

MINUTES OF THE METRO COUNCIL MEETING

Thursday, January 27, 2005
Metro Council Chamber

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

Councilors Absent: Rod Park (excused)

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. TRANSPORTATION AND GROWTH MANAGEMENT GRANT, CORRIDOR/CENTER RESEARCH BRIEFING

Tim O'Brien, Planning Department, said he was providing an update, explaining where they were heading with the grant program and what the next steps would be. He spoke to the goals of the grant. The consultant team included EcoNorthwest and was for \$261,000. He highlighted the importance of the grant. He provided a power point presentation of the project (a copy of which is included in the meeting record). He reviewed each of the project phases. He acknowledged lessons learned in Phase 1 of the grant. The narrative in the meeting packet covered the lessons learned. He then talked about Phase 2. He noted what the consultant team was currently working on in Phase 2. He shared opportunities in the corridors that included successful businesses. He talked about the development of mixed uses in the Beaverton Hillsdale/Canyon Road corridor. The consultant had indicated the kind of mixed uses that was and would occur in the corridor in nodal areas. He talked about areas of disinvestment in the corridor. The corridor was only two miles long so there wasn't enough space to have much more development occur beyond retail uses. He spoke to the options that had been proposed, such as, remove the retail entitlements to support the nodal areas. The economic partners in the consultant team recommended business development. The consultant had recommended additional traffic pattern changes. Councilor McLain asked if this information had been shared with our Transit Oriented Development (TOD) staff. She thought they might have suggestions. Mr. O'Brien said they had been coordinating with the TOD staff. The options had yet to be addressed by the TOD staff. He spoke to future phases, which included taking these options to the advisory committee as well as seeking citizen input.

Councilor Newman clarified the conclusion. The corridor was over retail. This was keeping the centers from flourishing. The corridor was creating disinvestment areas. Mr. O'Brien said part of the study looked at increasing residential. The two centers were continuing to develop. There had been recommendations such as senior housing. Councilor Liberty asked about retail and its connection to the residential area. Mr. O'Brien said a lot of the retail was available for street use but not so much neighborhood use. He talked about the difficulty with getting the citizens engaged. Councilor Liberty asked if the neighborhoods were looking forward to change? Mr. O'Brien said their biggest concern was traffic. They looked forward to beautification of the area.

Councilor Burkholder asked, were both of these corridors state highways? Mr. O'Brien said yes. Councilor Burkholder asked if they had had a discussion with the consultants about the highway designation. Mr. O'Brien said there was member of Oregon Department of Transportation ((ODOT) on the advisory group. The project looked at where urban business designation could be applied. There had been discussion with ODOT. They had been open to looking at a number of options.

Council President Bragdon observed that the Hillsdale Center had changed their streetscape over the past five years. He noted that the Hillsdale Business Association had helped develop the Hillsdale vision. Was there any business association in Beaverton-Hillsdale area? Mr. O'Brien said there was no business association along the corridor.

4. CONSENT AGENDA

4.1 Consideration of minutes of the January 20, 2005 Regular Council Meetings.

Motion:	Councilor Liberty moved to adopt the meeting minutes of the January 20, 2005 Regular Metro Council.
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Vote:	Councilors Burkholder, McLain, Liberty, Newman, and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed with Councilor Hosticka abstaining from the vote.
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5. RESOLUTIONS

5.1 **Resolution No. 05-3533**, For the Purpose of Authorizing the Chief Operating Officer to Contribute Towards the Purchase of the Inkster Property in the Tryon Creek Linkages Target Area.

Motion:	Councilor Newman moved to adopt Resolution No. 05-3533.
Seconded:	Councilor Liberty seconded the motion

Councilor Newman introduced the resolution. It was 8.33 acres in the Tryon Creek Linkages Target area. The Inkster family had been wonderful partners in this purchase. The Friends of Tryon Creek had been one of the active partners in the purchase process as well. Other partners included City of Lake Oswego. He acknowledged Stephanie Wagner's efforts. Councilor McLain asked about parcel ownership?

Nancy Chase, Regional Parks and Greenspaces Department, said they were tenants in common and would require deed restrictions on the property. The State would handle the operation and the restoration. Councilor McLain asked if Metro owned a particular piece. Ms. Chase Metro had a percentage of all of the parcels.

Council President Bragdon opened a public hearing.

Stephanie Wagner. Friends of Tryon Creek State Park, 11321 SW Terwilliger, Portland OR 97034 thanked the Council for their participation and encouraged them to pass the resolution. She talked about the history of the purchase. Putting the financing together had been a struggle. Metro had been key in the process. The Friends raised \$250,000, \$100,000 was donated by the neighborhood right next to the property. They all benefited by not having this property developed.

They had over 400 individual contributors. It was a wonderful piece of property. She addressed potential development. She talked about the stream corridor, which lent itself to restoration. They would be working on the restoration and developing a trail as well providing additional access to the Park. She thanked the Council once again. Councilor Burkholder talked about the Tryon Creek Trillium Festival. Ms. Wagner said it was the first week in April. Councilor McLain said she was hopeful that Metro volunteers would help with the restoration. Ms. Wagner said that would be great, they had about 800 volunteers working in the area. She said it was rewarding to see the private-public partnership

Council President Bragdon closed the public hearing.

Council President Bragdon said they had stringent procedures for purchase of open spaces. They had adopted a priority list. This was an area that had to come to Council for approval because we were over the target in this area. He spoke to community and local government participation.

Vote:

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

Michael Jordon, COO, had nothing to say.

7. COUNCILOR COMMUNICATION

Council President Bragdon said they would be discussing staffing at next week's work session. Councilor McLain wondered about the reorganization and how we did training. She asked about cost savings. If we were buying in to a concept of staff helping in a different way, she wanted to know what that meant. She also felt they needed further discussion about the Big Look. Council President Bragdon said they would be discussing staffing support at next week's work session.

Councilor Burkholder, Joint Policy Advisory Committee on Transportation (JPACT) chair, talked about the Transportation Priorities Act. He talked about the calendar to consider legislation on Metropolitan Transportation Improvement Program (MTIP). There would be a joint JPACT/Council public hearing on February 17th, March 15th Council would discuss the list and JPACT would also look at the list that week. They had just found out that ODOT and Washington Department of Transportation (WASDOT) had scheduled a Columbia Crossing Task Force meeting next Thursday at 4:00 p.m., which would conflict with our own council meeting. He would also be going down to the legislature to talk about Metro's role in transportation.

Councilor Hosticka reported on the Metro Policy Advisory Committee (MPAC) meeting last night. They raised questions about the State land use planning Goal 9 discussion. They also discussed the compliance report. They had talked about affordable housing and the budgetary difficulties with this issue. They had urged a simpler process for reporting to Metro. They had suggested staff come up with a simpler way to report. They also talked about MTIP allocations and that they felt Title 7 should not impact that allocation. They touched on Title 11. They would be talking more about this at a future meeting. Council President Bragdon talked about the Goal 9 discussion. Councilor Liberty said there was also a request to have some presentations on economics. He urged talking about a regional economy. Council President Bragdon concurred with Councilor Liberty's comments. He suggested clarifying the nature of our involvement.

Councilor Hosticka talked about the State Economic Development Policy Advisory Committee. It recognized that there were regional economies around the state such as Keizer/Salem, Eugene/Springfield as well as our region. They also acknowledged Clark County needed to be looked at in our regional economy. He talked about the City of Portland and its industrial lands. He said at least from the state level there was interest in regional economy. Council President Bragdon suggested a presentation from Joe Cortright and the need for regional action.

Councilor Newman announced that this Sunday we would have our volunteer appreciation dinner, which was to honor our volunteers. It would be at 5:00 p.m. at the Oregon Zoo. He encouraged participation. He also announced that Judie Hammerstad, Lake Oswego Mayor, had given her state of the city speech this week. Alice Norris would be giving her state of the city speech this coming Thursday.

Councilor McLain talked about the regional water supply plan update. It was time to update our relationship with them. They would be bringing a resolution to Council. This group had worked hard on keeping water providers involved. They had come to Metro to seek technical support and be a partner. She would be happy to brief Council on those issues. They would be meeting at Portland Community College (PCC) Rock Creek on Feb 10th at 5:30pm. The president of PCC had been invited as well as Community Planning Organization's and neighborhood associations.

Councilor Liberty mentioned that he and Councilor Burkholder had attended the Affordable Housing Task Force in Lake Oswego. He saw interest on the part of Lake Oswego to move forward with getting something built. He spoke about the need for clarity and emphasis for the Planning Department on centers and corridors.

He spoke to Measure 37 and the resolution that had been adopted last year (a copy of which included in the meeting record). He felt the public was still learning about the implications of the measure. He thought Metro could be providing information to the citizenry about the standards. He noted that the resolution didn't mention state agencies. He needed to know what those agencies were doing because there were exemptions. There had been some discussion at MPAC about potential funding mechanisms. There was a document prepared by one of the participants. He suggested that legal staff monitor claims. He wondered what Council thought about the treatment of claims if they disagreed with the treatment. He wondered if these topics were acceptable to Council. He thought that the concern was rising. There were about 500 claims within this region. He had discussed this with Lydia Neill, Planning Department, how to display this information. He asked for clarification about what claims had been received. Mr. Dan Cooper, Metro Attorney, said they had received two claims concerning property outside the Urban Growth Boundary (UGB). They had just received one within the UGB. Council President Bragdon talked about our legal exposure. We had a major stake in the decisions of the claims. Although the claim may not come to Metro we had a stake in the outcome. If the claim eroded what we were trying to do, Metro would want to engage in having some kind of notification process in place.

Councilor Newman asked Mr. Cooper how difficult it was for him to get information about the claims in the tri-county area? Mr. Cooper said he had been meeting with a group of attorneys about these claims so he had a filter. He said getting the actual documents would require talking with planning directors around the region. He didn't think there was reluctance in sharing the information. He didn't think it would be hard to set up a process to obtain that information. Councilor Newman asked if it was justified to ask if local jurisdiction could be required to notify Metro. Mr. Cooper said part of his work program was to prepare an ordinance to ask local jurisdictions to provide this information.

Council President Bragdon agreed with the ordinance. He wanted some way to assess our involvement and think about how we participated in the process. They were not required to have public participation. He felt we needed a mechanism at Metro to inform the public and have an opportunity to express our opinion. Mr. Cooper said he thought there was a good reason why we should collect as much information as we could about the nature of the claims and bring it to Council so they had the opportunity to assess and see what the potential consequences on 2040 may be and then determine what course of action we should take concerning commenting to those counties. Council President Bragdon asked about neighboring jurisdiction as well? Mr. Cooper said the cities were eager to hear what the process would be for claims. Councilor Liberty said they needed to see what the claims were, a raw summary as well as the claim itself as well as the asserted dollar amounts of the claim. He talked about potential liability. He wanted to see both the rural and urban claims. Lydia Neill, Planning Department, said they needed to do more investigation. Her impression was that the claims were not standardized. Some counties had imposed more stringent requirements on what it took to file a claim. She talked about development applications and the amount of process time. There were a lot of unknowns and it would take time to collect the information. Councilor Liberty said Ms. Neill and he had discussed issues such as zoning.

Councilor Burkholder said they needed to have more of a discussion about Metro's proper role in terms of addressing these issues. He spoke to looking at our budget and responding to changing conditions but that we also had limitations. Some of the proposals were expensive and he wasn't sure that we could afford to take on all of these proposals. He thought a lot of what was proposed was important but there was a budget impact and they had to take away funding for one project to fund another. Council needed to give guidance to Metro's lobbyist as well. Councilor Hosticka commented on the proposed state legislation. We needed to be clear on what the strategies were before we supported or opposed the state legislation. Council President Bragdon said for tactical reasons, Mr. Tucker needed to be informing the Council. He summarized that there was a need for that intergovernmental cooperation. There may be a future need to systematize the information. He agreed with Councilor Burkholder about the budget issues and the public involvement piece would take some strategic thinking. Councilor Newman appreciated the work that had been done. He wanted to know what Council's priorities were and what the budget implications would be.

Councilor McLain believed that the summary of next steps was correct. They needed to figure out Metro's role. She acknowledged Councilor Liberty's comments about having a strategy for what they believed in. They needed to have a Measure 37 claims filter in looking at their own plans and strategies. Council President Bragdon said the atmosphere that Mr. Cooper had developed in working collaboratively with the other attorneys was a benefit to us. Mr. Cooper said there was discussion that smaller claims might go without much notice. Council President Bragdon said he was trying to guard against being blindsided with a claim. Mr. Cooper said Multnomah County had a claims procedure, which included a public hearing. He said at this point because of the way the measure was written the whole requirement of notice was questionable. We may need to go out and be proactive.

Mr. Jordan said they might need to keep apprised of the claims and the different processes that each jurisdiction had. He spoke to a uniform analysis that staff could do. Ms. Neill was already working with Data Resource Center (DRC). Mr. Cooper was working on the legislative side. He would like to convene the appropriate staff and Councilors to coordinate our efforts.

Councilor Liberty said he felt we owed the public a certain amount of leadership on this issue but he understood limited resources. He wanted to hear from Mr. Cooper and Mr. Tucker about what was happening at the regional and state level. He talked about the need for fairness and openness to convince the public that we were sensitive to their requests. Councilor Burkholder talked about the lead councilor role on this issue. It was important issue but it was necessary to recognize all of what was being done. Council President Bragdon thought this was a good model. Ms. Neill said Portland State University (PSU) was partnering with 1000 Friends to create a database of claims. Metro could partner with them to get this information. She suggested a protocol for providing that information to the Council. There may be ways to cut down on the amount of staff time. Council President Bragdon summarized the future process.

Councilor McLain said she heard a good idea from a student, a citizen. Their idea was to provide information about a variety of Metro's roles instead of repeating Metro 101 on cable after the meeting was over. Second, they also suggested a presentation on reduction and recycling.

8. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:40 p.m.

Prepared by

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 27,
2005**

Item	Topic	Doc Date	Document Description	Doc. Number
4.1	Minutes	1/20/05	Metro Council Minutes of January 20, 2005	012705c-01
6	Measure 37 Work Group	1/27/05	To: Metro Council From: Councilor Liberty Re: Measure 37 Work Group and other activities	012705c-02
6	Resolution No. 04-3520	12/16/04	To: Metro Council From: Councilor Liberty Re: Resolution No. 05-3520, For the Purpose of Directing the Chief Operating Officer to Formulate Regional Policy Options Relating to Ballot Measure 37	012705c-03
3	Power Point Presentation	1/27/05	To: Metro Council From: Tim O'Brien, Metro Planning Department Re: Transportation and Growth Management Grant, Corridor/Center Research Briefing	012705c-04