

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, April 13, 2004
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Carl Hosticka, Rod Park, Rod Monroe, Rex Burkholder

Councilors Absent: Brian Newman (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:08 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, APRIL 15, 2004.

Council President Bragdon reviewed the Metro Council agenda for April 15, 2004. He wanted to make sure everything was set up for Thursday. Michael Jordan, Chief Operating Officer (COO), talked about the industrial lands presentation. Councilors Park and McLain asked about the Regionally Significant Industrial Area (RSIA) ordinances and how these ordinances would be handled. Council President Bragdon asked for procedures for taking care of Ordinance No. 03-1021A and 1022A. Dan Cooper, Metro Attorney, explained that you could move to amend both those ordinances and then continue them until a later date when the Council could table the two ordinances. Councilor Park suggested a procedure for handling them. Councilor Hosticka indicated that Ordinance No. 04-1040 would have parts of Ordinance No. 04-1041. Mr. Jordan said yes, the policy language was included but the site-specific language was not included. Councilor Park said, if the RSIA ordinances needed amending, they could be considered at a later date. Councilor Burkholder asked about the Metropolitan Exposition-Recreation Commission (MERC) ordinance and its status. Mr. Cooper said after six months, it would have to be re-introduced. Council President Bragdon asked about the Goal 5 presentation. Mr. Jordan said they would address this at the time the Goal 5 presentation occurred today.

2. HIGHWAY 217 PRELIMINARY ALTERNATIVES

Councilor Hosticka said this was a corridor study that was included on the list and was now underway. They would be discussing options today and the narrowing process. He talked about the web survey and focus groups on Highway (HWY) 217. He said there was more on the table than just building another lane on Hwy 217.

Richard Brandman, Planning Department, said they were in the midst of a corridor study on Hwy 217. They had 17 corridors that needed work. Hwy 217 was one of the corridors that rose to the top of that list. They were in the beginning stages of the Hwy 217 study. There were 12,000 trips per day on the corridor. It was congested many hours of the day. They were looking for balanced solutions. They were also assuming that the commuter rail would be built and looking at other options. Metro was the lead on the corridor study with close cooperation with Cities of Lake Oswego, Beaverton and Tigard as well as Oregon Department Of Transportation (ODOT) and TriMet. He summarized the goals of the study. He talked about how to find out what was the right answer for the corridor. He talked about access and safety issues while minimizing impacts to neighborhoods. He noted the policy advisory committee membership. Councilor Hosticka sat on that advisory committee as well.

Ms. Wieghart said they were looking at a two-phase evaluation initially. She explained the calendar of events. They were looking to finish in the winter of 04-05. She spoke to outreach processes, stakeholder interviews, focus groups with commuters, residents and business freight representatives as well as the on-line survey. They had taken all of this information to develop a series of options. The Policy Advisory Committee had approved a series of option outlined on the blue sheet (a copy of which is included in the meeting record). She spoke to the baseline options, what they would expect to be there 20 years from now. It included 2 lanes on Hwy 217 south of Canyon Road and three lanes north of Canyon Rd. She then spoke to the improvement options, improving auxiliary lanes, arterial improvements, and beefing up commuter rail. She explained the braided ramps option and showed Council an example on the map. They heard from the public that they supported the technical finding of there being a serious safety issue. Mr. Brandman talked about the braided ramps and dealing with the safety issues. Councilor Monroe asked about right-of-way constraints. Ms. Wieghart said there was enough room to accommodate one through lane. Councilor Hosticka mentioned environmentally sensitive land constraints. Ms. Wieghart said the braided ramp was expensive to build. She explained the rest of the options, the six lanes option and then the six lanes option plus the braided ramps. She then spoke to lane approaches. She said that they would also look at value pricing options. She detailed the car pool lane option and how it would operate. She also spoke to ramp meter bypass option. The eight-lane option was on hold. Councilor Monroe asked about increasing the capacity of the commuter rail, how much was that worth? Mr. Brandman said the issue in that corridor was operating and capital costs to operate the service. They would string two cars together. They were looking at a new vehicle called the Colorado Rail Car. Ross Roberts, Planning Department, talked about capacity of the light rail cars and the commuter train cars. Councilor Burkholder expressed concern that the eight-lane option was even on the list. He wondered if that was a policy or practice. Ms. Wieghart said the Policy Advisory Committee generated this option. They had told the committee about the expense. Councilor McLain said Chapter 1 of the Regional Transportation Plan (RTP) gave guidance on number of lanes. Councilor Burkholder talked about regional direction of this Council wouldn't consider going beyond six lanes. Councilor Monroe talked about additional growth and additional need for capacity. Councilor Hosticka cautioned about what they would consider next. This was supposed to be one of the solutions for the Westside Bypass. Mr. Brandman said the Western Bypass Study concluded that there shouldn't be a western bypass and that transportation should be focused in the Hwy 217 corridor. Councilor McLain said they had been talking to Washington County about 5,6, and 7 lanes forever. She was concerned about the eight-lane option. She didn't think we should be holding out false hopes. Mr. Brandman said they weren't looking at this as a fall back option but the Committee wanted to include it. Ms. Wieghart said, when you begin a study, you looked at broad options.

3. YEAR 15 PARTNERSHIP PLAN FOR WASTE REDUCTION

Lee Barrett, Solid Waste and Recycling Department, said they would be covering what they were doing in the Year 15 partnership plan. He spoke to the primary goal and objectives of the program (a copy of these goals are included in the Work Session meeting packet). They were looking at achieving their recovery goal of 62%. He spoke to results of the Year 13. He noted what local governments had reported for these results. The curbside capture rates grew from 68% to 71%. We were doing a better job of recovering light materials. He gave an example of the Oregonian. Councilor Burkholder asked what the 71% referred to. Mr. Barrett responded to his question. Councilor McLain asked for a copy of the report. Mr. Barrett said local government spent about 10.5 times what Metro provided them in grants. He gave an example of funding from Metro, the per capita grants from Metro. He then spoke to competitive grants and the goals of the grants. The competitive grants were easy to measure. He gave several examples of successful programs. He talked about the organics and food waste recovery programs. Construction and Demolition

(C&D) recovery in 02-03 did decrease, but that was due to previous year's high-energy prices. Electricity prices went down and lessened demand for wood. We saw C&D recovery go down because the competition went down. The end of year 13 saw the first month of the all paper one box campaign. Each box would divert approximately 100 pounds per year, per desk side. Councilor McLain commented that money in the program had been well spent, however, around year 11, there were two components. She talked about the challenge grants and per capita grants. The per capita grants had been hot and heavy. She had urged heading towards challenge grants instead of per capita grants. She spoke to the need to do these on a regional level rather than at a local level. She suggested re-scoping the grants in the future.

Mr. Barrett covered the numbers in the proposed budget. \$1.6 million was the proposed total budget. Councilor McLain talked about the budget process and the impact of this program. She suggested looking at the challenge grants and per capita grants. She questioned some of the products we got out of each side. We needed to get better performance measures. We needed longer-term results and better products. She urged looking at a 50/50 grant program. She urged taking the reductions out of the per capita grant. Mr. Jordan asked if Metro had reduced funding. Ms. Erickson said yes there had been a reduction in 1992. She detailed some of the history of the program. Mr. Jordan said he knew the downstream effect on local governments. He suggested notifying the local governments if there was going to be a reduction. Councilor Monroe asked about challenge grants and per capita grants and the reduction from last year. He agreed with Councilor McLain about the challenge grants. He liked to reward people for doing a good job. He felt the challenge grants were more valuable. Councilor McLain said when they asked for the performance measures, they were given an opportunity to look at the performance of the per capita grants. She suggested reassessing what the per capita grants were being used for. She urged looking at region-wide programs. She wanted an analysis of the difference and successes of the grants. Mr. Jordan responded that it sounded as if we were talking about outputs rather than outcomes. Councilor McLain suggested a task force for this year so we could give more local jurisdiction notice. Mr. Hوجلund summarized Councilor McLain's request. Council President Bragdon said any Councilor could offer an amendment. Councilor McLain asked if the 50% move would be too radical. Mr. Jordan said local jurisdictions were in the process of preparing budgets. We needed to provide notice. Mr. Jordan said there was probably a middle road. Councilor McLain said we must make it better. It can't just keep growing. If you wanted support for your program in your government you had to get credit for it. She wanted Metro to get the credit due them. Not many knew that this was Metro's dollars and programs.

4. GOAL 5 PRESENTATION

Michael Jordan, Chief Operating Officer, said we were expecting to make the presentation on Thursday. We were also going to make a presentation to Metro Policy Advisory Committee (MPAC) on the recommendation. Ms. Deffebach would go through the regulatory and the non-regulatory options in the recommendations.

Chris Deffebach, Planning Department, presented the recommended program. Councilor McLain asked about the Tualatin Basin comments and if they were included in the public comment report. Ms. Deffebach indicated that it would be a separate report. She explained the "be it resolves" in the resolution. She spoke to Exhibit B concerning Option 2B. She walked the Council through Option 2B. She said it was a starting point for balancing the trade-offs. She explained the modifications from the original Option 2B. These modifications were included in Pages 5-6 of the Staff Report for the resolution. She talked about additional issues such as the concept of urban values. The staff recognized that they had more work to do on the public facility issue. They anticipated public comment on this area. This was a starting point to continue to work with major

institutions. She spoke to the net effect on the buildable land supply. She said Title 3 covered some of the land. Title 3 did not cover the uplands. The recommendation for the Class 1 and Class A would be very important. She then talked about the non-regulatory approaches (detailed in the staff report).

Andy Cotugno, Planning Director, walked through the issues starting on Page 8 of the staff report. They were trying to seek direction on the program stage. Page 8 started with a list of issues that needed to be fleshed out. He indicated that in the strictly limit category would be where there would be the most loss of capacity. They didn't see that the moderately limit would effect much capacity. Councilor Burkholder asked about Metro's role if we adopt. At what point did we defend our requirement for capacity. Mr. Cotugno said they would have to defend it as some point. Councilor Hosticka talked about transfer development rights. This was an issue we would have to face as well. Council President Bragdon asked if we were to adopt what would be the next stages. Mr. Cotugno said they would be listening to the public about this recommendation. Councilor Park talked about adoption of the program in the new areas and Title 11 requirements. Councilor McLain expressed concern about strictly limit. We were going forward in concept. Mr. Cotugno said MPAC and Metro Technical Advisory Committee (MTAC) involvement would now ratchet up and Goal 5 Technical Advisory Committee (Goal5TAC) would racket down. Councilor McLain said that Water Resource Policy Advisory Committee (WRPAC) could have good input at this point. Mr. Cotugno continued with the issues that they needed guidance from Council on. He spoke to effect on existing development and redevelopment. Ms. Deffebach talked about the trigger for redevelopment. Council President Bragdon talked about urban myths and the need to clarify. Mr. Cotugno talked about regulatory flexibility and what degree. We needed to flesh out how we would allow a local jurisdiction to vary from our program. He spoke to mitigation, mitigation banking and restoration. He felt we needed to answer the question how much and where. Restoration programs would improve where we were. Councilor Hosticka said Tualatin Basin seemed to be moving in this direction. Councilor McLain talked about a mitigation bank and the opportunity for transferring. There were a lot of logistical issues. Ms. Deffebach said they heard a lot of testimony on fairness. Councilors discussed mitigation banking and the issues surrounding the banking. Mr. Jordan said Council would get an opportunity in the next month or two to send signals to the Tualatin Basin. Mr. Cotugno then covered the issues of program specificity and flexibility as well as map corrections process. The monitoring over time on loss and gain was important so you could see the success of the program. Councilor Hosticka asked about the issue of capacity, compensating if we lose capacity through this program. Mr. Cotugno said they had heard from local governments they would like guidance on how we dealt with loss of capacity. Mr. Jordan said Council needed to have the broader macro discussion about capacity loss.

Councilor Burkholder talked about the monitoring and updating of maps and that it was a budgetary question. How much was local jurisdictions responsibility and how much was Metro's responsibility. Councilor Hosticka said since this was an inventory map based program, the map was extremely important. They might want to look at a map maintenance fee. Ms. Deffebach explained the process for City of Portland who sent Metro updates. Councilor Burkholder suggested we include this in the program. Mr. Cotugno said what was adopted at the local level had varied. Councilor Park talked about mapping for the Urban Growth Boundary (UGB). For legal reasons we had the map. Local jurisdictions currently had a fee. Mr. Cotugno talked about the focus on the non-regulatory programs. He felt this was a budgetary issue as well. It was about roles and responsibilities. Council President Bragdon said he felt the non-regulatory program was as much a Parks' issues as a Planning issue. It was what we were all about. Mr. Cotugno said this issue needed to move out of the research issue and into the reality.

Councilor Hosticka said Tualatin Basin received their recommendation from their staff. It looked similar to Metro's recommendation. He urged that they come and talk to us about their recommendation. Ms. Deffebach talked about the Tualatin Basin timeline. She indicated that tomorrow, they would provide a preview to MPAC. Councilor Hosticka said they wanted to talk about map corrections.

5. CITIZEN COMMUNICATION

There were none.

**6. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e).
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE
REAL PROPERTY TRANSACTIONS AND THREATENED LITIGATION.**

**EXECUTIVE SESSION, HELD PURSUANT TO ORS 192.660(1)(h), TO
CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL
RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO
POTENTIAL LITIGATION.**

Time Began: 3:15pm

Time Ended: 3:38 pm

Members Present: Jim Desmond, Michael Jordan, Dan Cooper

7. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

8. COUNCILOR COMMUNICATION

There were none.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:37 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 13, 2004

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	4/15/04	Metro Council Agenda for the April 15, 2004 Regular Council meeting	041304c-01
2	Fact Sheet	Fall/Winter 2004	To Metro Council From: Bridget Wieghart, Planning Department Re: Highway 217 Corridor Study Fact Sheet	041304c-02
2	Study Options	Spring 2004	To: Metro Council From: Bridget Wieghart, Planning Department Re: Phase 1 Highway 217 Corridor Study Options	0401304c-03
4	Goal 5	4/15/04	To: Metro Council From: Chris Deffebach, Planning Department Re: Resolution No. 04-3440	041304c-04