

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, April 20, 2004
Metro Council Chamber

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

Councilors Absent:

Council President Bragdon convened the Metro Council Work Session Meeting at 1:07 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, APRIL 22, 2004.

Council President Bragdon reviewed the April 22nd Council agenda. He said he had sent out a letter to Metro Policy Advisory Committee (MPAC) that Ordinance No. 04-1040 integrated 03-1021A and 03-1022A into it. He spoke to the process for amending the map. Council President Bragdon asked about procedures. Dan Cooper, Metro Attorney, said Ordinance No. 04-1040 had the appropriate language. Ordinance No. 03-0121A could be filed and will no longer appear on the agenda and testimony should be directed to Ordinance No. 04-1040. Ordinance No. 03-1022A should be amended to a "B" version to adopt the appropriate map and then filed. Andy Cotugno, Planning Director, said they found a glitch on the map. The Cascade Station was included in a Regionally Significant Industrial Area (RSIA) and should not be included in the map. Councilor Monroe asked about the Alcoa site. Did it put Council in a neutral position? How did it play out in terms of the Port's plans and their negotiations? Council President Bragdon said it would be a local matter. This would allow us to remain neutral. Council Hosticka suggested that the Port come and talk to us about industrial land activities and inter-model facilities. Councilor Park said he would be doing a presentation on Visitor Development Fund (VDF) award at Council that evening.

2. BRIEFING ON AGRICULTURAL LANDS

Jim Johnson, Oregon Department of Agriculture, gave a power point presentation on agricultural lands (a copy of this power point is included in the meeting record). He thanked Planning staff for their help. He said this report was put together by the Department of Agriculture after Mr. Cotugno had requested addressing three specific questions, all things being equal in terms of soils what other lands would the department consider for development. They were also asked to address what action could Metro take to enhance agriculture as an industrial and were there supporting industrial uses that could enhance the viability of agriculture? They put together a technical working group. He said the work group met to discuss the data. Various members were out in the field with Mr. Johnson. The work group was clear that they were concerned that Metro was considering expansion of the Urban Growth Boundary into class 2 farmland. They looked at state law and went through the hierarchy of lands. They looked at exceptions land and then went through the soil classes. The agriculture lands that would be considered meeting the needs of the industrial areas were class 2 soils. They analyzed the entire urban edge. There were areas of poorer soils that needed to be looked at. Even though they looked at class 2 soils for industrial purposes that didn't mean they should be looking at these lands for other development. Site situation factors and impact on near by agriculture areas were both looked at in terms of viability. They looked at capability and suitability factors. He gave specifics to these factors. He spoke to

impact on urban development on nearby agriculture lands, infill versus intrusion. He gave an example of the Shute Road area.

He gave suggestion for areas of inclusion. It was as much an art as a science. They did look at the entire edge. They made recommendations in rank order. He spoke to higher priority areas. Councilor Monroe asked if they were only talk about industrial purposes. Mr. Johnson said this ranking could apply to other needs but might look a lot different for residential than for industrial. Councilor Burkholder asked about commercial farming. Mr. Johnson talked about long-term viability because of conflicting uses. He said areas of exception land should be urbanized first. They used the law first to qualify the land. He said east Wilsonville had class 2 soils but was isolated and cut up.

Council President Bragdon asked him to elaborate on "stand alone". Mr. Johnson said a piece of land such as Farmington area could serve as a stand-alone but was part of a much larger block of lands. Council President Bragdon continued to ask about the Farmington area. Councilor Hosticka asked for clarification on the Farmington area. He spoke to priority considerations. Areas of high intensive production were less likely to be considered for other uses. They would give higher attention to these areas. The number and length of edges shared with other agricultural areas was also considered. He noted Group 1, which included Borland areas and Beavercreek areas. Group 2 areas included Tualatin, Sherwood area, Wilsonville area, Damascus area as examples. These areas had a mix of exception and resource lands and a lot of edges with non-resources uses. He then addressed Group 3 and 4, which included the Farmington area. Councilor Hosticka said he needed clarification as to whether Groups 3 and 4 should be included? Mr. Johnson explained that the area by Forest Grove and Cornelius was some of the best soil in the Metro area. When the team started to develop the map, they started to address concerns and issues they had. He spoke to class 2 soils and that the work group supported protection of those areas. He talked about mitigation requirements. If a group wanted to develop prime farmland, they were required to put money into a mitigation fund. Mr. Johnson talked about greenspaces and looking for land that was not prime farmland but would help develop an edge for prime farmland. He talked about the duo role that greenspaces could serve.

Mr. Johnson talked about re-development and that they really supported those efforts. Consideration needed to be for the type of industrial uses. There was a concern that industrial users waste land and they needed to use their land better. He gave an example of a buffer, Clackamas River and the Noyer Creek area. He said the Willamette River was a good edge as well. He talked about the land south of the Willamette River and the type of lands in that area. Farmers felt more emphasis needed to be given to the smaller cities that were expanding such as Sandy.

He said future transportation systems needed to consider the needs of agriculture. He gave some examples of difficulties farmers experienced in transporting their goods. Councilor Hosticka asked about West Union and Wilsonville South. Why weren't they on the map? Mr. Johnson said the West Union areas needed to have an edge. This was good agriculture area. Councilor Monroe said Rock Creek provided that buffer on West Union. Mr. Johnson said he didn't think Rock Creek provided much of an edge. Councilor Park said there was some acquisition in that area. Michael Jordan, COO, explained that the West Union was a higher tier. Mr. Johnson talked about the agricultural area in West Union, the soils and the ability to operate a farm. Councilor Hosticka noted that other exception land was on the list. Mr. Johnson said the east Oregon City site could be considered for industrial land. Councilor Park said the list put together was specific to industrial uses only. Mr. Johnson said they also didn't consider the area in the Coffee Creek areas. It was heavily parcelized. They would also support that as industrial land use. They were

also concerned about the size in the Evergreen area. He talked about the quarry area in the Tualatin area, which once it was mined out would make a good industrial area. Councilor Park asked about the Orient area. Mr. Johnson said it was very intensive high value agricultural land.

Councilor Monroe talked about separation agreement with Sandy. Mr. Johnson said they hadn't considered the separation agreement because it wasn't state law. Council President Bragdon asked how this information was used to shape Mr. Jordan's recommendation. Mr. Jordan said they considered the list, water limitations, so the qualitative information was a factor in his recommendation. Council President Bragdon asked how it would provide more sophistication than state law. Mr. Johnson said he felt tools were already in place to make those decisions under Goal 14. Councilor McLain said it was important to state again why they prioritized and had pieces of land off the list. She reinforced that this study was only for industrial land. Councilor Burkholder asked in the long term what a rural reserve was in terms of natural boundaries for the urban forum to grow in. He felt this discussion would come up in the next few years. Mr. Johnson said beyond the Willamette River, the Clackamas River and Noyer Canyon provided impediments and provided a good edge. There were also some key agriculture surfaces out there. There were some large blocks of agricultural land. Councilor Burkholder said one of their biggest challenges was Sauvie Island and north of Hillsboro. Mr. Johnson said that was the largest core agricultural area. He spoke to roads as edges in that area. He suggested looking at impacted areas.

Councilor Park talked about trade offs and that there may be areas that were high quality farmland that they may have to give up for compact urban development. Mr. Johnson said you must use all of the tools in making decisions.

3. AFFORDABLE HOUSING PROGRESS REPORT

Chris Deffebach and Gerry Uba, Planning Department, said they were here to talk about housing. Ms. Deffebach introduced the topic. She said the second year progress report was due the end of December. They received five progress reports after that deadline (a copy of that report was included in the meeting record). She spoke to the next steps including the third year progress report, which was due June 30, 2004. She noted that Housing Technical Advisory Committee (HTAC) had been reconvened. Mr. Uba said none of the local governments fully considered all of the affordable housing strategies. Portland came the closest and would be the first one to address all of the strategies. He talked about what cities and counties shall consider; density bonus, replacement housing, inclusionary housing, transfer of development rights, elderly and people of disability, local regulatory constraints and parking. He then addressed what local jurisdictions were encouraged to consider. They planned on advising local governments about the last report that was due June 30, 2004 and what needed to be included in their report. He said the question was what did outcome mean? He summarized their recommendation on the "outcome" definition. They thought that jurisdictions should report on what kinds of housing projects they had initiated or completed. He asked Council what else should be included in "outcome". He spoke to public response and how they were reacting to the affordable housing strategies. He noted Metro's responsibilities and how the new HTAC could address these. He asked for Council's feedback on our responsibilities towards affordable housing.

Councilor Burkholder summarized what was needed to move forward and the progress that had been made to date. Was the regulatory oversight that Metro had provided helping to increase affordable housing? He was concerned that all of this work hadn't moved the initiative forward. Councilor Monroe said did they have definitive knowledge whether affordable housing had increased and improved? He spoke to neighborhood gentrification. He expressed concern that we weren't making headway. Councilor McLain spoke to the budget amendment that was coming

forward. She would not be in favor of doing the same things. There was a regional need. They must agree on the mission. She said they needed to figure out something to get developers to use tools. Councilor Burkholder said the base budget got us to this for the third year. There was nothing beyond that. He said if they did something different, what was that? Dick Benner, Long Range Planning Director, talked about outcomes and what the third report must include. Council President Bragdon said this was a decisive year in terms of doing this right. That may mean changing what we were doing, redefining Metro's role. It was a political problem. President Bragdon stated that the entire thing was on probation because it had not addressed the true need. Councilor McLain stated that it was not the staff that was causing this problem it was the situation. The product they came up with was not worthy and the resources were not available. The resources were not available. Councilor Burkholder, who sat on the committee, said that it was focused on trying to find a funding source for housing. It was looking at other strategies to help with funding of projects. He felt the results were unfortunate because the original committee had some of the best minds on this subject. Council President Bragdon suggested a future process, which included Council's strategic plan and asking that Mr. Uba come back in June to receive guidance. Councilor Hosticka said he thought that every one recognized the need but many didn't know what to do. He hoped that Goal 5 would not go this way.

4. REGIONAL TRANSPORTATION PLAN UPDATE

Tom Kloster, Planning Department, noted a public comment piece and public involvement policy. He updated Council on the past process. Once they did the amendments to the 2000 plan, they would put out a public document that made it transparent that they had two plans in place. There was nothing new from what the Council heard in December. They were updating the project plan on projects the Council wanted to include. There were three pieces to the update, the policy piece, the projects and technical amendments. He spoke to the public involvement piece. He noted that Metro Committee for Citizen Involvement (MCCI) had given them rave reviews. Council President Bragdon asked if these pieces were part of legislation. Mr. Kloster said they were exhibits to the Regional Transportation Plan (RTP) ordinance. Councilor McLain suggested making the public aware of this good work. She suggested it be non-technical and suggested separating out the ordinances.

5. REGIONAL SOLID WASTE MANAGEMENT PLAN (RSWMP) PROPOSED DISCUSSION ISSUES

Council President Bragdon introduced the topic Janet Matthews, Solid Waste and Recycling Department, said she was asked to do a write up on how the Councilor values were reflected in the current RSMWP (a copy of this document is included in the meeting record). She talked about what they had done in the past month. She provided a progress report to date and what was included in future steps. They were waiting on public involvement, goals and objectives for the next ten years as well as what kinds of strategies they wanted to include. The public was being asked about how they feel about the components.

Karen Blauer, Solid Waste and Recycling Department, said they had presented a summary of stakeholder responses at the last meeting. She reviewed those responses. The top issues that received the most votes were re-evaluate the waste reduction goal, note how that goal flavored all of the other goals and objectives in the plan, implement required recycling policies, and issues on public private mix of facilities in the future.

She then addressed the last facilitated group responses, the end users group. There were 13 people who participated. She defined the group. She spoke to how they identified the group. She felt they

had good representation. The participants were asked to speak candidly about services, existing system and was the system responsive to needs and wants. She summarized the results. They were satisfied with the current solid waste system. They were familiar with our services and facilities. They were supportive of current levels of education and made specific recommendations on how to improve the system. She gave some examples of the improvements. They wanted Metro to work on decreasing confusion on what materials could be recycled. They supported the 62% recycling goals. She noted that the end users were not asked the same questions as the other groups. There were some similarities in the group responses. They urged stronger emphasis on the front end. She noted the differing opinions between the services providers and stakeholder groups and the end user groups. She said there would be a comprehensive report to summarize the responses. She spoke to the next public involvement phase. They would throw the net wide. Councilor McLain suggested taking out a summary of their results to speaking engagements. Ms. Blauer said they would like to have all of the Councilors provide this information at their speaking engagements.

Ms. Matthews said they needed Council's help. They thought modeling a discussion guide similar to the "Lets Talk" guide. They were beginning to develop the discussion guidelines. Councilor McLain said the guidelines needed to include the user group and the industry people. Councilor Burkholder suggested adding public awareness and how it related to Metro. Were there other broader agency goals that effect this discussion? How do other Metro goals and policies reflect this discussion such as transportation? Councilor Burkholder talked about the education piece and changing behavior. Ms. Matthews said they were hopeful that they could have a series of discussions in summer to generate a first draft. Councilor McLain asked about what happened at Solid Waste Advisory Committee (SWAC). Ms. Matthews said they gave a brief update on the RSWMP. The committee had also discussed MRF residuals. Mr. Heglund said there was an issue about contamination on clean MRFs. They want to address contamination.

6. CITIZEN COMMUNICATION

There were none.

7. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d) FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.

Time Began: 3:32 p.m.

Time Ended: 4:35 p.m.

Members Present: Councilors, Michael Jordan, Kevin Dull, Ruth Scott, Kerry Gilbreth.

8. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

9. COUNCILOR COMMUNICATION

Councilor McLain talked about her amendment funding. She wanted to schedule time with each councilors.

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There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:35 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 20, 2004

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	4/22/04	Metro Council Agenda for April 22, 2004	042004c-01
2	Power Point Presentation	April 2004	To: Metro Council From: Jim Johnson, State of Oregon Department of Agriculture Re: Limited Choices: The Protection of Agricultural Lands and the Expansion of the Metro Area Urban Growth Boundary for Industrial Use	042004c-02
2	Technical Work Group Report	April 2004	To: Metro Council From: Jim Johnson, Department of Agriculture Re: Limited Choices: The Protection of Agricultural Lands and the Expansion of the Metro Area Urban Growth Boundary for Industrial Use	042004c-03
3	Progress Report	April 19, 2004	To: Metro Council From: Gerry Uba, Planning Department Re: Title 7 (Affordable Housing): Update on Local Governments' First Year (2002) and Second Year (2003) Progress Reports	042004c-04
4	2000 RTP Amendments	4/15/04	To: Metro Council From: Tom Kloster, Planning Department Re: Public Review Draft of 2000 RTP Amendments	042004c-05
4	Report	April 7, 2004	To: Metro Council From: Tom Kloster, Planning Department Re: Transportation Planning Public Involvement Policy	042004c-06
5	Regional List	4/20/04	To: Metro Council From: Janet Matthews, Solid Waste and Recycling Re: RSWMP Update Project Proposed Guidelines for Narrowing Issues List for Phase 2	042004c-07
5	Focus Group Participant List	4/12/04	To: Metro Council From: Karen Blauer, Solid Waste and Recycling Re: Solid Waste System Service User Focus Group membership	042004c-08
5	Councilor Values	4/20/04	To: Metro Council From: Janet Matthews, Solid Waste and Recycling Re: Councilor Values for the Solid Waste System	042004c-09