

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: July 22, 2004
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the July 15, 2004 Metro Council Regular Meeting

4. RESOLUTIONS

- 4.1 **Resolution No. 04-3476**, For the Purpose of Amending the 2004-07 Metropolitan Transportation Improvement Program (MTIP) to Transfer Funds from the Hall Boulevard Bike Lanes and Intersection Turn Lanes Project to the Rose Biggi Road Extension Project. Park
- 4.2 **Resolution No. 04-3480**, For the Purpose of Confirming the Council President's Appointment of Ray Leary to the Metropolitan Exposition Recreation Commission to fill an Unexpired Term through September 25, 2004 and to a full Four-Year Term Commencing September 26, 2004. Burkholder
- 4.3 **Resolution No. 04-3481**, For the Purpose of Confirming the Council President's Appointment of Janice Marquis to the Metropolitan Exposition Recreation Commission. Monroe

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

- 5.1 **Resolution No. 04-3473**, For the Purpose of Authorizing the Chief Operating Officer to Purchase Property on Hogan Butte in the East Buttes/ Boring Lava Domes Target Area, Subject to Unusual Circumstances. Park

6. CHIEF OPERATING OFFICER COMMUNICATION

7. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for July 22, 2004 Metro Council meeting

Clackamas, Multnomah and Washington counties, Vancouver, Wash. Channel 11 -- Community Access Network www.yourtvvtv.org -- (503) 629-8534 Thursday, July 22 at 2 p.m. (live)	Washington County Channel 30 -- TVTV www.yourtvvtv.org -- (503) 629-8534 Saturday, July 24 at 11 p.m. Sunday, July 25 at 11 p.m. Tuesday, July 27 at 6 a.m. Wednesday, July 28 at 4 p.m.
Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.	West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.
Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcatv.org -- (503) 288-1515 Sunday, July 25 at 8:30 p.m. Monday, July 26 at 2 p.m.	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.metro-region.org and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 3.1

Consideration of Minutes of the July 15, 2004 Regular Council meeting.

Metro Council Meeting
Thursday, July 22, 2004
Metro Council Chamber

Resolution No. 04-3476, For the Purpose of Amending the 2004-07 Metropolitan Transportation Improvement Program (MTIP) to Transfer Funds from the Hall Boulevard Bike Lanes and Intersection Turn Lanes Project to the Rose Biggi Road Extension Project

Metro Council Meeting
Thursday, July 22, 2004
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2004-07)
METROPOLITAN TRANSPORTATION)
IMPROVEMENT PROGRAM (MTIP) TO TRANSFER)
FUNDS FROM THE HALL BOULEVARD BIKE)
LANES AND INTERSECTION TURN LANES)
PROJECT TO THE ROSE BIGGI ROAD EXTENSION)
PROJECT.)
)

RESOLUTION NO. 04-3476

Introduced by
Councilor Rod Park

WHEREAS, the Metro Council and the Joint Policy Advisory Committee on Transportation (JPACT) approved the award of approximately \$1.438 million in regional flexible funds for the design, acquisition and construction of bike lanes and vehicle turn lanes and signal improvements at intersections for Hall Boulevard between 12th Avenue and Allen Boulevard; and

WHEREAS, the City of Beaverton has reported that the right-of-way impacts and costs associated with the Hall Boulevard; 12th to Allen project have increased beyond original estimates; and

WHEREAS, potential hazardous materials remediation impacts have created uncertainty for the potential of additional cost increases associated with the Hall Boulevard project; and

WHEREAS, the City of Beaverton has requested the transfer of unspent funds on the Hall Boulevard project to the Rose Biggi road extension project between the light rail tracks and Crescent Street (see Exhibit A); and

WHEREAS, the City of Beaverton will work with the Federal Highway Administration and Oregon Department of Transportation on the resolution of satisfactorily completing the Hall Boulevard project or reimbursing spent funds as required; and

WHEREAS, the Rose Biggi road extension project is an essential component of creating a connected street system of appropriate scale to support the redevelopment of downtown Beaverton as a regional center; and

WHEREAS, the Rose Biggi project was evaluated and recommended for partial funding during the previous Transportation Priorities process; and

WHEREAS, the Rose Biggi project is a part of the Beaverton Transportation System Plan and the Regional Transportation Plan financially constrained system, adopted consistent with Metro public involvement guidelines; and

WHEREAS, funding of the Rose Biggi project beginning in 2005 is timely to serve the next phase of development adjacent to the Beaverton Central light rail station and within the Beaverton regional center; and,

WHEREAS, the city of Beaverton will be applying for additional funds to fund the Rose Biggi road extension project from Crescent Street to Hall Boulevard in the Transportation Priorities 2006-09 process to complete all phases of the project; now, therefore,

BE IT RESOLVED, the 2004-07 Metropolitan Transportation Improvement Program (adopted December 11, 2003 by Metro Resolution No. 03-3381A FOR THE PURPOSE OF APROVING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA) is amended to transfer the remaining unspent funds of \$1,375,510 from the Hall Boulevard bike lanes and intersection improvement project to the Rose Biggi road extension project between the light rail tracks and Crescent Street; and,

BE IT FURTHER RESOLVED, the award of these funds is conditioned on the City of Beaverton complying with Metro signage and public information guidelines and the planting of street trees consistent with the Green Streets guidebook.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

APPROVED AS TO FORM:

Daniel B. Cooper, Metro Attorney



MEMORANDUM

City of Beaverton
Engineering Department
Transportation Division

To: Ted Leybold, Principal Transportation Planner
From: Margaret Middleton, Senior Transportation Planner
Date: May 27, 2004
Subject: *Request for MTIP/STIP Project Deferral of Hall Blvd. and Funding Exchange to Rose Biggi Avenue, LRT to Crescent Street*

The City of Beaverton requests that STIP Key 11460, SW Hall Blvd.: SW 12th – SW Allen Blvd. be deferred to a future date, and that its remaining funding authority be applied to Rose Biggi Avenue: Light Rail Tracks (LRT) to Crescent Street.

The City is requesting the switch because of environmental and cost issues discovered during the early stages of the preliminary design of the Hall Blvd. project. The environmental issues are related to two specific items; environmental justice and potential contaminated soil and groundwater concerns. One property is under DEQ directions to perform an investigation into potentially contaminated soil and groundwater. In addition, several properties and/or buildings would need to be acquired that house low income tenants creating an environmental justice issue. Two additional properties that would need to be partially or fully acquired are former gas stations, creating additional contaminated soil and groundwater concerns, as well. All of these issues together have substantially increased the cost of the project with the upper cost limit not known because of the potential for contaminated soil and groundwater.

The City is committed to improving Hall Blvd. to include bicycle lanes in the future. One option the City may pursue is to apply for a grant that includes adequate funding when final cost estimates are available. However, this can only be an option after DEQ and the one property owner complete their study of the contaminated soil and groundwater and any resulting remediation.

According to ODOT, \$62,329.57 of the \$317,111.00 federal funds obligated on this project (under Agreement #19127, EA #PE000517) has been applied. The project's total authority in the MTIP is \$1,594,868.

The City requests that the remaining funding authority be transferred to the improvement of Rose Biggi Avenue from north of the light rail tracks to Crescent Street, as discussed at our May 14, 2004, meeting.

The Rose Biggi Avenue project sets the stage for achieving the 2040 Growth Concept in the Beaverton Regional Center through additional redevelopment. Previously, Metro and the City worked together to realize The Round, and through Metro funded both the initial Rose Biggi Avenue and Henry Street (renamed Millikan Way) improvements to Regional Center standards. The portion of the street from Millikan to the LRT, including the LRT crossing, is already funded through the City's development agreement with The Round. The Rose Biggi Avenue,

LRT to Crescent Street project completes the intermodal circulation system of Crescent, Rose Biggi, Millikan, Watson, and Hall, and facilitates redevelopment of the Regal Cinema site.

The street design is as follows:

Street section for STA 0+00 to STA 1+75 (175 feet) = 10-14-14-10 (Two 14-foot shared travel lanes and two 10-foot pedestrian-friendly sidewalks with Green Street trees and tree wells.) This section will connect to the north side of an existing LRT crossing (RX873) approved on August 21, 1998 under ODOT Order No. 98-040 and constructed in 1998 as part of the Westside Light Rail project. The street section must comply with the conditions stated in the ODOT Order.

Street section for STA 1+75 to STA 3+26 (151 feet) = 10-8-12-12-8-10 (Two 12-foot shared travel lanes, two 8-foot parking strips, and two 10-foot pedestrian-friendly sidewalks with Green Street trees and tree wells) Area (includes Rose Biggi Avenue and east and west connections with Crescent Street) = 21,825 SF

Requested programming is as follows:

Design: September 2004 - June 2005

Right of Way: January 2005 - June 2005

Construction: July 2005 – November 2005

Phase	FY 2004-05	FY 2005-06	FY 2006-07	TOTAL
PE	\$179,674	\$59,892		\$239,566
ROW	\$109,125	\$436,500		\$545,625
Construction		\$614,194	\$68,244	\$682,438
				\$1,647,629

To complete 2040 implementation in this area of the Regional Center, the City will also be proposing the final two phases of Rose Biggi Avenue improvements from Crescent Street to Westgate Drive, and from Westgate Drive to Hall Blvd. on the north. These two applications will be submitted in the current MTIP funding cycle.

If you have any questions or need further information regarding this request, please feel free to contact me (503-526-2424) or Randy Wooley (503-526-2443). For information on the Hall Blvd. project, contact Joel Howie (503-526-2592). For information on the Rose Biggi Avenue projects, contact Jim Brink (503-526-2450).

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3476, FOR THE PURPOSE OF AMENDING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO TRANSFER FUNDS FROM THE HALL BOULEVARD BIKE LANES AND INTERSECTION TURN LANES PROJECT TO THE ROSE BIGGI ROAD EXTENSION PROJECT.

Date: June 18, 2004

Prepared by: Ted Leybold

BACKGROUND

In the 2000 Transportation Priorities process, JPACT and the Metro Council awarded \$1,437,840 (federal share) to the Hall Boulevard bike lanes and intersection turn lanes and signals improvement project. Work during the early design and preliminary engineering phase of the project identified additional right-of-way impacts and uncertainties regarding potential hazardous materials remediation liabilities that have increased costs and the risk of additional costs to the project.

The identification of these additional impacts to property owners, costs and risk of future liabilities has caused the City of Beaverton to delay implementation of this project until the future risks are better understood and the costs and impacts of the project are warranted for additional congestion relief purposes.

The City of Beaverton has requested a transfer of the unspent regional flexible funds from the Hall Boulevard project (\$1,437,840) to the Rose Biggi road extension project from its current terminus at the light rail tracks to Crescent Street. The Rose Biggi project was a candidate project during the Transportation Priorities 2004-07 funding process and was recommended for partial funding. As the partial funding would not have been adequate for construction of this segment, the City requested transfer of the funding amount to another project that was time sensitive to the provision of a road project associated with a private development in the Scholls town center.

The City is now planning for future development phases of their regional center near the Beaverton Central light rail station. Provision of the Rose Biggi will serve the next phase of development as the current phases are now being completed.

The City will also be applying for the next segments of the Rose Biggi road extension project from Crescent Street to Hall Boulevard through the Transportation Priorities 2006-09 program.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** This resolution amends the 2004-07 Metropolitan Transportation Improvement Program (MTIP) as adopted by Metro Resolution No. 03-3381A (FOR THE PURPOSE OF APROVING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA, adopted December 11, 2003) to

transfer the programming of funds from the Hall Boulevard bike lane and intersection improvements project to the Rose Biggi road extension project.

3. **Anticipated Effects** Adoption of this resolution is a necessary step to allow the expenditure of regional flexible funds on the Rose Biggi road extension project between the light rail tracks and Crescent Street.
4. **Budget Impacts** Adoption of this resolution has no effect on the Metro budget.

RECOMMENDED ACTION

Metro Council approve Resolution No. 04-3476.

Resolution No. 04-3480, For the Purpose of Confirming the Council President's Appointment of Ray Leary to the Metropolitan Exposition Recreation Commission to fill an Unexpired Term through September 25, 2004 and to a full Four-Year Term Commencing September 26, 2004.

Metro Council Meeting
Thursday, July 22, 2004
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE CONFIRMING THE) RESOLUTION NO. 04-3480
COUNCIL PRESIDENT'S APPOINTMENT OF)
RAY LEARY TO THE METROPOLITAN)
EXPOSITION RECREATION COMMISSION) Introduced David Bragdon, Council President
TO FILL AN UNEXPIRED TERM THROUGH)
SEPTEMBER 25, 2004 AND TO A FULL)
FOUR-YEAR TERM COMMENCING)
SEPTEMBER 26, 2004)

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission; and

WHEREAS, Commissioner Kay Dean Toran, nominated by the City of Portland and confirmed by the Metro Council, has resigned from the Commission effective June 30, 2004;

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Council President's appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(2) the City of Portland has nominated Ray Leary as a candidate for membership on the Commission, to serve the remainder of Commissioner Toran's term and, in addition, to serve a four-year term following immediately thereafter; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(e)(1), the Metro Council President has the authority to concur with the City of Portland's nomination of Mr. Leary or reject it; and

WHEREAS, the Metro Council President has concurred with the City of Portland's nomination of Mr. Leary to serve the remaining unexpired term left vacant by the resignation of Commissioner Toran, and in addition to serve a four-year term beginning on September 25, 2004, and has submitted his appointment of Mr. Leary to the Metro Council for confirmation; and

WHEREAS, the Council finds that Ray Leary has the experience and expertise to make a substantial contribution to the Commission's work; now therefore

BE IT RESOLVED, that the Metro Council hereby confirms the Council President's appointment of Ray Leary as follows:

1. The Metro Council hereby confirms the Council President's appointment of Ray Leary to the Metropolitan Exposition Recreation Commission for the unexpired term beginning on July 1, 2004 and ending September 25, 2004 resulting from the resignation of Commissioner Toran; and

2. The Metro Council hereby confirms the Council President's appointment of Ray Leary to the Metropolitan Exposition Recreation Commission for a four-year term as provided by the Metro Code, beginning on September 26, 2004.

ADOPTED by the Metro Council this _____ day of _____, 2004

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

FOR THE PURPOSE CONFIRMING THE COUNCIL PRESIDENT'S
APPOINTMENT OF RAY LEARY TO THE METROPOLITAN EXPOSITION
RECREATION COMMISSION TO FILL AN UNEXPIRED TERM THROUGH
SEPTEMBER 25, 2004 AND TO A FULL FOUR-YEAR TERM
COMMENCING SEPTEMBER 26, 2004

Date: June 24, 2004

Prepared by: Mark B. Williams

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(2) of the Code allows the City of Portland to nominate a candidate for appointment for the Council President's consideration. Under Section 6.01.030(e)(1) of the Metro Code, the Metro Council President has the authority to concur with the City of Portland's nomination and submit it to the Council for confirmation, or reject it.

Commissioner Kay Dean Toran, nominated by the City of Portland and previously confirmed by the Metro Council, resigned from the Commission effective June 30, 2004. The City of Portland has nominated Ray Leary as a candidate for membership on the Commission, to serve the remaining unexpired term left vacant by the resignation of Commissioner Toran and, in addition, to serve a four-year term as provided by the Metro Code. The Council President has concurred with this nomination and accordingly submitted to the Council his appointment of Mr. Leary to serve both the remaining unexpired term from July 1, 2004 to September 25, 2004 and a four-year term following immediately thereafter.

A copy of Mr. Leary's résumé is attached hereto as Attachment 1.

Metro Chief Operating Officer Michael Jordan concurs with this appointment.

ANALYSIS/INFORMATION

1. Known Opposition.

None

2. Legal Antecedents.

Metro Code, as referenced above.

3. Anticipated Effects: (identify what is expected to occur if the legislation is adopted)

Appointment of Mr. Leary in the manner provided by the Metro Code.

4. Budget Impacts.

None

RECOMMENDATION

The Chief Operating Officer recommends approval of Resolution 04-3480 to confirm the appointment of Ray Leary to the Metropolitan Exposition Recreation Commission for a term beginning on July 1, 2004 and ending September 25, 2004, and for a four-year term as provided by the Metro Code, beginning on September 26, 2004.

Attachment 1
Staff Report to Resolution No. 04-3480
Résumé of Ellis Ray Leary

Ellis Ray Leary
200 SW Market Street
Suite 160
Portland, Oregon 97201
ph. 503.478.9808 I fax. 503.478.9809
ERLjrl28@cs.com

Ellis "Ray" Leary, 50, is the principal officer of ERL, L.L.C. a local firm specializing in Urban Real Estate Development, Marketing, and Workforce Development & Training. Along with Dr. Joy DeGruy Leary, he is co-owner of Leary & Associates, a consulting firm specializing in Diversity Training and Organizational Development. He has served as a member of the Portland Oregon Sports Authority Board of Directors, the NAACP, NE Business Assoc., and the Interstate Light Rail Station Assessment Committee.

Mr. Leary joined adidas America in 1994, as manager of the Brand's National Urban Marketing Unit. He was nationally recognized for his efforts, and represented the Brand at numerous tradeshow, seminars and special events. In 1995, he was named Executive Assistant to the President I CEO of adidas America, as well as served as Project Manager for "adidas, The Store on MLK", the Brand's first full line retail store in the United States at MLK Jr. Blvd. and Alberta St.

Prior to joining adidas America, he was Co -Director of Self Enhancement, Inc. a nationally recognized youth program in NINE Portland. As Executive VP of Development, he was responsible for all fundraising activities, and led the capital campaign to build the \$10m. Center for Self Enhancement, a 60,000 sq. ft. youth facility, in north Portland. In 1993, the Public Relations Society of America acknowledged him for his leadership on the capital campaign.

From 1983 to 1987, Mr. Leary served as Director of Development for the Urban League of Portland. He was responsible for all fundraising campaigns, membership drives and special events. In 1984, he re- established the Equal Opportunity Day Dinner, the League' largest annual fundraiser. In July of 1987, he was named Interim President of the Urban League of Portland and served in that capacity until May of 1988.

He is a native of Portland, and was captain of the 1972 State HS Basketball Champions, Jefferson HS. He attended San Diego State University on an athletic scholarship, and graduated with BA in Economics. He is married to Dr. Joy DeGruy Leary, and together with four of their seven children, reside in NE Portland. They have two grandchildren, Nya Nicole, 7 and Nasir, 10 months.

References Upon Request

Attachment 1
Staff Report to Resolution No. 04-3480
Résumé of Ellis Ray Leary

Ellis Ray Leary **Owner, ERL Development**

S.W. 200 Market
Portland, OR 97201
503.478.9808 Fax 503.478.9809
ERLjr128@cs.com

Education:

- | | | |
|--------------------|--|------------------------------|
| 1968 – 1972 | Jefferson High School
Captain: 1972 Oregon HS Basketball State Champions | Portland, Oregon |
| 1972 – 1973 | Arizona Western College <ul style="list-style-type: none">➤ Deans List➤ Athletic Scholarship to San Diego State University | Ywna, Arizona |
| 1973 – 1979 | San Diego State University <ul style="list-style-type: none">➤ 3 yr. Letterman - Basketball➤ Captain 1975 - 1976➤ B.A. Economics 1979 | San Diego, California |
| 1976 | Lumbleau Real Estate School <ul style="list-style-type: none">➤ ~ California State Real Estate License | San Diego, California |

Professional Experience:

- | | | |
|--------------------|--|-------------------------|
| 1983 – 1988 | The Urban League of Portland <ul style="list-style-type: none">➤ Executive Assistant to the President/CEO➤ Director of Development➤ Interim President | Portland, Oregon |
| 1988 – 1994 | Self Enhancement, Inc. <ul style="list-style-type: none">➤ Co-Founder➤ Executive V.P. of Development➤ Project Manager: Center for Self Enhancement➤ Director: \$10m Capital Campaign Center for Self Enhancement | Portland, Oregon |
| 1994 – 2000 | adidas America <ul style="list-style-type: none">➤ Project Manager: adidas Urban Academy➤ Project Manager: Renovation of Rotary Boys and Girls Club - Seattle➤ Business Unit Manager: City Unit➤ Executive Assistant to President/CEO➤ Project Manager: "adidas The Store on MLK"➤ Project Manager: Morehouse College/Grambling State University➤ Project Manager: Habitat for Humanity | Portland, Oregon |

Attachment 1
Staff Report to Resolution No. 04-3480
Résumé of Ellis Ray Leary

Awards:

Point of Light Foundation - Bush Administration
Ron Schmidt Award - PRSA Portland Chapter
Arthur Ashe Award - Port of Tacoma
National Association of Black Law Enforcement Executives
America Urban Radio Networks - Atlanta
NAACP Image Award - Portland
1996 Grammy Nomination - Songwriter/Producer
Les Femmes Sorority - Portland
Hip Hop Hall of Fame Award - New York City
Community Pride Award - Salvation Army - Portland
Paul Harris Fellow - Downtown Rotary Club - Portland

Associations and Organizations:

Portland Oregon Sports Authority - Board Member
N.E. Business Association - Member
NAACP - Member
Interstate Station Assessment Committee

Speaking Engagements:

National Association of Neighborhood Crime Prevention Summit
Washington. D.C.

Footwear Leadership and Marketing Conference
Tucson, Arizona

University Of Oregon
Eugene, Oregon

N .E. Business Association
Portland, Oregon

AURN-Black College All American Weekend
Atlanta, Georgia

Urban Bankers Association
Portland, Oregon

White House Reception - Community Base Programs
Washington. D.C.

Resolution No. 04-3481, For the Purpose of Confirming the Council President's Appointment of Janice Marquis to the Metropolitan Exposition Recreation Commission.

Metro Council Meeting
Thursday, July 22, 2004
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING) RESOLUTION No. 04-3481
THE COUNCIL PRESIDENT'S APPOINTMENT)
OF JANICE MARQUIS TO THE METROPOLITAN) Introduced by David Bragdon,
EXPOSITION RECREATION COMMISSION) Council President

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission; and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Council President's appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(2) the City of Portland has nominated Janice Marquis as a candidate for membership on the Commission; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(e)(1), the Metro Council President has the authority to concur with the City of Portland's nomination of Ms. Marquis or reject it; and

WHEREAS, the Metro Council President has concurred with the City of Portland's nomination of Ms. Marquis, and submitted his appointment of Ms. Marquis to the Metro Council for confirmation; and

WHEREAS, the Council finds that Janice Marquis has the experience and expertise to make a substantial contribution to the Commission's work; now therefore

BE IT RESOLVED, that the Metro Council hereby confirms the Council President's appointment of Janice Marquis as a member of the Metropolitan Exposition Recreation Commission beginning on July 1, 2004 and ending December 31, 2006.

ADOPTED by the Metro Council this _____ day of _____, 2004

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3481 FOR THE PURPOSE
OF CONFIRMING THE COUNCIL PRESIDENT'S APPOINTMENT OF
JANICE MARQUIS TO THE METROPOLITAN EXPOSITION
RECREATION COMMISSION

Date: June 24, 2004

Prepared by: Mark B. Williams

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(2) of the Code allows the City of Portland to nominate a candidate for appointment for the Council President's consideration. Under Section 6.01.030(e)(1) of the Metro Code, the Metro Council President has the authority to concur with the City of Portland's nomination and submit it to the Council for confirmation, or reject it.

The City of Portland has nominated Janice Marquis as a candidate for membership on the Commission. The Council President has concurred with this nomination and accordingly submitted his appointment of Ms. Marquis to the Council for confirmation. If confirmed, Ms. Marquis would, pursuant to the Metro Code, serve a term beginning July 1, 2004 and ending December 31, 2006.

A copy of Ms. Marquis' resume is attached.

Metro Chief Operating Officer Michael Jordan concurs with this appointment.

ANALYSIS/INFORMATION

1. **Known Opposition.**

None

2. **Legal Antecedents.**

Metro Code, as referenced above.

3. **Anticipated Effects:** (identify what is expected to occur if the legislation is adopted)

Appointment of Ms. Marquis in the manner provided by the Metro Code.

4. **Budget Impacts.**

None

RECOMMENDATION

The Chief Operating Officer recommends approval of Resolution 04-3481 to confirm the appointment of Janice Marquis to the Metropolitan Exposition Recreation Commission and to begin serving July 1, 2004.

Attachment 1
Staff Report to Resolution No. 04-3481
Résumé of Janice Jacobsen Marquis

JANICE JACOBSEN MARQUIS

BUSINESS ACCOMPLISHMENTS

- Thirty years experience in the real estate industry.
- Managed the abatement process, construction, office and retail leasing of the 200 Market Building, a \$42.5 million, 19-floor project in downtown Portland.
- Member of four person team in the development, management and leasing of the Pacwest Center Building, an \$80 million, one-half million square foot office and retail building in downtown Portland.
- Consulted and developed the marketing program for McCormick Pier, a 301-unit, \$15 million apartment complex on Portland's waterfront.
- Developed and coordinated all phases of marketing and management relative to the start-up and complete leasing of Parkside Plaza, a 208-unit apartment high-rise in downtown Portland.
- Leased and managed three high-rise apartment towers known as the Portland Center (541 units) maintaining 98% occupancy rate.

CURRENT POSITION

Russell Development Company/Cushman & Wakefield of Oregon, 1989 to present.

- Manage and lease the 200 Market Building (380,000 square feet of office and retail space)
- Manage and lease four historic buildings; the Dielschneider, Fechheimer, Freiman Kitchen and Freiman Restaurant buildings.

ORGANIZATIONS & AFFILIATIONS

- Portland Center for the Performing Arts Advisory Board
1998 to present
2003 – Chairman
- Building Owners and Managers Association (BOMA) International, Chairman, International Nominating Committee, 2001-2002.
- Portland BOMA, President 1995; Trustee 1992-1994
 - 1993 Chairman BOMA Portland Downtown Committee
 - 1994 – 1996 Member BOMA International Standard Method of Measurement Committee
 - 1995 Chairman of BOMA Regional 1995 Task Force
 - BOMA Portland Utility Deregulation Task Force
- Associate Real Estate Broker – State of Oregon

Attachment 1
Staff Report to Resolution No. 04-3481
Résumé of Janice Jacobsen Marquis

- Citizen's Advisory Committee for Revitalization of the Transit Mall
- Commercial Association of Realtors
- Portland Ambassador Program

ORGANIZATIONS & AFFILIATIONS CONTINUED

- American Advertising Museum, Past Board Member
- Music Theater of Oregon, Past Board Member
- Oregon Art Institute, Past Council Member
- Lake Oswego Bicycle & Pathways Committee, Past Chairman
- Friends of Duniway Park, Past Board Member

AWARDS 1998, 1999, 2002

- Cushman & Wakefield of Oregon Property Manager of the Year

PERSONAL

- Native of Portland, Oregon
- Resident of Lake Oswego, Oregon
- Bachelor of the Arts, University of Oregon, 1970
- Married to Dean Anthony Marquis, 1976

Agenda Item Number 5.1

Resolution No. 04-3473, For the Purpose of Authorizing the Chief Operating Officer to Purchase Property on Hogan Butte in the East Buttes/Boring Lave Domes Target Area, Subject to Unusual Circumstances.

Executive Session

Metro Council Meeting
Thursday, July 22, 2004
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 04-3473
CHIEF OPERATING OFFICER TO PURCHASE)
PROPERTY ON HOGAN BUTTE IN THE EAST) Introduced by Councilor Rod Park
BUTTES / BORING LAVA DOMES TARGET)
AREA, SUBJECT TO UNUSUAL)
CIRCUMSTANCES)

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure (Ballot Measure 26-26) which authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and capital improvements; and

WHEREAS, on January 9, 1996, via Resolution No. 96-2424 (“For the Purpose of Authorizing the Executive Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Amended Open Spaces Implementation Work Plan”), the Metro Council established the Open Spaces Acquisition Guidelines, which also provided for Metro Council approval of purchases subject to “unusual circumstances”; and

WHEREAS, on July 25, 1996, via Resolution No. 96-2361 (“For the Purpose of Approving a Refinement Plan For the East Buttes and Boring Lava Domes Target Area as Outlined in the Open Space Implementation Work Plan”) the Metro Council adopted a refinement plan for the East Buttes / Boring Lava Domes Target Area, which included a confidential tax-lot specific map identifying priority properties for acquisition; and

WHEREAS, Ronald and Cheryl Haggerty are the owners of an approximate 28-acre parcel that lies in Tier I of the East Buttes / Boring Lava Domes Target Area (“the Haggerty Property”), as described in the attached Exhibit A, and have entered into an Agreement of Purchase and Sale with the City of Gresham; and

WHEREAS, Metro wishes to participate with the acquisition of the Haggerty Property contributing \$250,000 to the purchase price, subject to the following terms and conditions: (1) Metro shall receive unencumbered fee title to a 5.80-acre portion of the Haggerty Property currently known as Tax Lot 101, Section 22B, Township 1 South Range 3 East (“Tax Lot 101”); (2) the City of Gresham shall grant Metro an open space restrictive covenant over the Haggerty Property and a 29-acre piece of property the City of Gresham owns near Regner Road consisting of Tax Lots 00800 and 00900, Section 15C, Township 1 South, Range 3 East (“Regner Road Property”); (3) the City of Gresham shall make a good faith effort to provide or require off-street public trail access from the Haggerty Property through the proposed Deer Glen subdivision, connecting through to the Regner Road Property; and (4) the City of Gresham shall agree to manage the Haggerty Property and Regner Road Property for the preservation of open space natural area in accord with the Metropolitan Greenspaces Master Plan pursuant to an Intergovernmental Agreement with Metro; and

WHEREAS, on September 27, 2001, the Metro Council approved Resolution No. 01-3106 (“For The Purpose of Modifying the Open Spaces Implementation Work Plan and Open Spaces Acquisition Regional Target Area Refinement Plans to Direct Future Acquisitions of Properties That Satisfy Specific Identified Criteria”), modifying the Open Spaces Implementation Work Plan and Open Spaces Acquisition Regional Target Area Refinement Plans to require Metro Council approval of all acquisitions in target areas where minimum acreage goals have been met and to direct future acquisitions of properties that satisfy specific identified criteria; and

WHEREAS, Metro has already exceeded the minimum 545-acre goal established for the East Buttes / Boring Lava Domes Target Area, therefore contributing toward the purchase of the Haggerty Property requires formal Metro Council authorization pursuant to Council Resolution 01-3106; and

WHEREAS, Metro’s participation in acquisition of the Haggerty Property meets the required criteria set forth in Council Resolution No. 01-3106 as follows: 1) the acquisition of the Haggerty Property will complete the acquisition of existing public ownership gaps in trails and greenways identified in the bond measure by connecting two parcels owned by the City of Gresham, and 2) the acquisition of the Haggerty Property benefits from a significant financial contribution from a local government or other outside partner; and

WHEREAS, because no appraisal will be performed on Tax Lot 101 to confirm its value, Metro’s acquisition of said portion of the Haggerty Property will be subject to “unusual circumstances” and requires Metro Council approval; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to contribute \$250,000 toward the purchase price of the Haggerty Property as identified in Exhibit A, subject to the terms and conditions set forth above herein.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A
Resolution No. 04-3473

Property Description

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3473, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO PURCHASE PROPERTY ON
HOGAN BUTTE IN THE EAST BUTTES / BORING LAVA DOMES TARGET AREA,
SUBJECT TO UNUSUAL CIRCUMSTANCES

Date: June 21, 2004

Prepared by: Nancy Chase
William Eadie

BACKGROUND

Resolution No. 04-3473 (“For the Purpose of Authorizing Metro to Contribute Toward the Purchase of Property on Hogan Butte in the East Buttes / Boring Lava Domes Target Area”) requests authorization for Metro to participate with the City of Gresham in the acquisition of the 28-acre Haggerty property (hereafter referred to as “the Haggerty Property”) in the East Buttes / Boring Lava Domes Target Area.

The Haggerty Property was identified as a “Tier I” acquisition priority in the confidential tax lot map approved in connection with the adoption of the refinement plan for the East Buttes / Boring Lava Domes Target Area, which outlined the land protection strategy for the target area, all pursuant to Resolution 96-2361 (“For the Purpose of Approving a Refinement Plan For the East Buttes and Boring Lava Domes Target Areas Outlined in the Open Space Implementation Work Plan”), adopted on July 25, 1996.

The Haggerty Property consists of 28 acres spanning the top of Hogan Butte and located directly adjacent to the developing area north of the Persimmon Golf Club. The scenic value of the Haggerty Property is high due to its panoramic and commanding views of Mount Jefferson, Mount Hood, Mount Adams, and Mount St. Helens. A potential trail connecting to public lands to the north would afford regional access to this rare vista. The view afforded by the Haggerty Property will attract users both locally and from throughout the Metro Area. Protecting the Haggerty Property from development will also provide an attractive natural visual backdrop, easily seen from Highway 26. Motorists looking up as they are driving into the City of Gresham from Mt. Hood will see the undeveloped slope and hilltop of the Haggerty Property. Blanketing this hillside with housing would change the impression as one approaches the City of Gresham. The Haggerty Property is comprised of three tax lots, one of which, Tax Lot 101, will be conveyed to Metro in exchange for Metro’s cash contribution to the Haggerty Property acquisition.

The conditions of Metro’s participation with the City of Gresham in the Haggerty Property acquisition are as follows:

- 1) The City of Gresham must provide sufficient additional funding to acquire the remainder of the 28-acre parcel.
- 2) The City of Gresham shall grant Metro an open space restrictive covenant over the Haggerty Property and a 29-acre piece of the City of Gresham property, commonly known as Tax Lots 00800 and 00900, Section 15C, Township 1 South, Range 3 East (the “Regner Road Property”), located near the Haggerty site across Regner Road.

- 3) As part of its land use and development approval of the proposed Deer Glen subdivision on natural area land purchased in part by the developer from the City of Gresham, Gresham shall make a good faith effort to obtain public trail access (off street) from the Haggerty Property parcel (north edge of parcel) through the Deer Glen parcel to connect to and allow reasonable and feasible trail access to the 29-acre parcel currently owned by the City west of Regner Road Property.
- 4) The City of Gresham shall agree to manage the Haggerty Property and the Regner Road Property for open space and park purposes pursuant to an Intergovernmental Agreement with Metro.

The purchase of the Haggerty Property requires Metro Council authorization pursuant to Resolution No. 01-3106 (“For the Purpose of Modifying the Open Spaces Implementation Work Plan and Open Spaces Acquisition Regional Target Area Refinement Plans to Direct Future Acquisitions of Properties That Satisfy Specific Identified Criteria”), adopted on September 27, 2001, because Metro has previously exceeded the minimum 545-acre goal established for the target area.

Acquisition of the Haggerty Property is recommended because the acquisition of the Haggerty Property would meet two of the criteria set forth in Resolution No. 01-3106:

- 1) “Complete the acquisition of existing public ownership gaps in trails and greenways identified in the bond measure.” The purchase of this site would connect two parcels owned by the City of Gresham.
- 2) “Within existing target areas and parcels that meet the objectives otherwise set forth in this resolution, particular emphasis should be given to acquisitions that would either (a) have a significant financial contribution from a local government or other outside partner or ...” The financial contribution by local governments or other partners is significant, as Metro is being asked to contribute 21% of the purchase price.

Additionally, Metro’s participation with the City of Gresham in the Haggerty Property acquisition requires Metro Council authorization due to unusual circumstances, as Metro will not be performing an appraisal report for Tax Lot 101 to confirm its value. Metro’s share of the overall purchase price for the whole Haggerty Property is 21%, and the amount of land that Metro will take title to represents 21% of the total Haggerty Property acreage. A real estate appraisal of the whole Haggerty Property has previously been performed and has been reviewed and accepted by the City of Gresham. The Property is currently being acquired for an overall purchase price substantially below the market value estimated by the previous appraisal. This authorization assumes that the purchase will meet all other Acquisition Parameters of the Open Spaces Implementation Work Plan on issues such as environmental audit and title matters. This authorization does not cover any other “unusual circumstances” and to the extent any other “unusual circumstances” arise during the negotiation of a Purchase and Sale Agreement or during Metro’s due diligence process, it is acknowledged that further Council review and authorization will be necessary.

The City of Gresham strongly supports this acquisition.

ANALYSIS/INFORMATION

1. **Known Opposition:** None.

2. **Legal Antecedents:** In May 1995, Metro area voters approved the Open Spaces, Parks and Streams Bond Measure that authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements. Metro Code 2.04.026 (a) (3) requires that the Chief Operating Officer obtain the authorization of the Metro Council prior to executing any contract for the purchase of real property. The Open Spaces Implementation Work Plan, adopted by the Metro Council via Resolution 96-2424 (“For The Purpose of Authorizing the Executive Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Amended Open Spaces Implementation Work Plan”), adopted on January 9, 1996, established acquisition parameters that authorize the Executive Officer to purchase property within the Council-approved target area refinement plan maps but requires further Metro Council approval of acquisition subject to “unusual circumstances.”

Via Resolution 96-2361 (“For The Purpose Of Approving A Refinement Plan For the East Buttes / Boring Lava Domes Target Area, As Outlined In The Open Space Implementation Work Plan”), the Metro Council adopted a refinement plan, which outlined a land protection strategy for the East Buttes / Boring Lava Domes. Through that resolution, the Metro Council also approved the target area refinement plan tax-lot specific map, which includes the subject Haggerty Property as a Tier I priority.

On September 27, 2001, the Metro Council adopted Resolution 01-3106, which modifies the Open Spaces Implementation Work Plan. Section B of Resolution 01-3106 requires Metro Council approval of new acquisitions in target areas where minimum acreage goals (as established in the bond measure) have been met.

3. **Anticipated Effects:** Metro will receive title to at least a 5.80-acre lot and Metro will receive title or a conservation easement over the Regner Road Property.

Acquisition of the Haggerty Property will protect an important forested butte in the East Buttes / Boring Lava Domes Target Area and leverage a significant amount of non-Metro funding.

4. **Budget Impacts:** Metro is being asked to contribute 21% (\$250,000) of the purchase price of which there are sufficient unrestricted regional bond funds available.

Stabilization, land banking and restoration costs will not be borne by Metro, as the Haggerty Property and Regner Road Property will be managed by the City of Gresham under an Intergovernmental Agreement with Metro.

RECOMMENDED ACTION

Chief Operating Officer Michael J. Jordan, with the concurrence of the Council President David Bragdon, recommends the adoption of Resolution No. 04-3473.

MINUTES OF THE METRO COUNCIL MEETING

Thursday, July 15, 2004
Metro Council Chamber

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

Councilors Absent: Rod Park (excused)

Council President Bragdon convened the Regular Council Meeting at 2:03 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the July 8, 2004 Regular Council Meetings.

Motion:	Councilor Newman moved to adopt the meeting minutes of the July 8, 2004 Regular Metro Council.
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Vote:	Councilors Burkholder, McLain, Monroe, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed.
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4. RESOLUTIONS

4.1 **Resolution No. 04-3468**, For the Purpose of Endorsing a Supplemental Multi-Year Funding Commitment of Metropolitan Transportation Improvement Program Funds for the I-205/Mall LRT Project and Endorsing a Refined Regional Funding Plan.

Motion:	Councilor Monroe moved to adopt Resolution No. 04-3468.
Seconded:	Councilor Newman seconded the motion

Councilor Monroe spoke to the resolution. He noted the foresight exercised by regional partners when a right-of-way for rapid transit was set aside twenty-five years ago. He stated that with the approval of this resolution, points between Union Station and Portland State University will now be served. He added that JPACT unanimously approved the resolution. He also noted that local match funding has been obtained through the cooperation of Portland State University, City of Portland, Clackamas County, ODOT and MTIP federal money. Light rail on I-205 and the Portland Mall will become a reality sometime in 2009. Councilor Monroe emphasized that all regional partners can be proud of this effort, stating that the transit infrastructure of the region will be greatly improved. Councilor Monroe urged support for the resolution.

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Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.2 **Resolution No. 04-3475** – removed from the agenda.

4.3 **Resolution No. 04-3477**, For the Purpose of Adjusting Non-Represented Salary Ranges 516, 517, 518 and 519.

Motion:	Councilor McLain moved to adopt Resolution No. 04-3477.
Seconded:	Councilor Newman seconded the motion

Councilor McLain reviewed the KPMG study results, noting that salary ranges at the lower end were above market, and that those at the higher ranges were below market. Consultants recommended 25% increase for 516, 517, 518, 519. 7% is being implemented as an interim step until further research is developed and a formal performance management process is completed that would include: At Will Employment contracts for managers/directors, strategic performance planning where performance goals and expectations filter down from Council to Directors, from Directors to Managers, from Managers to Line Supervisors, etc., a formal performance evaluation process and a process for communicating “total compensation”.

Council McLain addressed what has been completed thus far. These include a survey conducted of similar entities regarding compensation philosophy and includes total compensation, focus group sessions conducted with 15% of the Metro regular employee population (both represented and non-represented) as the first step in designing and developing a formal performance evaluation process, revised non-represented salary ranges so that base pay cannot exceed the midpoint of the salary range, revised spread of non-represented salary ranges so that they more closely resemble “best practice” and limited the possible merit increase for non-represented employees to 3%. They are in the process of completing At Will Employment Agreements for Department Directors, Annual “total compensation” communication for all employees, developing a formal Performance Evaluation Process for represented and non-represented employees. Councilor McLain gave a copy of her speaking points for the record. She noted that staff members, Ruth Scott and Bill Stringer could address questions of the Council.

Council President Bragdon noted his intent to support the resolution as part of a larger package of an overall review.

Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.4 **Resolution No. 04-3478**, For the Purpose of Authorizing an Amendment To an Intergovernmental Agreement with TriMet concerning Transit-Oriented Development and increasing the level of transit service.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3478.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman spoke to the purpose of the resolution. It authorizes an amendment to the existing intergovernmental agreement with TriMet concerning the next phase of Metro’s Transit

Oriented Development Program and our Urban Centers Transit-Oriented Development (TOD) program. He noted that the Metro Council has considered this issue many times. Andy Cotugno, Director of Planning was present to answer questions. Councilor Newman urged an aye vote for the resolution.

Councilor McLain asked whether this resolution was budget neutral. Councilor Newman indicated that this was correct.

Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.5 **Resolution No. 04-3479**, For the Purpose of Amending the Transit-Oriented Development (TOD) Program Work Plan to Expand the TOD Program Area and Initiate an Urban Centers Program

Motion:	Councilor Newman moved to adopt Resolution No. 04-3479.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman spoke to the resolution, noting that it is a companion to Resolution No. 04-3478. He noted that this program has been in existence since 1998. This allowed Metro and local government partners a modest amount to leverage mixed-use private development along the centers of the light rail. He listed some of the centers projects. The shortcomings are they are limited to light rail. In 2003 the Council authorized the Metropolitan Transportation Improvement Program (MTIP) one million dollars to start up the second phase of the TOD program called the Urban Centers Program. He said this amendment would adopt a work plan as well as objectives and criteria for the use of the dollars committed to the project. He defined a few key elements of the resolution: a) Cause construction of higher density housing, mixed use projects and destination uses that have a physical and functional connection to transit through partnership with the private sector b) Developing suburban building types with the lowest possible parking ratios and highest reasonable floor area ratios (c) Increasing the modal share of transit and pedestrian trips within station areas and centers while decreasing reliance on personal automobiles (d) Leveraging and focusing public expenditures within centers to support Metro's 2040 Growth Concept. Councilor Newman urged an aye vote from the Council.

Councilor Burkholder expressed his support of the program. He wanted to address a few questions regarding the level of staffing for this program.

Andy Cotugno, Planning Department Director, noted that the 2004-05 budget authorized the transfer of Kelly Webb to the TOD Program. It also authorized the transfer of Mary Weber. He also noted that the department will recruit a person to replace Kelly Webb's position.

Councilor McLain asked about the process of submitting applications regarding Green building program and the TOD program to the Dept. of Energy and Business Energy Tax Credits for these projects. Do we do this before or after a project proposal?

Phil Whitmore, Planning Department responded by stating that they need to be a real project before applying. You must survey and justify after submission.

Councilor Burkholder addressed the need to address educational advocacy and technical assistance piece of this program.

Mr. Cotugno stated that an effort would be made to broaden the reach of the program, and make sure that Metro is providing technical assistance, connecting developers and Metro's own programs are supporting TOD programs.

Councilor Burkholder stated that it is critical for Metro to educate the public about the program.

Councilor Monroe noted that what TOD program brings us is the approach to affordable housing. He stated that when there is public money in a project, then there is some leverage in addressing affordable housing issues.

Mr. Cotugno noted that transportation dollars cannot pay for affordable housing efforts. However, he stated that through the combination of TOD funds and the 4 percent tax credit program for affordable housing, you have a higher likelihood of success of affordable housing with a TOD project.

Councilor Newman thanked Metro councilors of JPACT for their efforts in making this a reality. He also reinforced Councilor Burkholder's comments about the need for a bigger impact than just a few projects. He addressed some of the projects underway in his hometown of Milwaukie, Oregon. He stated that Metro is a critical partner in putting the pieces together on this project in helping his constituents to accomplish their planning efforts. He urged an aye vote.

Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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5. CHIEF OPERATING OFFICER COMMUNICATION

6. COUNCILOR COMMUNICATION

Councilor Burkholder noted the Cathedral Park Jazz Festival – an event that Metro has supported. This is the 24th year for this community-based festival.

Councilor Monroe noted his attendance at Mt. Hood Community College signing for the purchase of the Beavercreek property (63 acres) noting that the property would be made available for research. He concluded by stating that this acquisition represents another fine example of how Metro's Regional Parks and Greenspaces Program continues to enhance the quality of life in the metropolitan region.

Councilor McLain noted that at the Metro Policy Advisory Committee (MPAC) meeting, the Beaverton Centers Report was showcased. She also spoke to the Tualatin Basin Report on Goal 5, noting upcoming public meetings on the report. She encouraged folks to attend the open houses in Washington County.

ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 2:34 p.m.

Metro Council Meeting

07/15/04

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Prepared by

Becky Shoemaker

Council Archivist

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JULY 15, 2004

There were no attachments to the record.

Item	Topic	Doc Date	Document Description	Doc. Number