

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, May 25, 2004
Metro Council Chamber

Councilors Present: Brian Newman (Deputy Council President), Susan McLain, Rod Park, Rex Burkholder

Councilors Absent: Carl Hosticka (excused), David Bragdon (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:10 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, MAY 27, 2004.

Deputy Council President Newman reviewed the May 27th Council agenda. He talked about possible amendments for Thursday on Ordinance No. 04-1040. He asked about other items on the agenda for Thursday and if Councilors had questions. He noted one that he had to the map (a copy of which is included in the meeting record). His proposal took out Borland area and added a piece of Evergreen. Councilor McLain said she had some amendments coming forward, some may overlap. She said what we were trying to do was to go back to the criteria for acreage need. It was all about providing job land for the entire region. We have to make sure that we have the kind of land that can be used for specific job purposes. She said there were problems with almost every single piece proposed. She spoke to each of her scenarios, A through D. Deputy Council President Newman said most of her proposals took out Helvetia. Councilor McLain talked about maps. Evergreen 1 was below Waibel Creek. Map 2 had the most productivity and Map 3 was the closest to the airport. These were sequential. She said these lands were Tier 1 and Tier 5. Western Washington County farmers would be talking to Council about Helvetia and Evergreen. She said we had to do a combination of properties to get to the need. Scenario 1 and 2 were the ones that she felt had the most merit. The second question they had to make a choice on was Helvetia. This site would net about 170 acres, it was already parcelized. Farmers were willing to support Helvetia as long as you didn't cross the road. Deputy Council President Newman asked if she had a preference on what she would propose. Councilor McLain talked about each scenario and each pieces of each scenario. Councilor Burkholder spoke to his amendment, which would be to amend the Urban Growth Report. It would update the commercial and industrial. He spoke to the refill rate changes. Councilor Monroe spoke to Councilor Hosticka's amendment. He did not want Frog Pond or Tualatin. He would consider the southern part of Tualatin if necessary. He was willing to include some Evergreen. Councilor McLain further explained that he would take out the north part of South Tualatin. His first position was to take out Tualatin.

Councilor Park said he would request an amendment to keep Springwater in. He talked about the 52% refill rate for commercial. He felt there was a lot in play. He asked how did the Borland Road piece effect transit issues. He felt that there was a lot of moving pieces. Deputy Council President Newman asked if he was going to propose a specific amendment on Thursday. Councilor Park said the Springwater one. Councilor Monroe said the ideal would be to bring the whole Stafford area and have it planned as a unit. Bringing it in as a piece of it may not be conducive to getting the goal of the total. Councilor McLain suggested looking at the legal advice to deal with exception land first. Deputy Council President Newman explained the procedure for this Thursday. He felt we could get legal advice on Thursday or prior to the meeting. He said he had a pre-MPAC meeting with Clackamas County. They would recommend taking out all of

south Tualatin, Frog Pond and Borland and put in a portion of Evergreen. They would support having the Quarry area left in.

2. RESTORING OPEN SPACE PROPERTY AGREEMENT WITH U.S.DEPARTMENT OF AGRICULTURE AND DUCKS UNLIMITED

Jim Morgan, Parks and Greenspaces Program, said this was an item that was not in the FY 04-05 budget. This was in the Gales Creek Target area, 350 acres southwest of Forest Grove. He provided a power point presentation (a copy of which is included in the meeting record) of the area. It had been farmed for almost 40 years. They had an agreement with the farmer to farm one more year. He spoke to restoration needs. It was not on the contract list but an opportunity to receive almost a quarter of million dollars to restore the area. The result would be a stable plant community and a site that in six years would be available to the public. Councilor Monroe asked if the ditches would be decommissioned. Councilor Burkholder asked about funding matches. Mr. Morgan said they were about \$20,000 short but they had another possible funding source, Clean Water. Councilor Park asked who was the farmer? Mr. Morgan responded to his question. He said there was no clear backlash. The farmer had been given a year notice. He had not heard from the Farm Bureau. Mr. Morgan said in all of their leases they were year to year. They tried to work to give the farmers as much certainty as possible.

3. CORNELIUS EASEMENT

Jim Morgan, Parks and Greenspaces Program, said this was an easement application. They were asking for an exemption on fees. As part of the development they were asking for some additional road, which would be on Metro property. He provided a power point presentation on this land (a copy of which is included in the meeting record). Councilor McLain talked about the area near there that was being considered for industrial use. He spoke to what the City of Cornelius was offering in exchange, a curve cut. Deputy Council President Newman asked about the value of the easement. Mr. Morgan said the value of the areas that would be displaced was \$16,000 to \$32,000. Councilor McLain said this was a compromise position, they had asked Metro to build roads previously. They had come quite a ways with the City of this issue. Councilor Park asked about where the proposed industrial land was. Councilor McLain said it was to the northwest. Councilor Burkholder asked about the curve cut. Mr. Morgan said they had no other way to get into the property. The curve cut made it easy to get equipment in and out. Mr. Morgan said the unusual circumstance was that they were asking for a waiver of fees. Councilor McLain asked that this be taken off the consent agenda. Mr. Morgan said this development had been happening very quickly. The developer had an approval to widen the road beginning June 1st. Councilor Burkholder asked what would happen if we said no. Michael Jordan, Chief Operating Officer (COO), responded that Cornelius expected Metro to be helpful. Mr. Morgan said it would go a long way if the City were able to open their development. The value of the property was small to the project development but it was still a transaction. Councilor McLain said it was a precedent setting decision. We were buying good will and access. Councilor Newman suggested requesting a fence or gate. Councilor Burkholder asked about a sidewalk. Mr. Morgan said it was a waste because it was a sidewalk to nowhere. They felt it increased liability. There was no plan for development on the openspace yet.

4. TRANSFER CAPACITY REPORT

Paul Ehinger, Engineering Manager in the Solid Waste and Recycling Department, provided a power point presentation on this issue (a copy of which is included in the meeting record). They were updating council on transfer capacity in the region. He spoke to project goals, appropriate

use of the data, definition of transfer capacity, key criteria that was used and the findings. He noted that receiving capacity was not a limiting factor. It was also relatively cheaper. He spoke to operational assumptions. He talked about load out methods. He detailed storage issues. He also talked about estimated regional transfer capacity. Deputy Council President Newman asked about where the excess capacity resided. Mr. Ehinger said it was spread out throughout the region. We had significant reserve capacity. Councilor Burkholder asked what was the cost of excess capacity? Mr. Ehinger said the cost was somewhat higher on a per unit basis. However, he couldn't quantify it. He reminded that the equipment was there to handle the additional capacity. Most entities could operate at the additional capacity. Mike Hogle, Director of the Solid Waste and Recycling Department, said Council had requested three pieces of information, 1) cost model related to tonnage increases and decreases, 2) transfer capacity study and 3) service area report. They would be presenting the service area report at an upcoming work session.

5. CITIZEN COMMUNICATION

There were none.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, reminded the Council of the reception at 4 p.m. today to celebrate Industrial Lands and Goal 5 accomplishments. He then spoke about the Regional Economic Task Force. He and Council President Bragdon had been meeting with the group. They felt there was a giant policy discussion that had not occurred yet. He suggested a brainstorming about what this agency's role might be and what they might suggest about how to the ball moving. They would have a meeting in September. They thought they might bring something to that group in September. Councilor Burkholder said he would be interested in participating in such a group. He felt there was both hunger and fear. He talked about sustainability as a principle. Councilor Monroe said he was also interested in being involved. Councilor Park talked about a State economic strategy and the need for it. There was no buy off from the State. When we are trying to develop a regional economic strategy, how did it dovetail with a State strategy? It helped this Council to not be pushed. Councilor McLain said she assumed Mr. Jordan would be involved in this group to make the connection. She felt this was desperately needed. She agreed with Councilor Park that we needed to do it along with the State. She wanted a connection back. Councilor Newman said he didn't want to be just focused on what the partners come up with. He felt they should talk about entrepreneurship and small business issues should also be on the table.

7. COUNCILOR COMMUNICATION

Councilor McLain asked about the vote that they took on the Metropolitan Exposition Recreation Commission (MERC) fee, 04-1052. She wanted to know what the process would be. She felt this Council should have a larger role in how the money would be spent. Mr. Jordan said this money was in contingency. Councilor McLain wanted a work session on this topic specifically. Councilor Newman echoed Councilor McLain's comments. He didn't want to spend a dime until we have a general understanding of how that money would be spent. He said his threshold was pretty high. Councilor Monroe asked about the governance issue. Deputy Council President Newman said Council President Bragdon controls the agenda. Councilor McLain said at the joint meeting, the management issue was still on the table. She felt they could dispose of this in a work session. Councilor Burkholder said one way to resolve this was through the Strategic Planning process. In his mind he felt this was an issue that they must deal with in the context of where they wanted to see this agency go. He said the strategic planning process would allow them to look at it more globally. Councilor McLain said they still had to deal with short-term issues and the

consequences. Councilor Monroe said they had actively been dealing with this for four years. He felt it was time to take action. Councilor Burkholder said they wanted to make sure they get what they want.

Councilor McLain talked about an industrial lands amendments. She wanted to know where we were legally. She felt they wouldn't get the same answers at Council meeting. She wanted a discussion at a work session. She wanted us to be prepared for this Council meeting this Thursday. Deputy Council President Newman explained how he had developed his amendment. Councilor Monroe said he would like to hear from Dan Cooper, Metro Attorney, about the legal ramification. Councilor Burkholder said he felt that all of the information was there. There were no perfect criteria. Councilor McLain urged coming out with a package that was prioritized and give reasons for picking one property over another. She didn't want a package that would be remanded. Deputy Council President Newman said the COO's recommendation was the most legally sound. Based on that recommendation, they were weighing this as well as public input. He suggested Mr. Benner sum up what the State required of them. Councilor Park commented that one of the things that is missing was how this aided 2040. Deputy Council President Newman suggested having another work session on this. He realized there was no time. Councilor McLain said they needed to balance what the Council needed to be productive. Councilor Burkholder said he didn't see a value in repeating information. Mr. Jordan asked if it would be helpful for Mr. Benner to lie out legal issues. He reminded Council that Thursday was an introduction. Councilor McLain said she was talking about process. She said we had an opportunity to education the public. She suggested some prepared remarks. Mr. Cooper said in making Mr. Jordan's recommendation, Mr. Jordan considered the properties and why they were recommended. He suggested a short presentation at the Council meeting.

There being no further business to come before the Metro Council, Deputy Council President Newman adjourned the meeting at 2:46 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 25, 2004

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	5/27/04	Metro Council Agenda for May 27, 2004	052504c-01
2&3	Power point presentation	5/25/04	To: Metro Council From: Jim Morgan, Parks and Greenspaces Department Re: Corneluis Easement pictures and Gales Creek Target area pictures	052504c-02
4	Power Point Presentation	5/25/04	To: Metro Council From: Paul Ehinger, Solid Waste and Recycling Department Re: Transfer Capacity Analysis	052504c-03
7	Amendment	5/25/04	To: Metro Council From: Councilor Newman Re: proposed Industrial Lands amendment	052504c-04
7	Amendments	5/25/04	To: Metro Council From: Councilor McLain Re: proposed Industrial Lands Amendments	052504c-05