## MINUTES OF THE METRO COUNCIL MEETING

Thursday, August 19, 2004 Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Rod Monroe, Carl

Hosticka (by phone), Rod Park, Brian Newman

Councilors Absent: Rex Burkholder (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

## 1. INTRODUCTIONS

There were none.

## 2. CITIZEN COMMUNICATIONS

There were none.

#### 3. TRANSITION SAVINGS AND COSTS

Alexis Dow, Metro Auditor, said she was presenting the results on the Transition Savings and Costs. This audit was completed the end of June 2004. She spoke to the history of the transition. The change eliminated the Office of the Executive Officer and reduced districts to six. There was a promise that Metro would save the voters money by making this transition. She spoke to other benefits in making this transition. She then spoke to the purpose of the audit (a copy of the power point presentation is included in the meeting record). The bottom line was that significant savings were promised and occurred.

#### 4. CONSENT AGENDA

- 4.1 Consideration of minutes of the August 5, 2004 Regular Council Meetings.
- 4.2 **Resolution No. 04-3484** removed from the consent agenda.
- 4.3 **Resolution No. 04-3485**, For the Purpose of Considering an Amendment to Metro Contract No. 925630, for the Demolition of Structures at the St. Johns Landfill (*Contract Review Board*).
- 4.4 **Resolution No. 04-3486**, For the Purpose of Confirming the reappointment of James Allberg and Eric Johansen to the Investment Advisory Board.
- 4.5 **Resolution No. 04-3469A,** For the Purpose of Approving Updated Bylaws for the Transportation Policy Alternatives Committee (TPAC) that formalizes new Technical Subcommittees.

Motion: Councilor Newman moved to adopt the meeting minutes of the August 5, 2004, Regular Metro Council and Resolution Nos. 04-3485, 04-3486, 04-3469A.

Vote:

Councilors Monroe, Park, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed; Councilor McLain was absent from the vote.

#### 5. ORDINANCES – FIRST READING

5.1 **Ordinance No. 04-1057**, For the purpose of amending Metro Code Chapter 5.02 to authorize the Chief Operating Officer to designate certain recyclable materials that can be accepted without charge at Metro transfer stations and to delay repeal of certain payment exemptions for acceptance and collection of household hazardous wastes.

Council President Bragdon assigned Ordinance No. 04-1057 to Council.

5.2 **Ordinance No. 04-1058**, For the Purpose of Amending the Putrescible Solid Waste Tonnage Acceptance Limit in Solid Waste Facility Franchise No. F-005-03 Issue to Willamette Resources, Inc.

Council President Bragdon assigned Ordinance No. 04-1058 to Council.

#### 6. ORDINANCES – SECOND READING

6.1 **Ordinance No. 04-1055**, For the Purpose of Amending the Regional Solid Waste Management Plan to impose a Moratorium until December 31, 2005, on applications for and authorizations of new solid waste transfer stations within the Metro Region; and Declaring an Emergency.

| Motion:   | Councilor Hosticka moved to adopt Ordinance No. 04-1055. |  |
|-----------|--|--|
| Seconded: | Councilor Newman seconded the motion                     |  |

Councilor Hosticka explained the ordinance and why he recommended taking this action. This would give Metro time to complete our strategic plan. He urged support.

Council President Bragdon opened a public hearing on Ordinance No. 04-1055. No one came forward. Council President Bragdon closed the public hearing.

Councilor Park said we currently had one active application. He assumed this policy wouldn't be retroactive to this application. Mike Hoglund, Solid Waste and Recycling Director, said that the moratorium did not apply to the application they had received prior to this action.

Councilor Hosticka urged support.

Vote:

Councilors Park, Hosticka, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed, Councilor McLain was absent from the vote.

6.2 **Ordinance No. 04-1056**, For the Purpose of Amending Metro Code Chapter 5.01 to impose a Moratorium until December 31, 2005, on applications for and authorizations of new solid waste transfer stations within the Metro Region; and Declaring an Emergency.

| Motion:   | Councilor Hosticka moved to adopt Ordinance No. 04-1056. |  |
|-----------|--|--|
| Seconded: | Councilor Newman seconded the motion                     |  |

Councilor Hosticka said this ordinance dealt with the same issue that the previous ordinance did. He urged support.

Council President Bragdon opened a public hearing on Ordinance No. 04-1056. No one came forward. Council President Bragdon closed the public hearing.

Vote: Councilors Park, Hosticka, Monroe, Newman and Council President Bragdon

voted in support of the motion. The vote was 5 aye, the motion passed,

Councilor McLain was absent from the vote.

## 7. RESOLUTIONS

7.1 **Resolution No. 04-3483**, For the purpose of authorizing the Chief Operating Officer to issue a non-system license to Portland International Airport (Port of Portland) for delivery of source separated food waste to the Nature's Needs facility for composting.

| Motion:   | Councilor Monroe moved to adopt Resolution No. 04-3483. |  |
|-----------|---|--|
| Seconded: | Councilor Newman seconded the motion                    |  |

Councilor Monroe said approval of this resolution would allow the Chief Operating Officer (COO) to issue a non-system license (NSL) to Portland International Airport to annually deliver a maximum of 100 tons of source-separated, pre-consumer vegetative food waste to the Nature's Needs facility in North Plains. Changes to Code Chapter 5.05 by the Council in October last year required putrescible source-separated recyclable materials go to a facility designated to accept such waste and required all generators and haulers of such material to obtain a NSL. The Airport was already delivering this waste to Nature's Needs but had applied for a NSL due to the changes in Metro's code. Because Nature's Needs was a composting facility, not a general-purpose landfill, the NSL would not affect Metro's obligations under its disposal contract, nor would Metro fees and taxes be due on such waste.

Since the COO has determined that the proposed license satisfied the requirements of Metro code, Councilor Monroe urge adoption of this resolution.

Vote: Councilors Park, Hosticka, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed, Councilor McLain was absent from the vote.

Council President Bragdon turned the gavel over to Deputy Council President Newman.

7.2 **Resolution No. 04-3488**, For the Purpose of Creating and Appointing Members To the Fish and Wildlife Habitat Program Implementation Work Group.

| Motion:   | Council President Bragdon moved to adopt Resolution No. 04-3488. |
|-----------|--|
| Seconded: | Councilor Hosticka seconded the motion                           |

Council President Bragdon said we were at a stage with the Goal 5 program where the Council has adopted an Economic Social Environmental Energy (ESEE) framework for analysis. We were at the development of a program stage. One of the things that we wanted to do at this stage was go and get some outside expertise from people who dealt with permitting and regulation on either side of the permit counter. Particularly, we wanted to consult with our colleagues in local government as well as those who went through the development process at the neighborhood level and on behalf of the development community. What this resolution would do was create a work group that would help staff vet varies proposals under the Goal 5 program and evaluate their practicability and how they would apply in various situations on the ground. They would look at application on the ground. He had appointed a variety of people to this group. He noted the chair's credential, Pam Wiley. She had been on the Land Conservation and Development Commission at the time the Goal 5 rule was developed. She also previously worked at Division of State Lands. She was highly respected expert on natural resources. Since leaving the Commission she had been a consultant in the natural resource area working on problems such as the restoration at Ross Island where she earned a lot of respect from the environmental community as well as the Pamplin Corporation. He urged an aye vote.

Deputy Council President Newman opened a public hearing.

Bonnie McKnight, Citywide Land Use, clarified she was here to speak to Resolution No. 04-3489. She was very supportive of Metro looking at Goal 5. She felt Ms. Robinson would reflect some of the statements she wanted to make.

Linda Robinson, 1115 NE 135<sup>th</sup> Ave, Portland OR 97230 commented on the representation on that group. She had concerns that there be someone on the work group with enforcement experience. A copy of her written testimony was included in the meeting record. She also noted that there was no representation of watershed groups. She would like to see someone who represented that area. She also suggested neighborhood folks familiar with land use issues and who often deal with those in their neighborhoods be represented. She supported Resolution No. 04-3489. She provided written testimony (a copy of which is included in the record).

Deputy Council President Newman closed the public hearing.

Councilor Hosticka said he thought this was a good committee but that we needed to be clear about their charge. His understanding was that their primary responsibility was to determine whether anything that was developed in the way of a program could actually be implemented and what some of the problems by implementing varies proposals might be. It wasn't a policy development committee.

Council President Bragdon responded that this was not a policy development group. It was a technical working group of limited duration. He also felt that with regards to Ms. Robinson suggestions, his answer partly addressed this concern. They had gotten people involved with enforcement on this work group. In terms of neighborhood groups, this was a technical advisory group. He explained the delays in firming up the list. He said Councilor Hosticka was right. It was a technical group.

Councilor Park asked Council President Bragdon who on the committee had expertise in the non-regulatory efforts?

Council President Bragdon said this group was focusing on regulatory aspects. As the Council had said we wanted a lot of emphasis on the non-regulatory as well. He thought the staff was

putting together another work group for non-regulatory matters, which would involve watershed councils, SOLV and voluntary groups. He hadn't seen the list yet. He assumed that group would be forth coming to Council in September.

Councilor Park said if Metro proceeded with some type of regulatory program, this technical group would help them see how it worked on the ground.

Council President Bragdon said the staff had come up with scope and charge. The work group would be working with Ms. Wiley, the staff and the Council in terms of honing the mission of this group. He commended those who were serving on the work group and urged support.

Vote:

Councilors Park, Hosticka, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed, Councilor McLain was absent from the vote.

7.3 **Resolution No. 04-3489**, For the Purpose of Clarifying that Metro's Goal 5 Fish and Wildlife Habitat Protection Program Shall not Restrict Currently Allowed Uses of Developed Residential Property and Shall Focus Homeowner-Related Efforts on Education and Stewardship Incentive Programs.

| Motion:   | Councilor Bragdon moved to adopt Resolution No. 04-3489. |  |
|-----------|--|--|
| Seconded: | Councilor Park seconded the motion                       |  |

Council President Bragdon said this resolution was an attempt to clarify some of the misunderstanding that may be present with regard to different measure possible under the Goal 5 program related to developed residential property that was already occupied and used and enjoyed by people who often were great stewards of the landscape themselves. There had been some misimpression that the Metro Council would be considering restriction on normal every day activities such as gardening or building swing sets or having a dog run in the back yard. He didn't think that had ever been this Council's intention or would ever be likely to be Council's intention. In light of this misinformation, he thought it would be useful for Council to declare on the record in clear terms that this was not their intention. That type of approach was something they were ruling out. At the same time, this resolution was not a final land use action. It still gave time to hone the program and give Metro discretion to weigh a lot of the different approaches. One of the approaches they emphasized again in this resolution was emphasis in residential areas on enlisting stewardship efforts and voluntary efforts and incentives. This made a statement of what the values of some of those tools were and were not. He urged an aye vote.

Deputy Council President Newman opened a public hearing.

Bonnie McKnight, 1617 NE 140<sup>th</sup>, Portland OR said she coordinated the citywide land use group, she was land use chair and co-chair of her neighborhood association in the Russell Neighborhood. She felt the language appeared to be a bit more limiting than Council had intended. She had sent letters to each of the Councilors suggesting some amendments, not to change anything but to clarify things. They would be focusing their efforts, as land use people and neighborhood association people within the city in the next three or four months to attempt to find some better ways to deal with pre-protection issues mostly because their tree canapé was disappearing and it was hard to get back in most of our lifetimes. They didn't want anything around Goal 5 to inhibit those opportunities. The local jurisdictions would make the political decisions. She didn't think the Council intended to but they wanted to be sure the language was clear. What Metro was saying was no action of theirs would restrict or change anything but local jurisdictions would go

through another deliberative process to come up with what they wished to do around some of these issues. Councilor Monroe said when we completed our work on Goal 5 any local jurisdiction would be free to exceed what Metro recommended. He thanked her for her good work. Ms. McKnight said that was exactly the clarification she wanted for the record. This was a minimum standard and not the top.

Linda Robinson, 1115 NE 135<sup>th</sup> Ave, Portland, OR 97230 said she wanted to talk about the process and the interaction with the group that was working on this with the other groups that already existed and the working group that would deal with non-regulatory group dealing with the stewardship and education part. Her concern was that if a regulatory group was looking at the program separately from a non-regulatory group, the program was being developed in isolation without input from the other groups as to how workable the program might be. She felt there should be some interaction among the groups.

Donna Matrazzo, Audubon Society of Portland, 5151 Cornell, Portland OR 97210 read her letter (a copy of which is included in the record).

Meryl Redisch, Executive Director, Audubon Society of Portland, 5151 Cornell Portland OR 97210 read her letter (a copy of which is included in the record).

Jill Fuglister, Executive Director, Coalition for a Livable Future, 310 SW 4<sup>th</sup> Suite 613, Portland OR 97204 spoke to her concerns (a copy of her letter is included in the record).

Carol Chesarek, 12200 NW Germantown, Portland, OR 97231 said she supported Metro's efforts (a copy of her testimony is included in the record).

Deputy Council President Newman closed the public hearing.

| Motion to amend: | Council President Bragdon moved to amend Resolution No. 04-3489 to change        |  |  |  |
|------------------|--|--|--|--|
|                  | the language in the first "resolve" to strike the words "seek a land use permit" |  |  |  |
|                  | and substitute the words "obtain a local land use decision".                     |  |  |  |
| Seconded:        | Councilor McLain seconded the motion   |  |  |  |

Council President Bragdon said they had discussed this on Tuesday at the work session and asked their counsel's office for clarification. It came to Council's attention that land use permit was a vague term, it meant different things in different jurisdictions and didn't get to the point that they were trying to get at, the more uniform term would be a local land use decision which signified the types of things they were talking about that were actually subject to approval by the governing body of a local jurisdiction. It was a more uniform term and that was why he recommended changing the language accordingly.

Councilor Park asked if this term that Council President Bragdon was suggesting was definable, usable and appealable for those who may disagree with whatever action was taken?

Dan Cooper, Metro Attorney, said it was appealable.

Vote to amend: Councilors Park, Hosticka, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion

passed.

Councilor McLain said this resolution was necessary to pass in its present form. If there were things that they discussed and discovered, they could amend this as they amend their program. It was important to give a clear signal to homeowners that they believe the activities they do in their own space and their own backyard, on their own property were not things that they were trying in a single family dwelling setting to change. If they could plant something today, they could plant it tomorrow. If they were not change the status of land use decision in their jurisdiction, Metro was respecting that local jurisdiction's status quo. This was taking away 85% of the complaints that they had heard that weren't clearly aligned with what Metro was looking at in the way of a program. She felt this resolution clarified for the public what they could and couldn't do. She supported the resolution.

Council Park said he thought this clarified some of the concerns that the local citizens had. He noted the tree-cutting incident in Wood Village because they didn't trust government. They were trying to give citizens as much time possible to get involved in the process. People who were involved fairly significantly, such as Mayor Dave Fuller, were still confused about the activities they could do in their own backyard. The Metro Council continued to work towards a fair approach to protecting fish and wildlife habitat areas in our region. They were working to balance rights and responsibilities of property owned by public and private sectors. They were also balancing urban density and citizens' need for green areas. Although citizens, businesses and community organizations often disagreed on the level of urban density versus the level of green areas and the protection and regulation needed to accomplish that balance. We all agreed on one thing, there was of value to the region to maintain a balance. A combination of healthy streams and natural habitat areas and development was what created and maintained our region's value.

The controversy arose when we discussed imposing regulations on property owners or businesses for either purpose. But could we have an effective program based only on incentives and voluntary compliance? Councilor Park would like the Council to consider this option and he could point to a successful statewide example of just such an effort in his industry, agriculture.

In 1993, Senate Bill 1010 was passed as a cooperative measure when the state and the agriculture industry recognized the need for a program to address water quality issues. There were now 39 locally driven, basin-specific processes now covered the entire state. All the plans were outcome based and provide flexibility so landowners could develop their own solutions to water quality problems. All indications were that this program had been a stunning success. Farmers and ranchers initially wary of government intrusion had led the way, with support from the State Department of Agriculture. The agricultural community contributed their expertise, knowledge of local issues, and incentive to protect their property and industry. The State has provided educational outreach, technical assistance and incentives. The main reason for success, it had been built from the ground up – local advisory committees developed plans and Area Rules to be adopted by the State. Landowners were involved in identifying and addressing problems and had flexibility to find a solution that achieved the desired outcome. He would like us to look at the voluntary programs that might be borrowed from other areas. We would have to have a regulatory backstop. He thought that if you gave citizens the right goals with the right tools that Metro would get 90 to 95% of what they were really trying to accomplish rather than the command and control, which he felt was not working well in some areas of the region right now. He felt that we needed to focus on the outcomes, not how we got there. People didn't want to be told what to do but they would like to know what the right things were to do. He thought that people would do them given the choices. He urged the Metro Council to work with citizens and businesses to develop a balanced program that protected valuable habitat resource areas while respecting the rights and the values of property owners.

Councilor Hosticka said he found it the most difficult thing for him to consider. He agreed with many of the councilors' comments about the importance of incentives and education. He felt this resolution went to far in saying the public was going to give up all its options in terms of protecting potentially what were public resources with water and wildlife. Although most would do the right thing if they were given the chance, he believed that there were still some individuals who would do the wrong thing regardless of what they think the impact on the public would be. We did need to reserve some right and some ability to hold them accountable. He wouldn't be able to support this resolution in its current form.

Councilor Newman said he would be supporting this resolution. He thanked Council President Bragdon for bringing it forward, particularly the amendment, which clarified some confusion he had. They had received a number of emails and phone calls expressing concerns particularly with some misinformation out there. They all agreed that they never intended this program to preclude people from gardening, pruning, building decks or sheds or dog runs. They were concerned about subdividing that property and new homes or new construction that might happen on larger lots. He thought this particular resolution sent that message. It was also important to note that they were not amending any Goal 5 program because Metro didn't have a Goal 5 program yet to amend. All this resolution did was signal Metro's intent that it was not Metro's intent to create some dogmatic or bureaucratic apparatus that most homeowners who truly did want to do the right thing had to navigate and make their life more difficult. He thought this particular resolution as amended didn't relate to specific land use permits but was a bit broader to land use decisions and gave Metro some flexibility as they got through the program phase to look at some of the concerns about major grading or vegetation removal that might be of concern to the people who testified today. He felt that this resolution was a step in the right direction and sent an important message. He felt if we waited too much longer, we could threaten the entire program. They didn't want to do this. He was concerned that the whole process would be slowed down and precluded Metro from even adopting a basic Goal 5 program.

Council President Bragdon closed by saying that most Oregonians wanted to do the right thing and that government ought to encourage them and help them do the right thing. Unfortunately some of this has actually scared people into doing the wrong thing. He hoped with passage of this resolution those anxieties would be calmed and Metro could move on toward developing a truly effective program. He recommended an aye vote.

Vote: Councilors Park, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 5aye/1 nay, the motion passed with Councilor Hosticka voting no.

7.4 **Resolution No. 04-3490**, For the Purpose of Obtaining the Approval of the Metro Council to End Pursuit of Certain Accounts Receivable in an Amount Exceeding \$10,000.

| Motion:   | Councilor McLain moved to adopt Resolution No. 04-3490. |  |
|-----------|---|--|
| Seconded: | Councilor Monroe seconded the motion                    |  |

Councilor McLain introduced the resolution. This allowed the COO to enter into a settlement where we would gather at least two thirds of the debt. There was no budget impact for this year. She said Exhibit A laid out the settlement agreement.

Vote: Councilors Park, Hosticka, McLain, Monroe, Newman and Council President

Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

7.5 **Resolution No. 04-3491**, For the Purpose of Confirming the appointments of Thanh Q. Vu and Jill Zanger to the Greenspaces Policy Advisory Committee (GPAC).

| Motion:   | Councilor McLain moved to adopt Resolution No. 04-3491. |  |
|-----------|---|--|
| Seconded: | Councilor Hosticka seconded the motion                  |  |

Councilor McLain said they had two more wonderful volunteers to sit on GPAC. She spoke to their qualifications. She urged support.

Vote: Councilors Park, Hosticka, 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. 04-3484**, For the Purpose of authorizing the Chief Operating Officer to issue a non-system license to Newberg Garbage Service, Inc., for delivery of solid waste to the Newberg Transfer Station.

| Motion:   | Councilor McLain moved to adopt Resolution No. 04-3484. |  |  |
|-----------|---|--|--|
| Seconded: | Councilor Monroe seconded the motion.                   |  |  |

Councilor McLain asked that staff come forward and explain what this resolution did. She also had questions in relationship to some of the other facilities that Metro had similar or different agreements with in our region.

Steve Kraten, Solid Waste and Recycling Department, explained that this was a situation where we had a garbage hauling company that had acquired a new franchise area that was within the Metro boundary in the City of Sherwood. They also owned the Newberg Transfer Station. They were talking about 160 tons annually. This waste from their collections routes would be putrescible and non-putrescible waste. The waste would be transferred from the Newberg Transfer Station to the Riverbend Landfill, which was a Waste Management disposal site. The license as written was specific in that it can only be transferred to that landfill. He said there was a representative from Newberg Garbage in the audience.

Councilor McLain asked where the waste had been going previously. Mr. Kraten said it was previously going to Pride Disposal.

Councilor McLain said the route had both dry and wet waste. Were these routes separated or would the new vendor be taking over existing routes and existing conditions? Mr. Kraten responded the majority of the waste was residential waste that would be picked up in packer trucks. There would be an occasional drop box loads that might contain dry waste. There was some recovery done at the transfer station on those loads.

Councilor McLain asked if the land use came from Yamhill County? Mr. Kraten said that was correct. Councilor McLain asked if there was any waste that would have gone to someone other than Pride, for example, the dry waste going to Lakeside? Mr. Kraten said he did not know the answer to the question but suggested the representative from the company could answer that question.

Mike McCullough, Controller for the Newberg Garbage and Recycling Service, explained the reason for the application was the assumption by Newberg Garbage Service of an existing franchise area in the city of Sherwood, which involved the application of a non-system license. The waste that had been picked up there previously by Pride included 80 residential customers on the southwest corner of the city of Sherwood. The occasional waste would be someone ordering a drop box to clean out a garage or a barn. It was not a sustained flow. It was an occasional use of generating dry waste. He did not know the answer to where that waste would have gone, more than likely it would have gone through the Pride facility on the Tualatin Sherwood Highway. The customers will continue to receive the service. The only difference was that waste of those 80 customers and an occasional container of dry waste would come through the transfer site and go to Riverbend. As he understood, Pride Disposal had arrangements through the Council that allowed some diversion of that waste.

Councilor McLain said the reason she asked those questions was that they were reviewing and looking over our Regional Solid Waste Management Plan and talking about the value of waste sheds and where our waste went and how many travel miles were put on the waste. If we were going to change or get new relationships, it was important that we look at it in the context of the whole system. Second, we had other relationships like this and she wanted some examples of other types of businesses that would have the same type of relationship with us that were inside the Metro boundary.

Dan Cooper, Metro Attorney, said the assignment of a franchise that involved these 80 customers also involved some other customers outside of our boundary as well. Mr. Kraten said Crown Point was the entity that Mr. Cooper was referring to.

Councilor McLain said she would be supporting this resolution. She noted that we couldn't take these for granted because it was part of an overall system. She would be asking Mr. Hoglund about the relationship between this facility and other parts of the system.

Vote:

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

## 8. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

#### 9. COUNCILOR COMMUNICATION

Council President Bragdon recognized Beth Leverett, a fine member of our staff who was leaving the Council Office.

Council President Bragdon said Council wouldn't be meeting the next two weeks. The next meeting will be September 9, 2004.

## 10. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:08p.m.

Metro Council Meeting 08/19/04 Page 11 Prepared by

Chris Billington Clerk of the Council

# ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 19, 2004

| Item      | Topic        | Doc Date  | Document Description                     | Doc. Number |
|-----------|--------------|-----------|--|-------------|
| 4.5       | Resolution   | 8/19/2004 | Resolution No. 04-3469A, For the         | 081904c-01  |
|           |              |           | Purpose of Approving Updated Bylaws      |             |
|           |              |           | for the Transportation Policy            |             |
|           |              |           | Alternatives Committee (TPAC) that       |             |
|           |              |           | formalize new Technical                  |             |
|           |              |           | Subcommittees.                           |             |
| 7.2       | Exhibit A    | 8/19/2004 | Resolution No. 04-3488 Exhibit A         | 081904c-02  |
| 3         | Power Point  | June 2004 | Transition Savings and Costs             | 081904c-03  |
|           | Presentation |           |  |             |
| 7.3       | Letter       | 8/19/2004 | To: Metro Council From: Jill Fuglister,  | 081904c-04  |
|           |              |           | Coalition for Livable Future Re: Goal 5  |             |
|           |              |           | program and land use permits language    |             |
|           |              |           | in Resolution No. 04-3489                |             |
| 7.3       | Letter       | 8/19/2004 | To: Metro Council From: Donna            | 081904c-05  |
|           |              |           | Matrazzo, Urban Conservation,            |             |
|           |              |           | Audubon Society of Portland Re: Goal     |             |
|           |              |           | 5 program and opposing existing          |             |
|           |              |           | language in Resolution No. 04-3489       |             |
| 7.3       | Letter       | 8/19/2004 | To: Metro Council From: Meryl            | 081904c-06  |
|           |              |           | Redisch, Executive Director Audubon      |             |
|           |              |           | Society of Portland Re: supporting both  |             |
|           |              |           | regulations and incentive programs for   |             |
|           |              |           | Goal 5 and expressing concern about      |             |
|           |              |           | the language in Resolution No. 04-3489   |             |
| 7.3       | Candidate    | February  | To: Metro Council From: Meryl            | 081904c-07  |
|           | Incentives   | 2002      | Redisch, Executive Director Audubon      |             |
|           |              |           | Society of Portland Re: Incentives of    |             |
|           |              |           | Natural Area Protection prepared by      |             |
| 7.0       | TD           | 0/10/2004 | EcoNorthwest/DHM                         | 001001 00   |
| 7.3       | Testimony    | 8/19/2004 | To: Metro Council From: Carol            | 081904c-08  |
|           |              |           | Chesarek Re: suggested language and      |             |
| 72673     |              | 0/10/2004 | clarification for Resolution No. 04-3489 | 001001 00   |
| 7.2 & 7.3 | Fax          | 8/19/2004 | To: Metro Council From: John Gibbon,     | 081904c-09  |
|           |              |           | Attorney at Law Re: Comments on          |             |
| 72672     | Б 11         | 0/10/2004 | Resolutions No. 04-3489 and 3488         | 001004 10   |
| 7.2 & 7.3 | Email        | 8/19/2004 | To: Metro Council From: Linda            | 081904c-10  |
|           |              |           | Robinson Re: recommended changes to      |             |
| 7.2       | T            | 0/10/2004 | Resolution No. 04-3488 and 3489          | 001004 11   |
| 7.3       | Letter       | 8/19/2004 | To: Metro Council From: Ron Carley       | 081904c-11  |
|           |              |           | Re: development and language in          |             |
| 7.2       | Б 11         | 0/10/2004 | Resolution No. 04-3489                   | 001004 12   |
| 7.3       | Email        | 8/19/2004 | To: Metro Council From: Mike Houck       | 081904c-12  |
|           |              |           | Re: comments on Resolution No. 04-       |             |
|           |              |           | 3489                                     |             |