

## MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, August 10, 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)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:06 p.m.

### **1. KEY ISSUES TO BE DISCUSSED IN REGIONAL SOLID WASTE MANAGEMENT PLAN (RSWMP)**

Janet Matthews, Solid Waste and Recycling Department, said they had wrapped up their first round of public involvement. They were now narrowing down the key challenges and issues to take out to the public. They were presenting a draft discussion guide that pertains to three of the four challenges that they had identified. They were here to discuss the four challenges, of which the fourth, they were suggesting, Council discuss. The other three would be sent out for public input in September. She detailed the process to get to a draft RSWMP update by year's end. They were utilizing the Lets Talk guide as a tool for public discussion of the challenges. Jan O'Dell, Solid Waste and Recycling Department, talked about the previous focus groups. They then concentrated on the challenges that would go out to the public. She spoke to the future processes in going out to the public. They would invite people to these meetings and facilitate discussions about these issues. They would be getting the public's concerns and where they would like to see the region grow. Ms. Matthews asked, do the three key challenges they have chosen represent the public issues? Councilor Burkholder asked about the narrowing process and what the response was from the focus groups. Ms. Matthews said they knew they needed to narrow it down. The focus groups did not know what they were going to narrow the key issues down to with the exception of Solid Waste Advisory Committee (SWAC). Councilor Burkholder asked what SWAC's response was? Councilor McLain responded that SWAC looked at it, they had some comments and staff recorded them. There were feelings that they wanted to have further discussion on some of the issues. They wanted an opportunity to weigh in on the issues again. She said SWAC was engaged, they understood that the process had a ways to go. Ms. O'Dell added that this process would feed in to a SWAC process. They would hold some kind of discussion with service providers. It was a continuous loop into the future. Councilor Burkholder liked the fact that these challenges were a vision rather than a specific model. He was hopeful that these three challenges would get people talking. He liked the addition of sustainability. He wondered how much the general public might have to be oriented to this issue so they could discuss it.

Councilor McLain suggested asking Council where they should go to have these conversations. She suggested high schools that recycle and those that don't. She also suggested the hotline as a resource to touch the public. Ms. O'Dell said they might find, as they narrow the issues, there was some costs questions. They would then use a survey. This was more of a broad-brush approach. Councilor McLain suggested talking to people who don't recycle, such as fair managers. Councilor Park asked if the 62% recycling rate was tied to a number. If you wanted to put an emphasis on recycling you put less emphasis on reduce and reuse. The question was how much waste was generated per person so you could measure reduction, reusability and recycling. Was 62% tied to an amount per person? Ms. Matthews said no. In this region what they were going

after were targeted waste stream in the commercial sector. The calculations may have been done on that basis but the law was not based on a per-person. Councilor Park asked if increasing recycling was what they wanted to achieve?

Ms. O'Dell said the second challenge was on sustainability. They would be exploring reduction and reuse issues in the sustainability piece. Councilor Park suggested measuring reduction and reuse in the sustainability piece. Council President Bragdon said they were dealing with people's individual consumption habits. It related to the reader and hit the mark. Ms. Matthews said they would like to get this in a form that was usable and put it before Council. They would be bringing that draft to Council the end of September. Ms. O'Dell explained the future calendar. She urged Council to give them ideas as to where to go. Councilor Park asked if household hazardous waste was imbedded? He suggested asking people about user pay fee upfront. Councilor Burkholder asked about the cover page and suggested it speak to Metro's role. Councilor McLain also suggested the three themes reduce, reuse and recycling be displayed.

## **2. NEW EXCISE TAX FUNDING FOR PARKS: PRIORITIES AND OPTIONS**

Jim Desmond, Regional Parks and Greenspaces Director, said they were trying to talk about the spending of the new excise tax money. The Council had seen the \$2.50 proposal work plan. They were trying to get direction from the Council about what was most important for the \$1.50 that had been budgeted this year with the understanding that there may be no additional funding. Council President Bragdon suggested that they would be coming back with some choices. He talked about the strategic planning and that should provide guidance for this issue. He added that Greenspaces Policy Advisory Committee (GPAC) had been meeting the past several months and they had come up with a vision and were going to be bringing forward suggestions of Metro's role in the Parks' universe. Mr. Desmond said GPAC was looking at the big regional picture. They had not gotten to the question of "on the ground". He thought their policy recommendations would be at a higher level. Right now the Parks Department wanted guidance on individual project. This exercise was down a level and only dealing with the \$1.50 and what was priority.

Last week they had come in with a discussion draft of principles. Council had suggested redrafting the principles (a copy of which is included in the meeting record). They were hopeful to have Council look at the principles and identify the top three, bottom three preferences. Councilor McLain said she felt #2 and #4 bullets should be part of the same statement. Michael Jordan, Chief Operating Officer (COO), said they were forcing Council into making decisions about what was priority. They could do everything but just at a lower level. Mr. Desmond said they had been doing a lot on the west side. He didn't have a problem with combining #2 and #4. Some councilors weren't sure it should be combined. Councilor Newman asked about #7. He didn't remember that this was on the list last week. Mr. Desmond said it wasn't on the list last week but it was part of the \$3.00 plan. Environmental education was part of the original proposal. Councilor Burkholder said they needed to look at what they were trying to achieve in the longer term. Councilor Park asked about restoration plans. Mr. Desmond talked about aggressive restoration. Should they spend any new excise tax on restoration as compared to some of the other projects? Mr. Jordan suggested that, the department look at the programs by project as well as qualitative characteristic of the programs. Heather Nelson Kent said they had been going after the money for restoration rather than opening up the site to the public. Councilor Park suggested if you concentrated your money in the four sites, got the public out there and let them see what the excise tax money, had accomplished, you would show success. Council President Bragdon said his priority was to have a couple of successes. He would lower the priority on adding programs such as #6 and #7. Councilor Burkholder said they were not all equal costs. They

needed to know the scale of the costs. Some of these principles could be a little money but helped us gain money.

Councilor Monroe said he was looking forward to the next phase of an acquisition bond. He suggested doing something that was very visible and would carry more weight with the public and get us more press. We needed to show that we didn't have enough money to do everything all over the region but we should be able to use this money to open a few sites to show the public. Councilor McLain said they did want to open up some of the land to show successes. She talked about spinning off more money with grants and Intergovernmental Agreements (IGAs). Mr. Desmond said #3 was intended to bring in partnership money and support. Mr. Jordan said they did all of the seven principles now. They wanted Council to focus on priorities for the new money. Mr. Desmond explained the narrative chart, which included the \$2.50 and then the 3 options for \$1.50 (a copy of which is included in the meeting record); they focused on public access, habitat restoration and partnerships. Mr. Desmond said they couldn't do all of the sites. Ms. Kent asked do they focus on capital or operational dollars? Sometimes capital dollars were easier to get. Mr. Desmond said there were trade offs with everything. He then explained the costs of the line items. The big expenses were in the capital.

Councilor Newman talked about the \$1.50 proposal and that it would just take longer. He did not assume additional funding. He misunderstood the spreadsheet. Councilor McLain suggested trying for Column 4. Mr. Desmond said staff understood that we would pursue partnerships. There was a push come to shove question, there was a need to identify the first two sites. Mr. Desmond explained the Wilsonville site restoration and redevelopment. Most of the money would go to planting trees and getting rid of the farm that was there now. Cooper Mountain was badly clear cut, poorly replanted. It will need extra care and feeding to make it a nice place people will want to go to in five years. Ms. Kent said they also have an oak woodland area planned for Cooper Mountain. Mr. Desmond continued, Mr. Talbert had one area that needed to be restored. Willamette Cove cost was lower because it was a smaller site. Councilor Burkholder asked if this was one area that we were able to get grants easily. Mr. Desmond said yes. Councilor McLain said Mr. Huie pursued a lot of grants. She asked if that money had not dried up. Ms. Kent said they were out of the President's budget this year. Councilor McLain reminded that Metro needed to do some restoration projects if we were asking the public to do this in Goal 5. Mr. Desmond talked about current funding for restoration projects. He asked if they were going to open Cooper Mountain as a park, and didn't get partnership funding, did they go ahead and open Cooper Mountain? Councilor Monroe said if there was partnership money that leveraged the project.

Council President Bragdon called for the vote. Councilor Burkholder said #3 and #4 were his top priorities. Councilor McLain supported #3 and #4. Council President Bragdon said he would go with #2, 3, and 4 and drop 6 and 7. Councilor Park said he wanted to know if the first item was flushed out? Desmond stated that in terms of the original proposal with regard to habitat, they owned 4,000 acres of treed land and they did not have a professional forester on hand. This was seen as a serious deficiency in their department. Rod Monroe's #1 was three and number two was #2, and number 3 would be #4. Councilor Park supported #2, 3, 4 and no on #6 and #7. Councilor Burkholder said he would support #7 as well. Councilor McLain asked about #6. She thought with the staff person we had at the present time, we would contract out. Councilor Park talked about what was left of the stabilization fund. Mr. Desmond said \$1.2 million was left in the stabilization fund. They were concerned about Willamette Cove and the possibility that they might have to use it. Councilor McLain said she voted for #4 because it was closely tied to #2. She voted for #5 because it was Council policy to fund renewal and replacement. She talked about selling out some of our maintenance costs. Mr. Desmond said the department had not been

complying with Council's policy. They had thought about using the new money to comply with the policy. Councilor McLain suggested that this could be a year-by-year plan.

Council President Bragdon talked about an arrangement with the homebuilders that would direct some SDCs to open spaces and then there was the possibility of another bond measure. Mr. Desmond said GPAC was most interested in another bond measure. Councilor Burkholder said you didn't want to lose the capacity for readiness. Council President Bragdon asked about how far the stabilization fund could be stretched. Mr. Desmond said they were worried about Willamette Cove and the liabilities. The Risk Manager and the Office of the Attorney had advised them to hang on to some of the bond money in case of the liability issues. Council President Bragdon asked if they could rework the list based on Council votes. Mr. Desmond said they would come back to Council in September with a new spreadsheet.

### **3. GOAL 5 PROGRAM COMPONENTS**

Council President Bragdon said he had been working on two resolutions, the Goal 5 Technical Work Group and residential issues.

Chris Deffebach, Planning Department, said she wanted to update Council on the Tualatin Basin meeting yesterday and second was to share with Council the starting point for the regional program. She spoke to technical issues. The up shot of the Tualatin Basin Coordinating Committee was that they might slow down the timeline to get more input from the public. She spoke to the IGA and the overall goals of the Tualatin Basin group. They were raising funds to help with restoration. They weren't clear on how they were going to improve the health of the watersheds. She noted some additional technical issues, which included achieving the connectivity. They had continued to make a variety of adjustment on their lightly limit, moderately limit and strictly limit. There were also questions raised about the ongoing inventory. She explained some specifics about the inventory issues. Councilor McLain talked about broad issues that had been raised at the Tualatin Basin group. She talked about Rob Drake's comments. The question was asked, do we still have to do all of this? Second, she talked about mapping issues. How did we keep the map clean and precise? There would always be map updates. There needed to be a standard for getting the map updated. Members had another issue about notice to the public. Their notice was a week late. So there were comments made at the public hearing about receiving the notice late. The Tualatin Basin group was concerned that they allow a bit more time because the notice was late. Another issue was on capacity. If they take land out of the land supply what would the Metro Council do? Metro had made a commitment to revisit this. She then spoke to habitat connectivity. She felt this was going to be difficult for Metro and the Tualatin Basin. The last comment was on ability to do backyard activities. There were people who addressed this issue. She indicated that Council President Bragdon had a resolution on this issue. Generally, as far as timing, folks said they wanted a window of time to look at the material brought in and make sure they understood what had been received. She had put Mr. Jordan's letter into their record. She had also asked staff to create some speaking points to make sure they got everything in the record.

Ms. Deffebach said they would like to begin bringing the draft Fish and Wildlife Program Framework. She spoke to a chart (a copy of which is included in the record). The first point was the Vision Statement. They were using this as a starting point for Metro's program. The second box was supposed to reflect the limits of the protection program. They would like to communicate to the public what our expectations were on strictly limit, moderately limit and lightly limit. Council President Bragdon asked how they got to translate the percentages to the individual property owners. He said he would have a hard time with this going out. Paul

Ketcham, Planning Department, said the percentages were more target measurement or benchmarks of the overall region. Councilor Monroe said he was nervous about publishing something that was going to be misunderstood. He suggested we have to make sure that we know what it meant but also to make sure it would not be misunderstood. Councilor McLain said they needed a narration between Box 1 and Box 2 so individual property owners understood what Box 2 meant. Ms. Deffebach further explained Box 2 and its purpose as a filter utilizing Economic Social Environmental and Energy (ESEE). The third box was to allow options to allow jurisdictions flexibility to implement their program. They were working on incorporating the overall goal, the ESEE analysis filter, and then the three ways jurisdictions can come in to comply with Goal 5. Councilor Burkholder suggested rewriting Box 2 and explained the choices as a region as a whole to let things go because of the ESEE analysis. Council President Bragdon said this did deal with individual properties. Councilor McLain said she learned that individual property owners cared about their own property. Ms. Whitehill Baziuk suggested a storyboard to make it simpler for the public. Council President Bragdon said he thought the working group would help translate this information.

Councilor Park asked how did this apply on the land. How was this different than the wetland delineation? Ms. Deffebach said the DSL might serve as a model. Paul Ketcham, Planning Department, said it was not unlike our inventory. How it related was that we used the mapping in generating our regional inventory of fish and wildlife habitat. Councilor Park talked about the rules on wetland delineation you had to do when you went to develop the land. Paul Garrahan said Goal 5 required a closer look at the inventory than when developers wanted to develop in terms of wetlands. He then spoke to the District Plan approach. There was not as much flexibility to develop a regional program on Goal 5 compared to the wetland delineation program that DSL used. Council President Bragdon spoke to Council's unease and suggested talking about this next week during the program discussion. Councilor Burkholder said he thought it was helpful to identify how much was already protected so that the public understood how much was left to protect. If it was going to be treated like a target, lets treat it like a target. Councilor Monroe said when dealing with the backyard issues, you needed to use non-regulatory approaches. Councilor Park talked about the capacity issue.

Debbie Collard, Ball Janik LLP, 1001 SW Main #110, Portland OR 97204 said she was here today on behalf of OHSU. She spoke to the letter she was submitting for the record (a copy of which is in the meeting record). She talked about the balance. She pointed about the error in Marquam Hill campus assessment.

#### **4. TRANSPORTATION FINANCE RECOMMENDATION**

Richard Brandman, Deputy Planning Director, provided a power point on the transportation finance. He talked about two issues:

- 1) Recommendation of the transportation finance work group, chaired by Jay Waldron
- 2) JPACT legislative agenda

The groups suggested going to a ballot measure in 2006. They had also suggested a 2005 strategy in the legislature. He reviewed the power point that they had been using as they had gone around the region to try and give groups a background. He detailed the power point presentation (a copy of which is included in the meeting record). He said if they didn't fund multi-model transportation, there would be more congestion. He detailed the multi-model plan, why we were in the funding situation we were in. It had to do with inflation and lack of consistent funds. Our vehicle registration fee was very low. He talked about the Task Force, how they determined the

projects, and the five principles. They felt funding by the voters should be popular with the voters. They learned that projects were popular no matter where they were in the region but funding was a challenge. He talked about the input from focus groups. He noted the six projects that the Task Force recommended to send to the voters. He then talked about community projects that were recommended by the Task Force. He talked about the creation of boulevards. Sidewalks to schools were also popular. On transit, the key project to be funded was the downtown Portland to Milwaukie light rail. There were three types of projects that were recommended. He talked about geographic balance and project needs. The final recommendation was that Metro needed to do a better job of discussing the linkage between transportation infrastructure and the economy. There were a number of issues raised by staff. These were included in the work session worksheet. Councilor McLain talked about education between the economy and transportation infrastructure. She suggested it needed to be a fuller picture, to include land use. Mr. Brandman said there was desire on the Task Force to try to explain key points. Councilor McLain said she thought the public didn't feel that there was a need. The general jurisdictions and big businesses saw the need. Mr. Brandman said the need for these projects seemed to be widely embraced. They results came from a survey. In the focused groups the need was recognized. There was a general frustration that something needed to be done. Councilor McLain said the public didn't understand that there was a nine year void, no money was put in the pot. She felt education was very important. She wondered if we didn't ask the right questions in the survey. Councilor Newman agreed that there was not the sense of urgency that other areas of the U.S. felt. Do we wait until we were at the boiling point or were we proactive? He supported the latter. He suggested putting together a strategy for 2006. He also agreed that there needed to be a legislative agenda. Council President Bragdon suggested that this seemed like a mega project approach as opposed to a multi-model approach such as an arterial approach. Mr. Brandman said if you could build five new arterials versus building an additional lane on a freeway, you would do more good building the arterials. Now the issue for the counties was they were not seeing the opportunities to build major new arterials because they were locked in with development patterns that weren't going to allow for this. The polling suggested that the big freeway projects carried well for the public.

Councilor Monroe said transportation was critical for the development of the region. He thought our legislative agenda was critical to the success of the ballot measure. If they were successful with the legislature we could go forward with a ballot measure. Councilor Burkholder said the highway portion was taking on Oregon Department of Transportation's responsibility. The State was not investing in this area. This was saying that we were going to take on these projects. People did respond to "a mess" so if Hwy 26 was grid locked, then that was where they thought the money should be spent. This was a mix of projects that they were being asked to use as a starting point. They could look at altering the recommendation. They needed to make sure they didn't lose the business community. The question was where was the best place to put the money. There were big issues to deal with both political and practical. Councilor Park said there was a lot of work to be done on the business side. They didn't have this high on their radar screen. There was a broader leadership role that Metro needed to be involved in. If we were serious about being the regional government this was integral part of getting something done and getting it passed. Metro as a whole may have a better opportunity to get this passed than any county. Councilor Monroe said two years ago when the Task Force was created, the theory was that business had more credibility with the public than government had. So the theory was that Metro would facilitate but it was the business and community leaders' plan. He thought the theory was correct. If the public viewed them with more credibility, they needed to act as the lead and we act as the facilitator. Councilor Newman said he felt that Metro had to take the leadership role. We had to offer solutions and provide opportunities that voters say they wanted. Councilor Park said we could serve as the coach in the process not as the team. Councilor Monroe said we were definitely

involved. Councilor McLain said she hoped we could give the Task Force some feedback. We needed to know more about what the public thought. There were pluses and minuses to Metro being the convener. Mr. Brandman said one thing that would be helpful for staff was what did the Council need to make the decision to go forward? The Task Force did want all the projects coming to our plan. Councilors talked about the projects that voters would pass. Councilor Burkholder talked about the transit projects. Councilor McLain talked about timing. She needed system analysis. Councilor Monroe said the plan was to go to the legislature, if they didn't get some money, then the whole thing was dropped. If they did get money, a package would be crafted and then a poll would be used. Mr. Brandman said he thought there was a variety of ways that this Council could come up with the projects. He made several suggestions as to the ways to reach the right mix. He was willing to support any routes the Council wanted to go. He needed enough feedback that there was serious interest.

## **5. LEGISLATIVE AGENDA DISCUSSION**

Mr. Brandman said Joint Policy Advisory Committee on Transportation (JPACT) had a retreat to talk about the legislative packet. They heard that there was a concurrence that they should try and go to the legislature and move forward for a transportation package. They heard that there be a multi-model funding package. They were suggesting increasing the vehicle registration fee and the title fees. He summarized the rest of the JPACT legislative proposal recommendations. Councilor Burkholder suggested that there was no assumption that we would get the funding but they wanted to be prepared with ideas. This was an ambitious list.

Randy Tucker, Public Affairs and Government Relations Department, said there were questions asked, was it easier to pass something at the State level if you were leveraging money at the regional level. In turn was it easier to get voters to pass something if the region was leveraging money. Can this region unify to come together to seek funding at the State? No single jurisdiction will be able to do this. Councilor Park said they were trying to push to see if they can get anything moving. The list of projects was huge. Councilor Monroe said they needed to continue to pursue making other friends try to get support from the other MPOs and special districts to help them with their legislative agendas to have them help us as well. Mr. Tucker said there was widely varying discussions about whether you could raise the gas tax. There was a lot of opportunity. Councilor McLain said if you decided to do a list, you had to have a list that the people supported. You have to pick and chose your projects and be truthful about how you portrayed these projects. Councilor Newman said if there was an OTIA 4 and funding was going south, we should talk about whether we oppose it. Mr. Tucker said he wanted to work with Metro to tell the story about how much money had come to the region. Councilor Newman suggested reaching out to the legislature before this January. Mr. Tucker said he had four topics to discuss. First, he updated them on the political climate. Second, we had been asked to join the Housing Alliance formed to lobby for affordable housing funding. The policy question this raised was how, if and when Metro should join groups like this. Mr. Tucker will prepare a memo before the next time he appeared at a Council work session laying out the questions involved in this decision.

Mr. Tucker reviewed two things:

- 1) Legislative agenda (packet enclosed in the record) He asked for input as to whether the format worked for the Council. He did not ask Council to adopt any of the proposals today, but rather just reviewed them.
- 2) House Land Use Review Committee will be meeting tomorrow in Salem.

The Council reviewed the proposals. Councilor McLain said that Metro should be a leader in dealing with E-waste and bottle bills. Councilor Park spoke to the pesticide use and said that the implementation was an important issue for farmers – whether it is applied just to agriculture or to retail and residential as well. Mr. Tucker agreed that if there were no reference to residential use, it would undermine Metro’s efforts in this area. Councilor McLain said that the Zoo parking lot issue was both internal and external. Mr. Jordan said that this was a local control issue, to make sure that no other entity could take control of the parking lot. Mr. Tucker said that the SDC issue regarding parks was an issue that was alive and would probably appear in the legislature. Councilor Park said that the access to parks issue from 26-29 was still unclear. He said that we still don’t really know what the target number of acres or proximity should be. Mr. Tucker said that a lack of methodology had been an issue all along with SDC. Regarding the forestry issue, Mr. Tucker said the idea was to overcome the resistance to acquisition of public land. Councilor McLain said she had real concerns about the topic of commercial development outside the Urban Growth Boundary (UGB). Mr. Tucker said that the legislative proposal underway would not affect Metro but would affect the Willamette Valley so the Council needed to decide whether or not to weigh in on this issue. Councilor McLain also questioned the next topic of suitability of land for inclusion in the UGB. Council President Bragdon said that Mr. Benner would be writing a position clarifying this issue. Councilor Monroe said he supported banning MTBE – it is already banned in Washington and California. Councilor Park said that this issue would be discussed at JPACT on August 12.

Mr. Tucker handed out a draft of his proposed testimony to the House Committee on Land Use Review for the following day, August 11. Mr. Tucker said that the committee would issue their recommendations on October 1, which would probably entail a smaller look rather than a bigger policy revision. Council President Bragdon suggested a periodic review of 10 years rather than seven. Mr. Tucker said he wanted to suggest a streamlined land use appeal process of appealing to Land Conservation and Development Commission (LCDC) and then the court of appeals. Councilor McLain said that this might enable the process to be less political and focus more on goals. Councilor Park said that under the current process, duplicate appeals were filed with both Land Use Board of Appeals (LUBA) and LCDC, resulting in excess paperwork. Councilor McLain and Councilor Park expressed their disagreement with the concept of phasing out farm tax assessment for farmland that was brought into UGBs, and asked Mr. Tucker to remove it. Mr. Tucker agreed to rewrite that paragraph. The Council agreed that the testimony should oppose allowing urban scale commercial and industrial development outside UGBs.

The Council discussed Mr. Tucker’s drafted responses to the House Interim Committee on Land Use Review’s question number 4 regarding whether Oregon’s land use system is “equitable”. Councilor Park pointed out that LCDC may rank farmland higher or lower in the Willamette Valley based on different criteria, but it makes it difficult when Metro tried to apply the same law and does not have an economic plan.

Councilor Burkholder asked about tax-based sharing. Mr. Tucker had addressed it briefly, but agreed to move it to the prefatory comments.

Mr. Tucker explained that he would also have maps to show UGB and unincorporated areas.

Councilor Park asked if the Council wanted to talk about Goal 9 at all. He said now the cities and counties had Goal 9 responsibilities, but Metro did not. He suggested that Metro might want some of that.



Councilor Burkholder asked about a Metro Council response on Measure 37. Mr. Tucker relayed his conversation with Metro Attorney Dan Cooper. Mr. Tucker said that Metro could not spend any money on Measure 37 or any other measure. Councilor Monroe felt that Metro should take a public stance, as long as it can be done within the law. Mr. Jordan said he would discuss with Mr. Cooper how to bring that discussion to the Council. He said it was legitimate for the Council to look at the implications of the measure. Councilor Park asked about restrictions on the use of property. The Council agreed, that they needed to further discuss that issue at another meeting. The Council agreed to have Mr. Tucker present the testimony tomorrow.

Councilor Burkholder reported on the Bi-state Transportation Committee that met this morning. He said that the Oregon Department of Transportation (ODOT) was looking at a 40-member technical committee to advise on a new interstate bridge construction project, without it being the Bi-state Committee. Councilor McLain said that it was an administrative approach that did not include outreach and input. Councilor Burkholder explained that this would be a separate committee structure that would cost much money over time. It would still have to come before Metro for funding. He said that this would be the biggest public works project for the region in many years. He said that the Bi-state committee has the authority to oversee the project and the Bi-State Committee planned to write a letter asking that the project be integrated with the existing committee and structure, instead of being separate. The Councilors expressed agreement that it should not be a separate committee. Councilor Monroe noted that Clark County folks were in agreement with the Metro Council on this issue.

**6. CITIZEN COMMUNICATION**

There were none.

**7. CHIEF OPERATING OFFICER COMMUNICATION**

There was none.

**8. COUNCILOR COMMUNICATION**

There were none.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 5:25 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 10,**  
**2004**

| Item | Topic                    | Doc Date  | Document Description  | Doc. Number |
|------|--------------------------|-----------|---|-------------|
| 2    | Spreadsheets             | No date   | To: Metro Council From: Jim Desmond, Regional Parks and Greenspaces Director Re: \$1.50 scenarios for excise tax expenditures                                   | 081004c-01  |
| 2    | Guiding Principles       | No date   | To: Metro Council From: Jim Desmond, Regional Parks and Greenspaces Director Re: Guiding Principles/Core Activities   | 081004c-02  |
| 3    | Letter                   | 8/10/2004 | To: Metro Council From: Christine White and Kristin Udvari, Ball Janik LLP Attorneys Re: Regionally Significant Public Facilities                               | 081004c-03  |
| 3    | Framework                | 8/10/04   | To: Metro Council From: Chris Deffebach, Planning Department Re: Draft Fish and Wildlife Habitat Program Framework  | 081040c-04  |
| 4    | Finance Strategy         | 8/10/04   | To: Metro Council From: Richard Brandman, Planning Department Re: JPACT Finance Strategy  | 081004c-05  |
| 4    | Power Point Presentation | 7/24/04   | To: Metro Council From: Richard Brandman, Planning Department Re: Power point presentation on Building a Transportation System for the 21 <sup>st</sup> Century | 081004c-06  |
| 5    | Testimony                | 8/11/04   | To: Metro Council From: Randy Tucker, Legislative Affairs Manager Re: Draft Testimony to Oregon House Committee on Land Use Review concerning land use          |             |