

Minutes of the Metro Council Planning Committee

June 2, 1994

Metro Regional Center, Council Chamber

Committee Members Present: Jon Kvistad (Chair), Jim Gardner (Vice Chair), Richard Devlin, Mike Gates, Susan McLain, Rod Monroe, Terry Moore, Ed Washington

Committee Members Absent: none

Other Councilors Present: Ruth McFarland

Chair Kvistad called the regular meeting to order at 4:00 p.m.

**1. Consideration of the May 19, 1994 Planning Committee Minutes**

Motion: Councilor Moore moved to approve the minutes with an addition.

Vote: Councilors Moore, Monroe, Washington, Gates, Gardner and Kvistad voted aye.  
Councilors Devlin and McLain were absent. The vote was 6/0 and the motion passed.

**Introduction of Resolutions and Ordinances**

Dick Bolen, Data Resource Center Manager, introduced Resolution No. 94-1966. The committee accepted the introduction by consensus.

**2. Consideration of Resolution No. 94-1968, Approving an Intergovernmental Agreement Between Metro and Oregon Department of Environmental Quality to Complete the Land Use Elements of the Portland Ozone Maintenance Plan**

Mike Hoglund, Transportation Planning Manager, presented the staff report, a copy of which is included in the record of this meeting. He explained the resolution created and intergovernmental agreement (IGA) with the Department of Environmental Quality (DEQ) for \$60,000. He stated the funds were from the federal Environmental Protection Agency (EPA) and would be used to fund the Ozone Maintenance Plan element of the Transportation Demand Management (TDM) program.

Motion: Councilor Gardner moved to recommend Council adoption of the Resolution.

Vote: Councilors Gardner, Monroe, Washington, Moore, Gardner, Gates, McLain, and Kvistad voted aye. Councilor Devlin was absent. The vote was 7/0 and the motion passed.

**3. Consideration of Resolution No. 94-1967, To Authorize General Counsel Appearance in Beaverton/Portland Urban Service Boundary Cases**

Larry Shaw, Senior Assistant Counsel, presented the staff report, a copy of which is included in the record of this meeting. He noted the language in the resolution would allow the Metro General Counsel to participate in the case before the Court of Appeals as a "friend of the court" in the appeal of the three remanded Land Use Board of Appeals (LUBA) cases contesting Portland-Beaverton urban service boundaries. The resolution allows General Counsel to file an amicus brief if the case is not resolved and the appeal is dismissed within 120 days. He explained the parties would meet to discuss the case. He explained scheduling discussions were difficult due to vacation schedules.

In response to Councilor Moore, Mr. Shaw explained that LUBA remanded all three lines and the Portland line established in the mediation session had been adopted as an interim line, not a permanent line. He indicated no determination had been made to identify a lead party. Councilor Moore advocated for citizen involvement throughout the process.

Mr. Shaw discussed scenarios for action. In response to Councilor Gates, Mr. Shaw explained why the discussion was not occurring under executive session.

Councilor Gardner noted the resolution did not indicate the position of the Metro Council. Mr. Shaw noted the position of the Council was premature and should be established following the mediation discussions. Councilor Gardner clarified that

the resolution would only allow General Counsel to apply for the friend of the court and did not establish a Metro Council position. Mr. Shaw agreed that a Metro Council position would be discussed and established before General Counsel represented a Metro point of view.

Motion: Councilor Gates moved to recommend Council adoption of the resolution.

Vote: Councilors Monroe, Washington, Devlin, Moore, Gardner, Gates, McLain, and Kvistad voted aye. The vote was 8/0 and the motion passed.

**4. Water Avenue Ramp - Discussion of Central Eastside Industrial Council v. Portland**

Mr. Shaw distributed and summarized a memorandum dated June 2, 1994, a copy of which is included in the record of this meeting. Mr. Hoglund discussed the issue as it related to the Regional Transportation Plan (RTP) update noting the project or an alternative was called for in the RTP.

**5. Status of Regional Planning Service Fee -Discussion**

Gail Ryder, Senior Council Analyst, updated the committee on the discussions related to the Regional Planning Service Fee. She emphasized that the 1994-95 Fiscal Year would be the last year of the dues. Councilor Monroe noted that without the fees, a 8.5% excise tax would be necessary. He indicated that amount of excise was unacceptable.

**6. Region 2040 Comments**

Sparkle Anderson, Farwest Clackamas County CPO representative, appeared to testify. She discussed the geographic region she represented. She explained the area had not been included in the City of Wilsonville planning activities. She discussed similar treatment from Clackamas County and the State of Oregon. She discussed the results of 750 survey respondents, a copy of which is included in the record of this meeting. She discussed the importance of small non-commercial farms in the region. She advocated an urban farm zone designation. She expressed her support of House Bill 3101.

Chair Kvistad requested a written copy of her testimony. The Committee concurred with the request and complimented Ms. Anderson on her presentation. The Committee discussed issues identified in Ms. Anderson's presentation with Ms. Anderson.

Sherry Oeser, Senior Public Involvement Specialist, distributed and discussed the tabloid, a copy of which is included in the record of this meeting. She discussed the Region 2040 Study public involvement activities.

**7. Councilor Communications**

Councilor Moore discussed a memorandum related to the 112th arterial park dated June 1, 1994, from herself to Mr. Shaw, a copy of which is included in the record of this meeting. Mr. Hoglund stated the project was consistent with the RTP. He distributed portions of the RTP, a copy of which is included in the record of this meeting. Pat Lee, Environmental Planning Manager stated the impact of the 112th arterial improvements would not significantly impact the Greenspaces Master Plan.

With no further business before the committee, Chair Kvistad adjourned the meeting at 6:15 p.m.

Respectfully Submitted,



Susan Lee  
Committee Recorder

**APPROVED**  
**Date** 6-16-94