

Metro

*600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov*



Metro

Minutes

Thursday, October 27, 2016

2:00 PM

AGENDA REVISED 10/25/16

Metro Regional Center, Council Chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the regular council meeting to order at 2:03 p.m.

Present: 7 - Council President Tom Hughes, Councilor Sam Chase, Councilor Carlotta Collette, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Kathryn Harrington, and Councilor Bob Stacey

2. Citizen Communication

There was none.

3. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilor Chase, seconded by Councilor Stacey, to adopt items on the consent agenda.

The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

3.1 **Resolution No. 16-4752**, For the Purpose of Confirming the Appointment of Mike Dahlstrom to the Metro Public Engagement Review Committee (PERC)

3.2 Consideration of the Council Meeting Minutes for October 20, 2016

4. Resolutions

4.1 **Resolution No. 16-4744**, For the Purpose of Establishing the Brownfields Advisory Group to Advise Staff and Supporting Appointment of its Initial Members

Council President Hughes called on Mr. Brian Harper, Metro staff, for a presentation on the resolution. Mr. Harper provided a brief background on the grant Metro received from the Environmental Protection Agency (EPA) in May 2016. He noted that Metro had partnered with Clackamas County and the City of Oregon City to apply for a \$600,000 Brownfield Coalition Assessment grant focused on a 9-mile tract of the McLoughlin Corridor. He explained that the grant funds would be used to identify and assess brownfield sites

and define the financial and liability constraints for prospective purchasers and developers. He added that the grant would also help build regional expertise in redeveloping brownfield sites by engaging and providing technical assistance to local partners during the assessment and redevelopment process. Mr. Harper informed the Metro Council that the final step prior to expenditure of the funds was the appointment of a Brownfields Advisory Group. He explained that the group would be tasked with providing guidance and recommendations to advise staff regarding the expenditure of grant funds over the next three years.

Council Discussion

Councilor Collette thanked Clackamas County Commissioner Paul Savas for attending the meeting. Councilors expressed their support for the project. Councilor Harrington noted that the language of the legislation was a little unclear as the project was in response to receiving a grant from the EPA for a specific focus area, unlike the prior brownfields advisory groups that dealt with a region-wide program. She added that it was helpful to know that the vacant positions would be available to partners and experts outside of the focus area. Councilor Craddick asked about the appointment process and expressed interest in remaining informed about the committee. She stated the committee would also provide an opportunity for Metro to engage its partners throughout the region and share its knowledge with other jurisdictions that were facing similar issues.

A motion was made by Councilor Collette, seconded by Councilor Craddick, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.2 **Resolution No. 16-4745**, For the Purpose of Authorizing an Exemption from Competitive Bidding and Authorizing Procurement of Construction Manager General Contractor Services by Competitive Request for Proposals for the

Renovation of the Oregon Convention Center Exterior Plaza and Entries

Council President Hughes recessed the meeting of the Metro Council and convened the Metro Contract Review Board. President Hughes called on Ms. Gabriele Schuster, Metro staff, for a brief presentation on the resolution. Ms. Schuster announced that Resolution No. 16-4745 asked the Metro Council to approve an alternative procurement process for the construction of the Oregon Convention Center exterior plaza and entries. She explained that the state of Oregon's contracting rules required all public improvement construction projects to be competitively bid, but added that they also permitted local governments to procure public improvement projects by request-for-proposal (RFP) if the method was unlikely to involve favoritism and would likely result in substantial cost savings and other benefits. Ms. Schuster informed the Council that Procurement Services was in support of the alternative procurement method, as it would still be a competitive process and would allow the project's general contractor and designer to work together early in the design process, which would help to avoid costly redesign and change orders. She noted that the RFP process also included an evaluation process that would allow Metro to include criteria in support of its goals, such as related to diversity and sustainability. Ms. Schuster explained that Metro's Procurement Services recommended the RFP approach as it was the most beneficial for the agency.

Council Discussion

Councilor Craddick thanked staff for their recommendation and noted that she felt it was an excellent project.

A motion was made by Councilor Collette, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

4.2.1 Public Hearing on Resolution No. 16-4745

Council President Hughes opened up a public hearing on Resolution No. 16-4745 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. Council President Hughes adjourned the Metro Contract Review Board and reconvened the Metro Council.

5. Ordinances (First Reading and Public Hearing)**5.1 Ordinance No. 16-1386**, For the Purpose of Amending Metro Code Chapter 5.00 to Add, Remove, and Amend Certain Terms and Definitions and Other Housekeeping Changes

Council President Hughes introduced Mr. Roy Brower and Mr. Warren Johnson, Metro staff, to provide a brief presentation on Ordinances Nos. 16-1386 through 16-1389. Mr. Brower introduced the ordinances and explained that they focused on updating Metro's Solid Waste Code Title V. Mr. Brower informed the Council that Metro had broad authority and responsibility to plan, oversee, and manage the region's solid waste system. Mr. Brower noted that the proposed changes to the ordinances reflected such responsibilities and would help ensure that Metro's solid waste regulations were responsible and understandable. Mr. Brower reported that the changes were one of three components of an ongoing code review process and focused on general updates to the Metro Title V Code. Mr. Brower provided a timeline of the different efforts made to provide outreach and engagement on the proposed changes, including a 60-day public review period in March and April.

Mr. Warren Johnson then provided an overview of the proposed changes to the ordinances and explained that the ordinances included a variety of general, non-substantive housekeeping changes. Mr. Johnson informed the Council that the purpose of the proposed changes were to build

greater clarity, consistency, and predictability in how Metro reviews and authorizes solid waste facilities; ensure greater equity, transparency, and accountability in how Metro implements its requirements to protect the environment and the public's health; and provide greater ability to adapt to changing conditions while making the Metro Code easier to understand. Mr. Johnson added that the proposed changes also helped Metro become more resilient and flexible when addressing new solid waste technologies and practices.

Council Discussion

There was none.

5.1.1 Public Hearing on Ordinance Nos. 16-1386, 16-1387, 16-1388, and 16-1389

Council President Hughes opened the floor for any public comment on Ordinances Nos. 16-1386 through 16-1389. Seeing none, Council President Hughes gavelled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance Nos. 16-1386 through 16-1389 would take place on Thursday, November 10, 2016.

5.2 **Ordinance No. 16-1387**, For the Purpose of Amending Metro Code Chapter 5.01 to Add, Remove, and Amend Certain Terms and Definitions and Making Other Housekeeping Changes

5.3 **Ordinance No. 16-1388**, For the Purpose of Amending Metro Code Chapter 5.02 to Add, Remove, and Amend Certain Disposal Charge and Fee Requirements and Other Housekeeping Changes

5.4 **Ordinance No. 16-1389**, For the Purpose of Amending Code Chapter 5.05 to Add, Remove, and Amend Certain Solid Waste Flow Control Requirements and Making Other Housekeeping Changes

6. Public Hearings

6.1 Public Hearing on Regional Flexible Fund Project Selection

Council President Hughes gavelled into the public hearing on Regional Flexible Fund project allocation. He thanked the public for their comments and noted that the Metro Council

was committed to the importance of involving the region's residents in the decision-making process. He noted that a public hearing was also scheduled for February 2 when the Metro Council would consider final project allocation legislation, but explained that holding a public hearing at the project's current stage would allow the Metro Council to hear directly from the public during the public comment period. Council President Hughes introduced Mr. Dan Kaempff, Metro staff, to provide a short presentation on the context for the funds being discussed.

Mr. Dan Kaempff explained that Metro worked with its partners across the region to develop a policy document that provided guidance for how to invest regional funds. Mr. Kaempff stated that the Regional Flexible Fund project allocation process began in early 2015 and the projects submitted were now being considered to determine which of them collectively best reflected the policy direction adopted by the Metro Council and JPACT. He explained that there was \$25.81 million available for active transportation and complete streets projects as part of the regional flexible funds and noted that Metro had received 27 applications for this category representing \$92.43 million. Mr. Kaempff reported that public input would help regional decision-makers begin to fit the project list to available funding.

Council President Hughes opened the floor for public testimony on Regional Flexible Fund project allocation.

Representative Kathleen Taylor, City of Portland: Ms. Taylor informed the Council that she represented District 41 in the Oregon House of Representatives, covering parts of southeast Portland and its suburbs, including the Brentwood-Darlington neighborhood. She explained that she was attending the hearing with Ms. Lesley McKinley, Chair of the Brentwood-Darlington Neighborhood Association, and expressed her support for the full funding of

Brentwood-Darlington's Safe Routes to School project. Ms. Taylor noted that the Brentwood-Darlington community had not seen the same level of infrastructure and safety investments as other neighborhoods and as a result experienced many difficulties related to safety and accessibility.

Lesley McKinley, City of Portland: Ms. McKinley, Chair of the Brentwood-Darlington Neighborhood Association, urged the Metro Council to fund the Brentwood-Darlington Safe Routes to School project. She noted that the project would impact over 1,500 students who attended the neighborhoods three Title I schools as well as disabled students who attended the Green Thumb Transitional School. Ms. McKinley shared the difficulties that the Brentwood-Darlington neighborhood faced and informed the Council that its residents had united at a grassroots level to mobilize their elected officials and bring much-needed infrastructure and safety investments to the neighborhood. Ms. McKinley also provided written testimony and photographs of the Brentwood-Darlington neighborhood; please see the October 27 meeting packet.

Mayor Russ Axelrod, City of West Linn: Mayor Axelrod expressed his support for the City of West Linn's Highway 43 Walking and Biking Improvements project, noting that it was a higher priority for the city than its other proposed project, the Interstate 205 Walking and Biking Trail. Mayor Axelrod explained that Highway 43 provided a critical corridor route for both the city and the region, but was dangerous for many seniors, children, and other pedestrians. He announced that the project would improve safety conditions in the corridor and also include an innovative shielded "cycle track" that would protect both bicyclists and drivers from accidents and maintain the flow of traffic. He urged the Metro Council to support the project.

Councilor Harrington clarified that there were two regional

flexible fund applications from the City of West Linn, but the Highway 43 Walking and Biking Improvements project was the priority for the West Linn residents in attendance at the meeting. Mayor Axelrod agreed that she was correct.

Mayor Lou Ogden, City of Tualatin: Mayor Ogden expressed his support for the City of Tualatin's Herman Road project application. He explained that the proposed project would complete sidewalks and bike lanes along Herman Road, which connected many of the city's important economic and industrial areas. He noted that the project scored ninth out of 27 proposed active transportation project based on technical merit and stated that it was an excellent project that met the goals of the regional flexible fund program. Mayor Ogden also provided written testimony; please see the October 27 meeting packet.

Councilor Bob Martin, City of West Linn: Councilor Martin urged the Metro Council to fund the City of West Linn's Highway 43 Walking and Biking Improvements project. He noted that traffic on the highway was so congested that pedestrians were unable to cross the street and access transit, discouraging TriMet use and making it difficult for residents to access alternative modes of transportation. He added that the project aligned with Metro's goals and would help improve transportation across the region.

Richard Sakelik, City of West Linn: Mr. Sakelik expressed his support for the City of West Linn's proposed Highway 43 project. He noted that Highway 43 was severely lacking in quality and safety and stated that the multimodal transportation improvements proposed would help improve the conditions of the corridor. He explained that he felt improvements to the highway would also lead to significant economic development that would benefit the entire region. Mr. Sakelik also provided written testimony; please see the October 27, 2016 meeting packet.

Teri Cummings, City of West Linn: Ms. Cummings urged the Metro Council to support the City of West Linn's Highway 43 project. She noted that the route was a major connector between Clackamas County and the City of Portland, and the only south-north route into the City of Portland other than Interstate 5 and Interstate 205. She expressed her support for the project noting that it would greatly benefit the region's residents and businesses.

Roberta Schwartz, City of West Linn: Ms. Schwartz expressed her support for the City of West Linn's Highway 43 project. She explained that the project was personally significant, as her friends had been hit by a car while walking along Highway 43 in January 2015. She urged the Metro Council to support the project, noting that it would improve pedestrian, biking, transit, and vehicular mobility along Highway 43. She noted that uninterrupted bicycle paths and sidewalks, accessibility, and improved transit stops and lighting were all included in the proposal. Ms. Schwartz also provided written testimony; please see the October 27, 2016 meeting packet.

Rob Stahl, City of West Linn: Mr. Stahl expressed his support for the City of West Linn's proposed Highway 43 project. He stated that safety for cyclists and pedestrians was a significant concern in the corridor. He shared his concerns with the conditions of the highway and recommended that multimodal transportation improvements be funded. Mr. Stahl also provided written testimony; please see the October 27, 2016 meeting packet.

Meredith Olmsted, City of West Linn: Ms. Olmsted, President of the Barrington Heights Neighborhood Association, expressed concern about the City of West Linn's proposed Interstate 205 Walking and Biking Trail. She explained that the site was designated by the State of Oregon as a high risk area for both fire and landslide, and as a result was unsuitable for a walking and biking trail. Ms.

Olmsted stated that the neighborhood association firmly supported improvements for Highway 43, but urged the Council not to support the Interstate 205 trail project. Ms. Olmsted also provided written testimony; please see the October 27, 2016 meeting packet.

Councilor Stacy announced that he needed to leave the council meeting due to prior commitments and thanked the public for providing feedback. He noted that he had received an email expressing support for the Brentwood-Darlington Safe Routes to School project and added it to the record. The email has also been attached to the October 27, 2016 meeting packet.

Councilor Craddick asked about the location of the proposed trail. Mr. Jester replied that it was located between the 10th Street and Abernathy Bridge exits on Interstate 205.

Robert Jester, City of West Linn: Mr. Jester, Vice President of the Barrington Heights Neighborhood Association, expressed concerns about the City of West Linn's proposed Interstate 205 Walking and Biking Trail and urged the Council not to support the project. He explained that the site had been designated as a high risk fire zone and was unsuitable for public access. He noted that the Oregon State Police and West Linn Police Department did not have the necessary resources to keep the area safe and stated that he felt the project was not an appropriate use of the \$2.8 million requested.

Larry Meese, City of West Linn: Mr. Meese, Secretary-Treasurer of the Barrington Heights Neighborhood Association, expressed concern about the City of West Linn's proposed Interstate 205 Walking and Biking Trail. He noted that Barrington Heights homeowners and residents were strongly opposed to the plan and stated that the dangers and hazards posed by the area exceeded any community benefit. He requested that the Council not support the

funding request for the Interstate 205 trail. Mr. Meese also provided written testimony; please see the October 27, 2016 meeting packet.

Meesa Long, City of Portland: Ms. Long expressed her support for the Brentwood-Darlington Safe Routes to School project. She shared photographs of the streets in the Brentwood-Darlington neighborhood and maps demonstrating the lack of sidewalks. She explained that conditions were dangerous for pedestrians, particularly the many students who relied on the streets to get to school. Ms. Long added that Metro's \$3 million contribution would bring \$6 million to the neighborhood, as the City of Portland's Bureau of Transportation (PBOT) had agreed to match the grant amount. Ms. Long urged the Metro Council to support the project. She also provided written testimony and maps of the Brentwood-Darlington neighborhood; please see the October 27 meeting packet.

Chelsea Powers, City of Portland: Ms. Powers expressed her support for the Brentwood-Darlington Safe Routes to School project. She noted that since the neighborhood was annexed into the City of Portland over thirty years ago, it had been underserved and given very few basic services. She explained that the conditions of the roads made it very difficult for pedestrians and cyclists to move throughout the neighborhood. She urged the Council to support the project.

Michael Rowell, City of Portland: Mr. Rowell, Vice President of Lane Middle School, expressed his support for the Brentwood-Darlington Safe Routes to School project. He noted that the students at Lane Middle School were in great need of neighborhood investments and transportation improvements and urged the Metro Council to support the project.

Ms. Craddick asked if Lane Middle School was a Title I school. Mr. Rowell responded affirmatively and noted that

all of the schools in the Brentwood-Darlington neighborhood were Title I schools.

Kim Bria, City of West Linn: Ms. Bria expressed her support for the City of West Linn's proposed Highway 43 project. She explained that there was a lot of community support for the project and many residents had provided public input. She noted that the current conditions of Highway 43 negatively affected not only the City of West Linn, but also the region. She added that it was often difficult and dangerous for students to get to school and as a result many students relied on driving instead of alternate forms of transportation.

Carolyn Hauck, City of Portland: Ms. Hauck expressed her support for the Brentwood-Darlington Safe Routes to School project. She noted that the streets in her neighborhood were incredibly unsafe, particularly for students heading to school, as a lack of sidewalks and crosswalks made it very difficult for pedestrians. She encouraged the Metro Council to support the project and help the neighborhood become safer for students.

Jeannine Rustad, City of Beaverton: Ms. Rustad, Superintendent of Planning for the Tualatin Hills Park and Recreation District, expressed her support for the Beaverton Creek Trail project. She noted that the project was built on several partnerships and was currently in the process of design and engineering, thanks to regional flexible funding. Ms. Rustad informed the Council that the benefits of the project included improving access to transit, providing a crucial link to employment areas, and improving access to nature and recreation. She urged the Metro Council to support the proposal.

John Lewis, City of Oregon City: Mr. Lewis, Public Works Director for the City of Oregon City, expressed support for the proposed Molalla Avenue project. He noted that the

project was currently ranked six according to the project criteria and was well-aligned with Metro's transportation goals. He explained that the project included continuous bike lanes along the corridor, continuous American with Disabilities Act (ADA) complaint sidewalks, transit amenities, and safer and more convenient street crossings. He added that the city had also pledged a 50.1% match, meaning funding would be leveraged to further support the project. He urged the Metro Council to support the project.

Council Discussion

Council President Hughes closed the public hearing and asked Mr. Kaempff to review the project's next steps. Mr. Kaempff explained that following the end of the public comment period on November 7, the Joint Policy Advisory Committee on Transportation (JPACT) would discuss the project allocation before a scheduled adoption of a final package of projects at their January 19 meeting. He noted that once JPACT adopted a package, Metro Council would take action in February to accept the package, or refer it back to JPACT for additional work. Councilor Craddick asked how public testimony would be presented to JPACT. Mr. Kaempff replied that once the public comment period was completed, staff would compile a summary of public comments. Councilor Harrington thanked staff for their work listing the projects in such an organized and clear fashion. Council President Hughes thanked the public for sharing their comments and emphasized how important the role of public testimony was in decision-making.

7. Chief Operating Officer Communication

Ms. Martha Bennett provided an update on the following events or items: Metro's annual Charitable Giving Campaign, the upcoming River Island Sneak Preview tour, and Metro's Wellness Fair, to be held at the Oregon Convention Center on November 1.

8. Councilor Communication

Councilors provided updates on the following meetings or events: the Urban Growth Task Force meeting on October 26, the Westside Economic Alliance Board of Directors, a TriMet Board briefing on the Regional Transit Strategy, a breakfast forum with the Columbia Corridor Association, the upcoming Regional Leadership Forum #3 on December 2, and two meetings on the proposed Troutdale to Springwater Corridor Trail.

9. Adjourn

There being no further business, Council President Hughes adjourned the regular meeting at 5:34 p.m. The Metro Council will convene the next regular council meeting on November 10, 2016 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Nellie Papsdorf, Legislative and Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCTOBER 27, 2016

Item	Topic	Doc. Date	Document Description	Doc. Number
3.2	Minutes	10/27/2016	Council Meeting Minutes on October 20, 2016	102716c-01
4.1	PowerPoint	10/27/2016	PowerPoint on Brownfields Advisory Group	102716c-02
5.1-5.4	PowerPoint	10/27/16	PowerPoint on Metro Code Title V (solid waste)	102716c-03
6.1	PowerPoint	10/27/16	PowerPoint on Regional Flexible Fund Public Hearing	102716c-04
6.1	Handout	10/27/16	Public Hearing on Regional Flexible Fund Project Selection	102716c-05
6.1	Testimony	10/27/2016	Testimony on RFF: Brentwood-Darlington Connected Parents & Families	102716c-06
6.1	Testimony	10/27/2016	Testimony on RFF: City of Tualatin	102716c-07
6.1	Testimony	10/27/2016	Testimony on RFF: City of West Linn	102716c-08
6.1	Testimony	10/27/2016	Testimony on RFF: Richard Sakelik, West Linn	102716c-09
6.1	Testimony	10/27/2016	Testimony on RFF: Roberta Swarz, West Linn	102716c-10
6.1	Testimony	10/27/2016	Testimony on RFF: Robert Stowell, West Linn	102716c-11
6.1	Testimony	10/27/2016	Testimony on RFF: Meredith Olmsted, West Linn	102716c-12
6.1	Testimony	10/27/2016	Testimony on RFF: Larry Meese, West Linn	102716c-13

6.1	Handout	10/27/2016	Brentwood-Darlington Safe Routes to School	102716c-14
6.1	Handout	10/27/2016	Brentwood-Darlington Sidewalk Coverage Map	102716c-15
6.1	Handout	10/27/2016	Brentwood-Darlington Map Courtesy of PSU	102716c-16
6.1	Testimony	10/27/2016	Testimony on RFF: Elizabeth Miller, Brentwood-Darlington	102716c-17