

MINUTES OF THE COUNCIL TRANSPORTATION AND PLANNING COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

October 27, 1992  
Metro Center  
Council Chambers

Committee Members Present: Richard Devlin (Chair), Susan McLain (Vice Chair), Terry Moore, Ed Washington

Committee Members Absent: Roger Buchanan

Other Councilors Present: George Van Bergen

Chair Devlin called the regular meeting to order at 6:25 p.m.

1. Consideration of the minutes of the June 9, and June 23, 1992 Transportation and Planning Committee

Motion: Councilor Washington moved to adopt the minutes as written.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 92-1673, Applying the Greenspaces Program Willing Seller Policy at Sunset Light Rail Station

Andy Cotugno, Planning Director, presented the staff report. He explained the resolution would settle three cases pending before the Land Use Board of Appeals (LUBA). He stated the suits were between Metro and the Peterkort family who owned property at the interchange between Highway 217 and the Sunset Highway. He said the concerns of the Peterkort family included having their property designated in the Metro Greenspaces Program as a natural area; the relationship of the property to light rail development; and land use interests relative to the Regional Urban Growth Goals and Objectives (RUGGO). He said the clause in the Greenspaces program allowing acquisition of property by eminent domain concerned the Peterkort family. He noted the intent of the Greenspaces program was to acquire property from willing sellers, utilizing eminent domain in rare circumstances. He stated the resolution would clarify the use of eminent domain in the Greenspaces Program.

Larry Shaw, Senior Assistant Counsel, explained several legal issues related to the resolution. He said road construction connecting 112th to Barnes Road had created concern among area citizens.

Chair Devlin opened the public hearing.

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Patricia Miller, 11165 NW Cornell Road, appeared to testify. She represented herself as a member of the Friends of Cedar Springs. She spoke to concerns about the construction at 112th and Barnes Road. She said the Peterkort family was allowing construction that would damage nearby wetlands. She expressed alarm about the lack of public input into the process.

Troy Horton, 10136 SW Washington, appeared to testify. He represented himself as the Chair of the Friends of Cedar Springs. He advocated promotion of natural areas. He said he endorsed the resolution by accepting the Peterkort family's expression of good faith.

Councilor McLain noted she had never met a member of the Peterkort family. She said their attorneys were the only representatives to appear at meetings. She noted trees were being cut in the area. She noted the Peterkort family had expansive financial resources and questioned if the members of the Friends of Cedar Springs felt they could trust the Peterkort family. Mr. Horton said he would extend trust to the Peterkort family, provided Metro were involved in the process.

Jim Coleman, 1727 NW Hoyt, appeared to testify. He represented himself as attorney for the Peterkort family and a member of the Ramis, O'Donnell law firm. He discussed the road construction project.

Mr. Shaw provided the Committee with a brief history of the construction project to connect 112th with Barnes Road. Mr. Cotugno explained the project in relationship to the Comprehensive Plan.

Chair Devlin closed the public hearing.

Councilor Moore expressed concerns about the road construction. Councilor McLain reiterated her concerns. She noted she felt the Peterkort family was motivated by financial gain.

The Committee discussed issues related to the Peterkort family and the construction project. The Committee discussed language amendments.

Motion: Councilor McLain moved to recommend Council adoption of the resolution with the following amendment: deleting the last whereas and amending the final resolved to read, "IT IS FURTHER RESOLVED, that, consistent with the Greenspaces Master Plan objectives of Greenspace protection and the objectives of the Regional Transportation Plan, Metro will monitor and become a party in [~~public hearings on development proposals~~] all planning and proposed development actions on the Peterkort property in the vicinity of the Sunset LRT Station; and".

Vote: All those present voted aye. The vote was unanimous and the motion passed.

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Chair Devlin recessed the meeting at 8:30 p.m. Chair Devlin reconvened the meeting at 8:35 p.m.

### 2. Five Year Planning Process, Phase I, Planning Department

Robert Liberty, 2433 NW Quimby, appeared to testify. He advocate Metro better utilizing it's power allowed by State law in planning matters.

Mr. Cotugno distributed and summarized the five year planning document for the Planning Department, a copy of which is included in the record of this meeting.

### 4. Consideration of Resolution No. 92-1701, Approving Funding for Greenspaces Restoration and Enhancement Grants: 2nd Year/2nd Round

Mel Huie, Senior Regional Planner, presented the staff report. He said the resolution was the second round of the second year of the grant program. He noted the Committee approved the first ten projects on October 8, 1992. He said the resolution provided for eight proposals that were returned to those submitting them for resubmission. He explained a selection panel approved the resubmitted projects and an the resolution confirms their findings. He noted the Planning Department would provide technical assistance to the projects.

Councilor Devlin stated the second round selections included revised proposals, with some receiving additional funds.

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

Vote: All those present voted aye. The vote was unanimous and the motion passed.

### 5. Consideration of Resolution NO. 92-1702, Accepting a Second Group of Nominees to the Metro Committee for Citizen Involvement (CCI)

Judy Shioishi, Council Analyst, presented the staff report. She explained the resolution would confirm vacancies and confirm Multnomah County selections.

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

Gail Ryder, Council Analyst, presented a letter and amendment from Councilor Buchanan, a copy of which is included in the record of this meeting. Councilor Buchanan's amendment

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allowed for confirmation of all nominees except those from District 10. She said Councilor Buchanan expressed concerns about the selection process.

Motion to Amend: Councilor Devlin moved Councilor Buchanan's amendment, a copy of which is included in the record of this meeting.

The Committee discussed Councilor Buchanan's request and the process used for selection of CCI members.

Vote on Motion to Amend: All those present voted nay. The vote was unanimously opposed and the motion failed.

Vote on Main Motion: All those present voted aye. The vote was unanimous and the motion passed.

With no further business before the Committee, Chair Devlin adjourned the meeting at 10:20 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Susan Lee". The signature is written in black ink and is positioned above the typed name and title.

Susan Lee  
Committee Recorder

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