

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, July 20, 2004
Metro Council Chamber

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

Councilors Absent: Carl Hosticka (excused)

Deputy Council President Newman convened the Metro Council Work Session Meeting at 1:04 p.m.

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

Deputy Council President Newman reviewed the July 22, 2004 Council agenda.

2. ZOO ANIMAL PRESENTERS UPDATE

Tony Vecchio, Oregon Zoo Director, thanked the Council for scheduling the Zoo presentations today and for including the Zoo in the strategic planning process. Today will be a chance to share some information with the Council. He stressed the importance of bringing educational programs to urban kids. They began the Zoo Animal Presenters program 5 years ago to target teens.

Sabrina Burke has been the coordinator for ZAP for the past 3 ½ years. Also representing ZAP is ZAP teen, Michael.

Ms. Burke passed out 2003 ZAP yearbooks. ZAP is a 2-year paid internship for a group of 20 teens, all ages 15-17, from urban, low-income environments. They annually get 150-200 applicants for 10 positions and applicants participate in three different group interviews. This provides them with job interview experience.

First-year participants learn how to handle the education animals and give presentations, then go out and present the animals at community events and youth organizations. This also provides them experience working as a team and presenting in public. These positions are summer, half-time (20 hours), paid positions (minimum wage the first year, \$.25 raise the second year).

Tony Vecchio interjected that the applicants that are chosen aren't always the ones with the most experience or the most qualified, but rather those that can benefit the most from the program. Ms. Burke discussed the diverse background of ZAP teens. Geographic diversity allows teens to bring back their experience to their respective communities and be role models for youth in their community.

Last year the Zoo received a large grant from the Institute of Museum and Library Science Services that allows ZAP to continue with after-school programs during the school year.

Second-year ZAP participants increase their level of responsibility and leadership level through the Urban Nature Overnight program (UNO). Thirty children (ages 8-11) at a time participate in UNO and learn about nature and how to camp. They also take trips to Oxbow Park and a 4-day trip to Camp Westwind.

ZAP does about 120 outreaches per year, reaching 7000 people. The Urban Nature Overnight program holds 12-13 camps, reaching 350 children.

Councilor Monroe asked about how the applicants are selected and about the attrition rate. Ms. Burke responded that 80% complete the 2-year program. Some drop out due to their sometimes transitory lifestyle and some are fired due to lack of performance, but overall their retention rate is much better than high school graduation or teen job retention rates. The intensive interview process helps weed out applicants who aren't really committed to the job. Michael mentioned that the applicants are judged by their peers, who often have a better sense of how the applicants will perform. He lives in NE Portland and his brother was on the first ZAP team. He saw the application information for the program at school.

The \$120,000 cost for the program is paid for completely by grants and donations. US Bank has been a sponsor since the very beginning.

Michael read a personal statement, included in the record. Michael is a senior at Madison High School. Councilor Monroe asked if the program had affected his grades. Michael responded that his grades have gone up a lot in the past two years, and he is in several honors classes. He is planning to become a paramedic. Ms. Burke added that for many of the ZAP participants who have taken the GED, their science scores are extremely high.

Ms. Burke read a personal statement from Michelle, a ZAP teen, included in the record.

Mr. Vecchio said that the ZAP program fits very well with Metro's strategic planning. Councilor Burkholder asked if the program could be expanded with more funding. Ms. Burke said yes, and one of the things that they're exploring with the after-school programming funded by the IMLS grant is doing more thematic programming, more field trips. They cannot expand their summer program at this time. Mr. Vecchio added that they are focused on quality, rather than quantity, and expansion would most likely mean more time spent on the 20 teens rather than including more kids.

Councilor McLain spoke to the quality issue, noting that the program provides a lot of spin-off results from outreach to the community. Ms. Burke said that ZAP doesn't advertise their services to the community but they are almost always completely booked for presentations.

3. OREGON ZOO FOUNDATION

Tony Vecchio, Oregon Zoo Director, said that it would take hours to talk about the Oregon Zoo Foundation (OZF) so at this meeting they will focus on the membership program. The membership program is more of a donor recruitment program.

Jody Larimore is the chair of the Oregon Zoo Foundation Board of Trustees and has been with OZF for six years. She noted that OZF has grown substantially in the past few years and the board is one of the best in the nation. Funds raised support making the Oregon Zoo the best in the world. One of the examples is the condor recovery project and education and conservation efforts at the Oregon Zoo.

Karen Lloyd, Associate Development Director, and Lisa Goodwin, Membership and Annual Giving Manager, provided a PowerPoint presentation, included in the record. They emphasized the long-term nature of the donor relationships and discussed how they achieve donor

recruitment. The jump in 2002 membership was the result of many factors – great weather, timing of direct mail, opening of Stellar Cove and Cascade Crest. Direct mail results in 1.5-2.15% return, with 1% needed to break even. In spring, they send out 250,000 pieces; in the fall, it's about half that. Gate sales make up 1/3 of total sales. Online registration is expanding. Since 1998, membership totals have increased over 50%. Renewal and upgrade of membership is also a focus. Other innovative donation requests for specific projects are provided to members, such as brick sales for the Trillium Family Farm.

Karen Lloyd talked about major donor giving campaigns and referred to the fundraising pyramid. The Conservation Circle members not only give more money but also want to be more involved in the Zoo. The majority of them started out as lower level donors. They have just recently reached the level of 102 members above the \$1000 level. Councilor Monroe gave credit for the membership increase to hiring Tony Vecchio. Mr. Vecchio in turn recognized Kim Freed and Karen Lloyd for their contribution for the membership increase.

They have reduced their overall cost per dollar raised ratio by 18%, from 2003-2004.

The Wildlife Legacy Society members are those who give to the Zoo in their estate planning. They try to establish a personal relationship with their major donors, to meet their needs and inspire continued commitment to the Zoo.

Mr. Vecchio reminded Council that they have been invited to a dinner on July 28 to meet with Conservation Level members and OZF board. President Bragdon complimented Zoo staff on the success of Zoo-La-La. Several mentioned that it was the best one ever.

Councilor Monroe said that without OZF, the Zoo could not continue to operate at the level that it does. Councilor McLain stressed the importance of the community connection and ownership of the Zoo, recalling that members used to be called the Friends of the Zoo.

Mr. Vecchio mentioned the history of the Friends of the Zoo and its conversion to OZF.

Ms. Larimore said that OZF members bring a lot of passion to the program. She commended Tony Vecchio's leadership.

Councilor Burkholder commented that the Zoo outreach provides an incredible opportunity to work together on the mission of the Zoo and Goal 5. This is a challenge for the Council in strategic planning as to how to integrate these programs and missions.

Mr. Vecchio said that since President Bragdon came on board, communication between the Zoo and Council has improved greatly. Having councilors on the board also helps communication.

Councilor Newman said that this is the first presentation about OZF that he has seen. He commented that most Councilors and OZF board members don't know each other and that needs to change. The July 28th dinner is a step in the right direction.

President Bragdon said that at the Council retreat, discussion started about the similarity of missions between Metro Parks and the Oregon Zoo and how to integrate them. Mr. Vecchio said that he often combines the Oregon Zoo and OZF, but really shouldn't because many of the programs are funded by OZF. OZF is an equal partner and wasn't given credit at the strategic planning session.

Ms. Larimore responded to Councilor Newman's comments and said that they enjoyed the presence of Councilors at the Zoo accreditation dinner. Mr. Vecchio said that for many zoos, it is unusual for the board and zoo directors to get along. A task force recommended that the President of OZF and the Director of the Zoo be combined into one position.

President Bragdon asked about board recruitment and whether the Council could assist in any area. Ms. Larimore responded that it's been difficult to recruit members from outside the Portland area and find diverse team members. Councilor Burkholder said that Innovation Partners works with groups trying to increase the diversity of their boards. Councilor McLain talked about the Sierra Club meeting earlier today at which they commented that Oregon Zoo is the greenest zoo they'd seen. Councilor Monroe commented that the OZF board has achieved gender balance and representation from different career backgrounds.

4. ZOO DEFERRED MAINTENANCE ISSUES

Tony Vecchio, Oregon Zoo Director, said that he felt uneasy about the budget process and the picture that Council may have gotten – that the Zoo is a mess. This is a long-term problem and we need a long-term solution. The Zoo does have a long-term plan and has been following it.

Teri Dresler and Sarah Chisholm, Zoo Administration and Accounting, provided information on how Zoo staff prioritize projects. The 25-year plan, developed in 1997, took a long-term look at the Zoo infrastructure. That list has been prioritized by Terry Joeckel, the Zoo construction and maintenance manager, according to those projects most important to preserving the integrity of the structures and the safety of the animals, staff and public. A staff team of keepers, management, construction and maintenance, reviews the priority list every other week to address issues that arise. They work to find creative solutions to problems that arise.

Since the spring of 2002, the Zoo has completed over 64 large-scale maintenance and repair projects. There are currently 50 projects waiting to be completed, 10 projects are currently pending final approval. She stressed that they've done a lot with a little.

Sarah Chisholm gave an overview of the finances. They do have some money budgeted for renewal and replacement. Capital funds were cut from \$268,000 in '03-04 to \$85,000 in '04-05. Materials and services were also cut by \$38,000. In '03-04, they didn't spend all that they had budgeted for maintenance because of a drop in revenue. Only high priority projects, like replacing the boiler in the primate center (ca 1959), were completed. They have an overview of the projects that are planned and funded for 04-05.

Councilor McLain asked about funds designated for maintenance and those for capital outlay. Ms. Chisholm clarified that maintenance funds are only used for maintenance. Two projects are planned from the capital outlay fund (Introduction to the Forest and the Condor project) – most of those funds are from restricted donations and can only be used for those projects. Councilor McLain asked if new projects could be delayed and those funds used to complete the deferred maintenance list. Mr. Vecchio responded that it could be possible but that it would create new problems in terms of increased construction costs and completion dates.

Councilor McLain suggested that it would be good to have an analysis of costs of deferring maintenance versus additional cost of delaying capital construction. President Bragdon said that this is something that they're trying to do in the budget process.

Councilor Newman asked about the complete cost of the deferred maintenance list. Ms. Chisholm said that the list as of July 1 is \$1.7 million. She will provide estimates of projected costs for upcoming years. Mr. Vecchio said that the deferred maintenance list is growing faster than projected revenues and we still need a long-term solution. President Bragdon said that this is not an unusual situation for government agencies or non-profits and it's difficult to find donors willing to give money for maintenance.

President Bragdon said that he would like to designate a standing council work session each month for Zoo items. Mr. Vecchio invited Council to meet at the Zoo.

5. GREATER METROPOLITAN EMPLOYMENT LANDS STUDY

Beverly Bookin, CREEC, who has been contracted by Metro, other governments and the private sector to provide the GMELS, gave a presentation on Phase One - included in the record. President Bragdon said that the issue is whether planning and zoning rules from decades ago are still applicable in today's economy. Ms. Bookin will give this presentation to other stakeholders, including MPAC and MTAC.

Study respondents indicated that they would prefer to maintain the use-based zoning system currently in place, but modify it to include performance and design-based zoning. Councilor Burkholder asked if the reason for this was primarily due to comfort/familiarity with the current system and fear of the unknown. Ms. Bookin replied that that was probably correct.

Urban development in the early 1900's was mixed-use, all types of uses were mixed together. In the 1940's and 1950's, we started a suburban model of residential tracts separated from other uses. In the last 10 years, with Metro 2040 plan, we've started to integrate uses again.

Councilor Newman asked for a clarification of the term "mixed-use". Ms. Bookin responded that mixed-use can be vertical and horizontal on the same side. It can include any mix of uses - does not have to include residential.

Councilor Park asked about whether any industrial development is outside of the traded sector. Ms. Bookin said that the commercial sector is moving into residential and employment/industrial areas and the wholesale/manufacturing sector is increasingly moving into the commercial sector. The traded sector is primarily industrial and manufacturing activities.

Ms. Bookin stated that separation for noise and trucks is being addressed. She also stated that this presentation is suggesting the argument now is to allow any mix of uses that the economy will bear and then govern those by design performance standards.

Councilor Burkholder stated that small and large need to be better identified and will be one of the challenges for us to address.

Ms. Bookin explained the "sanctuary" end of the exploratory model. Industrial sanctuary includes all RSIA's and most industrial uses. They need sanctuary because they are the work engine of the economy and are a large job multiplier. They need to be segregated because of their special needs and because they are not very compatible with other uses.

Campus Sanctuary, including hospitals, colleges and other campuses and other regionally significant facilities, is a concept that needs to be worked on more. No supply analysis is normally done on these properties. The controversy arises with the possibility of the next Nike,

Boeing, Intel—would we give those more latitude as to where they could go or would we push them toward Centers? Would we give them more latitude to build where they want?

Ms. Bookin discussed 5 advantages of the Exploratory Mode—which can be found on the power point presentation.

Councilor Park asked about “unlocking the potential of re-development”. Ms. Bookin responded that we can use our existing land supply more effectively and thereby require less additional land supply. Redevelopment of “vintage” industrial areas could include allowing mixed use, with design standards and other obstacles that are normally in place.

Andy Cotugno, Director of the Planning Department, said that the City is conflicted in their approach to development of the Central Eastside and other similar areas. Those “vintage” areas can be converted to mixed-use and developed at different rates and with different performance standards. Ms. Bookin agreed that design standards can include different performance standards.

Councilor McLain asked about the differences between 2040 design types. She said that it would be preferable to change the three Metro design types rather than have each jurisdiction change multiple levels of design types. Ms. Bookin said that this does not have to be applied universally. Most cities’ zoning codes have already begun to adopt the design that make it compatible with the regional center design type. There are 3 ways that this could get implemented:

- 1) Metro will look at how we project land demand and supply for industrial use
- 2) State DCLD will alter land-use law
- 3) Local codes remove uses but retain performance and design standards

Councilor McLain expressed concern about potential inequities between jurisdictions. Ms. Bookin said that Metro could require compliance for universal codes or this could be adopted locally voluntarily.

Councilor Burkholder wanted to look more closely at Phase II and how to fit large institutions into dense urban areas. We need to rigorously question the “needs” of campuses. Ms. Bookin said that she felt campuses need to be taken out of the sanctuary category and that this area needs more attention.

President Bragdon said that this needs to be linked to centers rather than making low-density office space available cheaply. Ms. Bookin said this is a key element of this discussion and we may need to look at providing incentives to locate in centers.

Councilor Park asked the study to also look at what local jurisdictions can disallow, e.g., warehousing and distribution and any suggestions to deal with that issue. Ms. Bookin said that that issue is bigger than this model. They will continue to work on developing the model.

6. FISH AND WILDLIFE HABITAT PROGRAM – UPDATE ON TUALATIN BASIN APPROACH AND ON REGIONAL PROGRAM SCHEDULE

Paul Ketcham, Planning Department, provided comments on the Tualatin Basin program. The schedule, overview of the program, and Metro Fish and Wildlife Habitat Inventory Update are included in the record.

Mr. Ketcham reviewed the revised regional Goal 5 schedule. The Metro Council is required to respond to the Tualatin Basin approach within 120 days, which would mean a response date of no later than December 16, 2004. Mr. Cotugno clarified that the IGA provides that if Council approves the Tualatin IGA, it can be adopted for that region.

President Bragdon said that we need to clarify how individual property owners will be affected and reduce the tension exhibited at the recent public meeting in Wood Village. Mr. Ketcham showed that these are being addressed in the next few months and applicability will be discussed at an August work session.

Councilor McLain commented that Brent Curtis, Planning Manager from Washington County, reviewed the overview memo after the meeting yesterday. She heard comments at the coordinating committee about three items: 1) certainty of protection, 2) housing and job capacity, and 3) price of the “in lieu” fee.

Brent Curtis passed out copies of the public notification brochure that has been sent out to 35,000 property owners that could be affected by the program notifying them of the upcoming open houses. The substance of the program hasn't changed. They've added more information about low-impact development and costs.

Mr. Curtis reviewed the memo on the overview of the Tualatin Basin program. Mr. Ketcham said there are differences in definitions between the Council resolution and the Tualatin program, including the meaning of limit and the extent of disturbance area. Mr. Curtis responded that Tualatin Basin was asked to create their own solution that met two standards: 1) be valid under Goal 5 and 2) would improve the environmental health of the region. Their goal is to stay as congruent as they can, but retain their flexibility. Their deadline has pushed them to make specific decisions and they have the authority to do so as long as it meets general guidelines.

Mr. Ketcham pointed out key issues on the memo. The first is upland habitats – Metro staff is concerned about a lack of protection of upland areas, relying on voluntary compliance through the “in lieu of” fee rather than regulation. In fairness to Tualatin, he noted that upland areas are the most difficult to protect and Metro will face the same challenge. Mr. Curtis commented that upland habitat has always been a concern but that they have tried to take advantage and build upon other work that they are doing on the Clean Water Act and Healthy Streams. They do have an emphasis on riparian protection but 90-94% of the resource inventory is in riparian zones. Riparian resources have a stronger history of protection; there is no precedent for protection in upland areas. This does not mean that they do not have an emphasis on upland areas. The “fee in lieu of” notion is designed to maintain an equivalent amount of resources, to charge what it would cost to mitigate onsite – although onsite mitigation is the preferred option. He said that when he gave a presentation at MPAC, the members spent the most time discussing the cutting of two acres of trees in Wood Village and wanted to know how this program would impact tree cutting, so he anticipates that this will be an even bigger issue for the Metro Goal 5 program.

Andy Cotugno asked if the “in lieu of” fees for upland mitigation could be limited to replacement in upland areas. Mr. Curtis said they are open to that requirement.

Mr. Ketcham commented that while in the Goal 5 inventory 96% is in riparian areas, in overall wildlife inventory, it makes up about 40%, with the remainder being upland habitat and wildlife. Mr. Curtis said that that is true in some areas, but that most of the Tualatin hills upland areas are outside of the Tualatin Basin jurisdiction area.

Mr. Ketcham said that the concern with housing and job capacity issues is the decision not to increase buffer widths in order to protect housing and development opportunity. In the Metro code, there is an exception process for local governments to seek an exception to housing density if the inability to achieve target density is due to protection of environmentally sensitive areas. He proposed to continue dialoguing with Washington County governments to remind them of the allowable exception. Mr. Curtis responded that this is not an issue that is limited to Tualatin Basin and that they are open to making adjustments. They adjusted the approach to reflect land-use capacity but it will still result in adjustments made to exception lands elsewhere in order to achieve regional capacity – this is an important concern and they will continue to work with Metro staff on this issue.

Mr. Curtis gave a presentation to a group of homebuilders last week. They want to give input on two topics: the inventory and low-impact development standards. The homebuilders felt that low-impact development standards shouldn't be applied outside of resource areas.

Regarding tree ordinances, Tualatin Basin doesn't have the time to develop a tree ordinance at the micro-level. It falls under the general mitigation rule. He provided an overview of the Tualatin Basin Goal 5 program – included in the record.

Councilor Park asked about interim protections prior to the enactment of Goal 5. Washington County has existing Goal 5 protections in place. Resources outside of current Goal 5 regulations aren't subject to regulation so those landowners are free to develop their land. So far, Mr. Curtis hasn't seen any hastened action in Washington County but it could happen. They discussed the applicability of the Forest Practices Act inside the urban growth boundary – uncertain about the applicability. The Forest Practices Act provides only minimal protection and virtually no protection in upland areas.

7. TRANSPORTATION FINANCING RECOMMENDATION

Richard Brandman, Deputy Planning Director, gave a shortened presentation and will return at a later work session to discuss the issue in full. The transportation finance working group, chaired by Jay Waldron, is an advisory group that has provided business input, commissioned surveys and focus groups by Adam Davis. They have recommended that Metro do 3 things:

- 1) develop white paper that describes connection between transportation and the economy
- 2) put an initiative on the ballot in 2006 to address transit, roads, and neighborhood projects
- 3) seek support at the legislature in 2005 for needed projects

Mr. Brandman discussed the options that the Council has to respond to these recommendations (see attachment in record). Questions remain to be answered before deciding to undertake a ballot measure.

Mr. Brandman reported on the outcome of the focus groups held in all three counties:

- 1) there is near consensus that something needs to be done about transportation problems in the region
- 2) the package appealed to many participants, although some concern about the scope of the measure (e.g., too much in it - too good to be true)

- 3) participants supported vehicle registration fee increase but strongly opposed to property tax measures
- 4) everyone must pay their fair share and spread out the costs, including tax on business
- 5) important to have citizens' oversight committee to monitor the outcome

Mr. Brandman reviewed the questions on the bottom of the sheet, and suggested that those should be discussed and decided by the end of this calendar year.

Mr. Cotugno passed out a sheet listing possible transportation funding concepts to take to the 2005 legislature, including project prioritization and funding sources – this will be discussed at the JPACT retreat on July 26. The first two packages leverage and tie state and federal funds to a proposed ballot measure.

Councilor Newman said that he wants to keep moving in this direction to stake out our intentions in the fall and it needs to be a multi-modal measure. Councilor McLain commented that since she doesn't sit on JPACT, she is able to view this with a fresh perspective. It seems to her that we've been at this stage for 9 years and nothing has developed. The OTIA program doesn't allow for proper prioritization, causing us to use dollars for projects that aren't valuable to the region. Councilor Newman agreed that by relying on vehicle registration funds, how we spend the money is dictated by the state.

Mr. Brandman commented that this is a very difficult thing to do, to get all the various parties to agree on a ballot measure. Councilor Newman said that some jurisdictions would not support such a measure because they can get more money directly from the state. Mr. Brandman said that if we're serious about 2040, we need to support this. Councilor Park said that if we do this and are successful, it brings new money to the table and will change the dynamics. If a ballot measure doesn't succeed, it doesn't mean that we've failed, just that we've lost some time but have positioned the issue for the next time around.

8. CITIZEN COMMUNICATION

There were none.

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

The Executive Session was postponed until a later date.

10. CHIEF OPERATING OFFICER COMMUNICATION

There was none.

11. COUNCILOR COMMUNICATION

There were none.

There being no further business to come before the Metro Council, Deputy Council President Newman adjourned the meeting at 4:27 p.m.

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Prepared by,

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Council Support Staff

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

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	7-22-04	Metro Council Agenda for July 22, 2004	072004c-01
2	ZAP	2003	ZAP Team Yearbook	072004c-02
2	ZAP	7-20-04	Testimony from Michael, ZAP teen	072004c-03
2	ZAP	7-20-04	Testimony from Michelle, ZAP teen	072004c-04
3	OZF	7-20-04	PowerPoint Presentation	072004c-05
5	GMELS	7-20-04	PowerPoint Presentation	072004c-06
6	Goal 5 & Tualatin Basin Program	7-20-04	Program Schedule	072004c-07
6	Goal 5 & Tualatin Basin Program	7-16-04	Overview of Tualatin Basin Fish and Wildlife Habitat Protection Program	072004c-08
6	Goal 5 & Tualatin Basin Program	7-16-04	Metro Fish & Wildlife Habitat Inventory Update	072004c-09
6	Goal 5 & Tualatin Basin Program	July 2004	Public Notice of Tualatin Basin Fish & Wildlife Habitat Program	072004c-10
6	Goal 5 & Tualatin Basin Program	July 2004	Proposed Tualatin Basin Goal 5 Overview	072004c-11
7	Transportation Finance	7-20-04	Transportation Finance Working Group Recommendation	072004c-12
7	Transportation Finance	7-20-04	Transportation Funding Legislative Concepts for 2005 Legislature	072004c-13