

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

April 13, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

**Committee Members Present:** Ken Allen, Nathalie Darcy, Andy Duyck, John Hartsock, Jack Hoffman, Laura Hudson, Charlotte Lehan, Deanna Mueller-Crispin, Alice Norris, Wilda Parks, Dan Saltzman, Martha Schrader

**Alternates Present:** Larry Cooper, Tim Crail

**Also Present:** Hal Bergsma, City of Beaverton; Bev Bookin, CREEC; Ron Bunch, City of Gresham; Cindy Catto, AGC; Bob Clay, City of Portland; Sarah Cleek, THPRD; Valerie Counts, City of Hillsboro; Jennifer DeMuth, Oregon League of Conservation Voters; Dan Drentlaw, City of Oregon City; Bob Durgan, Andersen Construction; Kay Durtschi, MTAC; Craig Dye, Clean Water Services; Mary Gibson, MLIDD; Stacey Hopkins, DLCD; Steve Kelley, Washington County; Jim Labbe, Audubon Society of Portland; Susie Lahsene, Port of Portland; Irene Marvich, League of Women Voters; Doug McClain, Clackamas County; Laura Oppenheimer, The Oregonian; Jonathan Schlueter, Westside Economic Alliance; Andrea Vannelli, Washington County; Ramsay Weit, Washington County Citizen

**Metro Elected Officials Present:** Liaisons – Carl Hosticka, Council District 3; Susan McLain, District 4; Robert Liberty, Council District 6 others: David Bragdon, Council President

**Metro Staff Present:** Kim Bardes, Dan Cooper, Andy Cotugno, Paul Garrahan, Lori Hennings, Chris Deffebach

**1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS**

Councilor Jack Hoffman, MPAC Chair, called the meeting to order at 5:07 p.m.

Chair Hoffman asked those present to introduce themselves, to give a one-minute local update, and to make announcements.

**2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS**

There were none.

**3. CONSENT AGENDA**

Meeting Summary March 9 & 23, 2005.

Motion:	John Hartsock, Clackamas County Special Districts; with a second from Andy Duyck, Washington County, moved to adopt the consent agenda and the MTAC appointment without revision.
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Vote:	The motion passed unanimously.
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#### **4. COUNCIL UPDATE**

Councilor Robert Liberty said that he would have to leave the meeting early and therefore gave a brief update on some of the items listed in agenda item no. 6. That update is attached and forms part of the record.

Councilor Carl Hosticka said that there were two major items consuming the time and attention of the Council: 1) the budget, and 2) a group of items for legislation related to the Nature in Neighborhoods effort. He said that there would be four pieces that the Metro Council would be looking at. The first piece would be an ordinance, No. 05-1077, for amendment to the functional plan to incorporate land-use and development standards that would be part of the entire effort. That would be introduced at the next council meeting. That ordinance would then be scheduled for the next meeting of MPAC. He said there would also be a resolution that dealt with the Tualatin Basin Approach. There would be a budget item that would single out Nature in Neighborhoods as a program that Metro would undertake as part of the budget deliberations. Finally there would be a resolution that described the entire effort that Metro was undertaking for Nature in Neighborhoods.

Council President Bragdon spoke about the Greenspaces Policy Advisory Committee (GPAC) vision statement. He said that GPAC would be addressing MPAC at the next meeting, and then the Metro Council on May 5<sup>th</sup> or 12<sup>th</sup>.

#### **5. NATURE IN NEIGHBORHOODS**

Chair Hoffman set the context of what would happen next with Nature in Neighborhoods effort. He said that at the next meeting they would work out some preliminary recommendations for the resolutions and the functional plan. He pointed out sectional maps that showed the conservation areas subject to the functional plan that he had hung in the back of the room for the members to review. He said that he would be sending out a memorandum next week that would set out the agenda and policy items for discussion for the functional plan. He said that May 11<sup>th</sup> was the date for MPAC to make their final recommendation. He indicated that he would like to have a preliminary report for the Council at the end of the next meeting, so that the Metro Councilors would have some time to review those recommendations beforehand.

Councilor Hosticka reviewed the timeline for the Council review of resolutions and the process that Nature in Neighborhoods would undergo between now and May 12, 2005, including public hearings and staff resource stations. He said that the Metro Council would take action on the resolutions related to the Tualatin Basin and the overall Nature in Neighborhoods plan. After May 12<sup>th</sup> the Council would wait to see what the state legislature would do regarding Measure 37, and then the Metro Council would take it up again in September for formal adoption.

Ken Allen, Port of Portland, distributed a letter that outlined the Port of Portland's position on the fish and wildlife protection program. That letter is attached and forms part of the record.

## **5.2 Nature in Neighborhoods**

Councilor Hosticka reviewed Resolution No. 05-3574 for Nature in Neighborhoods which was included in the meeting packet and forms part of the record. He said that the Council had decided that it was important to have the whole effort outlined in one piece and that was why the resolution was created.

## **5.1 Tualatin Basin Approach Update**

Andrea Vannelli, Washington County, gave an overview of the Tualatin Basin Goal 5 Program Report. An executive summary of this report is attached and forms part of the record.

Chair Hoffman asked for someone to respond to the Audubon Society's letter as it had raised some questions. The letter in question is attached and forms part of the record.

Hal Bergsma, City of Beaverton, who also serves on the Tualatin Basin Steering Committee (which advises the Coordinating Committee), said that the Coordinating Committee would be drafting a response to the environmental organizations represented in the letter under discussion. He said the response would be distributed to MPAC members in the next week or so.

Councilor Hosticka said that Ms. Lori Hennings, Metro Staff Ecologist, would be talking about the choices before the Metro Council, which were to either accept the Tualatin Basin Plan in total, reject it, and then the local governments in the Tualatin Basin would be subject to the same program alternatives as all other local governments, or accept it with conditions and engage in a dialogue on how it should be incorporated fully into the functional plan.

Mayor Charlotte Lehan asked if they would be able to discuss it at the next MPAC meeting.

Chair Hoffman said that for the next MPAC meeting the members should be prepared to comment and discuss the Tualatin Basin Approach without getting too far into the technical aspects. He said that the people from Washington County and the Metro Planning staff should be able to bring the members up to speed with what they were trying to accomplish and how it would fit into the regional plan. He said that on April 27<sup>th</sup> the members would put forward preliminary recommendations and then the final recommendation from MPAC to the Metro Council would be on May 11, 2005.

Councilor Hosticka informed the committee members about a resolution that would be published the following day that would list a number of concerns that the staff had suggested the Council should consider. He said that he hoped the resolution would provide structure for the discussion at MPAC. He urged the members to review that resolution after it was released on Thursday.

Lori Hennings, Metro Staff Ecologist, gave an overview of the Tualatin Basin Approach key points. She reviewed several maps posted in the room. She explained the basic difference between the Tualatin Basin Program and Metro's program. She said that the Tualatin Basin program was not laying down regulations on Class 1 and Class 2 habitat on about 30% of the land that would be regulated under Metro's proposed program. She said that there were other considerations to take into account when weighing the merits of each program. She gave a brief overview of those considerations.

Chris Deffebach, Metro Long Range Planning Manager, said that staff had tried to outline the differences and comparisons between the two programs. She said that they had prepared a draft resolution with the Chief Operating Officer (COO) that the members would have an opportunity to comment on at the next meeting.

Councilor Susan McLain said that Metro needed help from the MPAC members on looking at the gap in protection between the two programs. She said that she had confidence in the Tualatin Basin work but that there may be conditions or suggestions that would help make the program better. She expressed concern over how new urban areas would be dealt with. She said that Metro should provide a strong lead on that issue in the program.

Chair Hoffman asked two questions: 1) was the resource/habitat protected equally in Washington County as it was in Clackamas County, and 2) were land owners treated the same in Washington County as in Clackamas County?

Ms. Hennings said that she thought that Metro's proposed program covered more land and offered more certainty in terms of regulation. There was less certainty in Metro's non-regulatory program as the Tualatin Basin program already had money lined up for it. That was a big plus for the Tualatin Basin program plan. The Tualatin Basin program was already working on some projects. She said both plans had potential, but she felt that the Tualatin Basin's nonregulatory plan had more power due to the funds already committed to the program. She paraphrased that there was more certainty with Metro's regulatory plan, but more power with the Tualatin Basin's nonregulatory plan.

Chair Hoffman asked if there were guarantees tied to the Tualatin Basin funds being spent on the program and not elsewhere.

Andy Duyck, Washington County, said he would go with the Basin program because they would do restoration along the stream all the way up. He said that they were doing some aggressive voluntary programs that were already paying off. He said that MPAC needed to be careful not to penalize the west side for the progress that they had already made. He said it was not a matter of incorporating what was already being done, but rather proof of a great track record. He said they were fulfilling what they had promised when they started the process. He said that they needed to weigh what they were getting in addition to the Goal 5 program, worth giving up the estimated 30%, which may not be immediately adjacent to the streams.

Mayor Alice Norris, Oregon City, asked how each plan would monitor the programs.

Ms. Deffebach said that the Basin proposal offered two representatives for monitoring and recording. Clean Water Services did a lot of in-stream monitoring and they did a great job in updating the streams inventory. In Metro's functional plan there was a section on monitoring and reporting that would be asking everyone to help Metro accomplish those functions. She said that data changed frequently and when the jurisdictions helped by monitoring and reporting to Metro, then Metro would be able to keep a better regional database. She said that when the recommendations went out they would see that they were proposing institutionalizing the relationship that Metro had developed with cities and counties for the last four years to help keep the data alive because everyone would benefit in using it. She said that the other part of Metro's monitoring was a proposal in the budget for the next year to have a role in assembling the data that was being collected between DEQ, and other agencies, so that they could better pull it all together and keep track of the region.

Chair Hoffman asked Andy Duyck to explain the surface water management fee.

Mr. Duyck said it was paid by all those who paid their sewage bill; sort of like a surcharge but accounted for separately. He asked Craig Dye to speak more to that issue.

Craig Dye, Clean Water Services, said that a surface water management fee was a storm water fee for Washington County. He said it was done in two different ways. For the full service cities, Clean Water Services collect all the SWIM fees and then perform all the storm water management maintenance. Other cities collect the surface water fee of four dollars and then keep three dollars of it and remit one dollar to Clean Water Services. Those cities would take care of much of the maintenance activities in their own jurisdiction.

Chair Hoffman asked how much money was spent per year on restoration.

Mr. Dye said it was roughly about two million dollars per year.

Nathalie Darcy, Washington County Citizen, asked if Ms. Hennings if she could translate the 25%-30% gap into acreage.

Ms. Hennings said it was a range of about 2000+ acres.

Councilor McLain said that those acres were primarily in class 2 and not class 1.

## **6. UPDATES**

### **6.3 Legislative**

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

### **6.2 Measure 37**

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

### **6.1 Affordable Housing**

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

There being no further business, Chair Hoffman adjourned the meeting at 6:40 p.m.

Respectfully submitted,

  
Kim Bardes  
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR APRIL 13, 2005

The following have been included as part of the official public record:

<b>AGENDA ITEM</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT NO.</b>
<b>#4 Council Update &amp; #6 Updates</b>	April 2005	Legislative Update for MPAC	041305-MPAC-01
<b>#5 Nature in Neighborhoods</b>	April 2005	Tualatin Basin Goal 5 Program Report Revised Recommendation Executive Summary	041305-MPAC-02
<b>#5 Nature in Neighborhoods</b>	4/13/05	Memorandum from Ken Allen, Port of Portland Commissioner and MPAC member to Jack Hoffman, Chair of MPAC re: Metro's Regional Fish and Wildlife Protection Program	041305-MPAC-03
<b>#5 Nature in Neighborhoods</b>	4/12/05	Letter from Jim Labbe, Audubon Society of Portland; Sue Marshall and Brian Wegener, Tualatin Riverkeepers; Tom Wolf, Trout Unlimited; Gretchen Vadnais, Cedar Mill Creek Watch; and Rock Creek Watershed Partners	041305-MPAC-04
<b>#5 Nature in Neighborhoods</b>	4/8/05	Letter from Doug McClain, Clackamas County, to David Bragdon re: Affordable Housing	041205-MPAC-05