clarification as to whether there were benchmarks for compliance with air toxins, greenhouse gases, and other emissions. Staff explained that the measurements are federally regulated with carbon monoxide emissions regulated by the state as well. After Metro met compliance in regulations for toxins related to the Ozone, Metro volunteered to continue to report on those emissions.

Vote:

Deputy Council President Chase, and Councilors Craddick, Harrington, Dirksen, Collette and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> unanimously.
--

4.4 **Resolution No. 14-4526**, For the Purpose of Adopting the 2014 Regional Active Transportation Plan.

Motion:	Councilor Kathryn Harrington moved to approve Resolution No. 14-4526.
Second:	Councilor Bob Stacey seconded the motion.

Ms. Lake McTighe provided a staff report on Resolution No. 14-4526, which if approved would adopt the 2014 Regional Active Transportation Plan (ATP) attached to the resolution as Exhibit A, to service as guidance for development and completion of the regional active transportation

network; and direct Metro staff to begin implementing the 2014 ATP through the Regional Transportation Plan (RTP). Ms. McTighe stated that implementation would include policy, partnerships, project development and funding.

The ATP, as recommended for adoption by Metro Policy Advisory Committee (MPAC) and JPACT, includes plans for regional pedestrian and bicycle networks that connect to transit and daily destinations. Ms. McTighe stated that these networks represent the highest priority of pedestrian and bicycle routes of cities and counties and were updated and expanded with extensive input from partners and stakeholders. The plan also includes a set of recommended policies and actions that will contribute to increasing the safety, efficiency, and effectiveness of walking and bicycling in the region. The networks are approximately 50 percent complete at present and have updated the same elements in the 2014 RTP.

Council discussion

Councilors thanked Ms. McTighe and other Metro staff and local jurisdictions who provided input on the ATP, commended the plan's potential for increasing the region's livability, expressed appreciation for the opportunity to invest in active transportation, and emphasized the importance of active transportation networks in a complete transportation system.

Deputy Council President Chase opened the meeting to citizen comment on the resolution:

- Philip Wu, Kaiser Permanente: Mr. Wu congratulated Metro Council, Metro staff, and members of local jurisdictions who helped draft the ATP. He stated Kaiser Permanente's support of the plan with health as a significant guiding principle to the organization. He compared the ATP to a health plan and highlighted the importance of its implementation through the RTP.

Vote:

Deputy Council President Chase, and Councilors Craddick, Harrington, Dirksen, Collette and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> unanimously.
--

5. ORDINANCES – SECOND READ

5.1 Ordinance No. 14-1340, For the Purpose of Amending the 2035 Regional Transportation Plan to Comply with Federal and State Law; and to Amend the Regional Framework Plan.

Mr. John Mermin provided staff's report on Ordinance No. 14-1340, which if adopted would:

- Amend the 2035 Regional Transportation Plan to become the 2014 RTP, as indicated in Exhibit A and Appendices and the addendum to Exhibit A, attached and incorporated into this ordinance,
- Amend Chapter 2 of Metro's Regional Framework Plan, as indicated in Exhibit B,
- Direct staff to submit this ordinance and exhibits to the Land Conservation and Development Commission (LCDC),
- Recognize the 2014 RTP as the federally-recognized metropolitan transportation plan to be transmitted to the U.S. Department of Transportation

Mr. Mermin provided a summary of the plan, timeline for updating the RTP, work program completed, and final adoption process.

Mr. Mermin identified the materials for Council consideration within Ordinance No. 14-1340 as follows: the ordinance, Exhibits A, B, C, and D, staff report with an attached public comment report, addendum to Exhibit A, and City of Portland Project list edits.

Deputy Council President Chase gaveled and opened the public hearing on Ordinance No. 14-1340:

Kari Schlosshauer, Oregon Walks: Ms. Schlosshauer discussed public comments submitted from Oregon Walks and 10 other organizations supporting the ATP. She spoke of the benefits of active transportation and applauded Metro's effort to base the plan off of existing systems. She commended the design guidelines provided in the ATP and the cost-effectiveness of the plan in reducing greenhouse gas emissions. She identified funding as the biggest barrier facing the ATP.

Linda Bauer, Portland: Ms. Bauer requested that Council not adopt Project Item 10857, a double left turn lane from southeast Jennings Road into a single travel lane on southeast Foster Road, into the RTP at this time because the project is not part of any plan adopted by Portland City Council and has not had any public involvement opportunities for Portland residents.

Elizabeth Williams, Coalition for a Livable Future (CLF): Ms. Williams thanked the Council for listening to community concerns regarding updating the RTP and levels of investments in low-income communities and communities of color. She stated that Metro had met all of CLF's requests except the request related to adequate opportunities for community engagement.

Seeing no other citizens who wished to testify, Deputy Council President Chase gaveled and closed the public hearing.

Council discussion

In response to Council inquiry, staff explained that language revisions to the addendum to Exhibit A in response to comments made by Mayor Denny Doyle were included in the appendix to the RTP.

Council asked staff to respond to Ms. Bauer's comments on Project Item 10857 in the RTP Project List. Mr. Mermin stated that it was his understanding the project was a result of planning work by Pleasant Valley and Ms. Bauer's comment had been received during the public comment period. The project was originally listed on Gresham's project list, but was found to lie in Portland's boundary.

Council thanked Metro staff and Councilor Dirksen for contributions to updating the RTP within a short timeframe using limited resources. Councilor Harrington discussed increasing ambitions in the 2018 RTP update.

Metro Attorney Roger Alfred shared testimony to be submitted into the record regarding the Tonquin Industrial Group (TIG). He directed Council to his memo [Re: Ordinance No. 14-1340 / Adoption of 2014 RTP; Supplemental findings and evidence regarding trails in industrial areas] and proposed an amendment to Supplement to Exhibit D to Ordinance No. 14-1340 Findings, adding two paragraphs on page 20. Mr. Alfred advised that any motion to approve Ordinance No. 14-1340 include proposal to amend Supplement to Exhibit D to Ordinance No. 14-1340 Findings.

Motion:	Councilor Dirksen moved to approve Ordinance No. 14-1340 with the additional language on page 20 of the Supplement to Exhibit D to Ordinance No. 14-1340 Findings as presented by Metro Attorney Roger Alfred.
---------	--

Second:	Councilor Collette seconded the motion.
---------	---

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

5.2 **Ordinance No. 14-1339**, For the Purpose of Amending Metro Code 7.03 (Investment Policy) for Fiscal Year 2014-2015.

Mr. Calvin Smith provided staff's report on Ordinance No. 14-1339, which if adopted would amend and re-adopt Metro Code 7.03 (Investment Policy) for Fiscal Year 2014-2015. Metro Code Chapter 7.03 contains the Investment Policy that applies to all cash-related assets held by Metro. Metro Code requires an annual review and re-adopting with the assistance of the Investment Advisory Board who are appointed on staggered terms by the Council President.

Mr. Smith explained that changes proposed to Metro Investment Policy all relate to the response letter from Metro's Director of Finance, Tim Collier, to the Oregon Short Term Fund (OSTF) Board that addressed the OSTF last review of Metro's Investment Policy. Mr. Smith identified items noted as good areas to tighten up wording and clarify Metro's Investment Policy.

Deputy Council President Chase gavelled and opened a public hearing on Ordinance No. 14-1339.

Seeing no citizens who wished to testify, Deputy Council President Chase gavelled and closed the public hearing.

Motion:	Councilor Dirksen moved to approve Resolution No. 14-1339.
Second:	Councilor Collette seconded the motion.

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

6. **ORDINANCES – FIRST READ**

6.1 **Ordinance No. 14-1331**, For the Purpose of Amending Metro Code Title V to Add Metro Code Chapter 5.00, Solid Waste Definitions, and to Repeal Sections 5.01.010, 5.02.015, 5.04.005, 5.05.010, 5.09.020, and 5.10.010; and Modify Certain Definitions in Section 7.01.010.

Second read, public hearing and Council consideration and vote scheduled for July 24.

6.2 **Ordinance No. 14-1332**, For the Purpose of Amending Metro Code Title V, Solid Waste, to Revise Chapter 5.01 and to Repeal Chapter 5.03.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.3 **Ordinance No. 14-1333**, For the Purpose of Amending Metro Code Chapter 5.05 to Delete Lakeside Reclamation from the List of Metro Designated Facilities.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.4 **Ordinance No. 14-1334**, For the Purpose of Amending Metro Code Chapter 5.05 to Delete Cedar Grove Composting, Inc. from the List of Metro Designated Facilities.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.5 **Ordinance No. 14-1335**, For the Purpose of Amending Metro Code Chapter 5.05 to Delete Weyerhaeuser Regional Landfill from the List of Metro Designated Facilities Effective January 1, 2015.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.6 **Ordinance No. 14-1337**, For the Purpose of Amending Metro Code Title V, Solid Waste, to Revise Chapter 5.05.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.7 **Ordinance No. 14-1338**, For the Purpose of Amending Metro Code Title V, Solid Waste, to Revise Chapter 5.02.

Second read, public hearing and Council consideration and vote scheduled for July 24.

- 6.8 **Ordinance No. 14-1342**, For the Purpose of Amending Metro Code Section 2.19.130 to Change the Name of the Solid Waste Advisory Committee.

Second read, public hearing and Council consideration and vote scheduled for July 24.

7. **CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided updates on the following items:

- Multnomah County Health Department is still investigating the cause of illnesses at Blue Lake Regional Park. The park will remain closed until a report is received that identifies the causes. Updates will be posted on the newsfeed and website.
- Anticipated release of Draft Urban Growth Report materials online at www.oregonmetro.gov/growth and in the July 22 work session.
- The Association of Zoos and Aquariums is sending a special inspection team to the Oregon Zoo. Ms. Bennett stated that the final report would be distributed to Council as soon as Metro receives it.

8. **COUNCILOR COMMUNICATION**

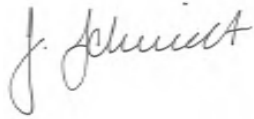
Councilors provided updates on the following meetings or events: Willamette Falls Legacy Project, Gresham's celebration of a new fountain, Oregon Zoo Foundation Zoolala on July 19, and the T4America transportation breakfast forum co-hosted by JPACT Chair Dirksen and the Chair of T4 America.

In response to Council inquiry about considering the ordinances related to solid waste en bloc on July 24, Ms. Kean explained that the Office of the Metro Attorney found the ordinances to contain substantial enough differences that they would necessitate individual consideration.

9. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:53 p.m. The Metro Council will convene the next regular Council meeting on Thursday, Jul. 24 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) (d), to conduct deliberations with persons designated by governing body to carry on labor negotiations.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Schmidt", written in dark ink.

Jill Schmidt, Council Policy Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUL. 17, 2014

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	7/10/2014	Council minutes for Jul. 10, 2014	71714c-01
3.2	Legislation	N/A	Revised Resolution No. 14-4550	71714c -02
4.2	Legislation	N/A	Revised Resolution No. 14-4533	71714c -03
4.2	Testimony	7/16/2014	Re: Resolution No. 14-4533, For the Purpose of Approving the Environmental Justice and Title VI Assessment for the 2014 Regional Transportation Plan and the 2015-2018 Metropolitan Transportation Improvement Program.	71714c -04
4.2	Handout	May 2014	E-mail correspondence with Wendie Kellington regarding air quality conformance determination	71714c -05
4.3	Handout	May 2014	E-mail correspondence with Wendie Kellington regarding air quality conformance determination	71714c -06
4.3	Testimony	7/16/2014	Re: Resolution No. 14-4534, For the Purpose of Approving the Joint Air Quality Conformity Determination for the 2014 Regional Transportation Plan and the 2015-2018 Metropolitan Transportation Improvement Program.	71714c -07
4.4	Handout	May 2014	E-mail correspondence with Wendie Kellington regarding air quality conformance determination	71714c -08
4.4	Testimony	7/16/2014	Re: Resolution No. 14-4526, For the Purpose of Adopting the 2014 Regional Active Transportation Plan.	71714c -09

5.1	Testimony	7/16/2014	Re: Ordinance No. 14-1340, For the Purpose of Amending the 2035 Regional Transportation Plan to Comply with Federal and State Law; and to Amend the Regional Framework Plan.	71714c -10
5.1	Memo; handouts	7/17/2014	Re: Ordinance No. 14-1340 / Adoption of 2014 RTP; Supplemental findings and evidence regarding trails in industrial areas	71714c -11
6.8	Legislation	N/A	Revised Resolution No. 14-1342	71714c -12