

## MINUTES OF THE METRO COUNCIL MEETING

January 18, 1996

Council Chamber

**Councilors Present:** Presiding Officer Jon Kvistad, Deputy Presiding Officer Susan McLain, Councilor Patricia McCaig, Councilor Rod Monroe, Councilor Ed Washington, Councilor Don Morissette, Councilor Ruth McFarland

**Councilors Absent:** None

Presiding Officer Kvistad called the meeting to order at 2:07 p.m. He announced that because of the inclement weather public testimony on the Urban Reserve Study Areas would be continued for another week and that written testimony would be welcome from those unable to attend today's or next week's Council meetings.

### 1. INTRODUCTIONS

Councilor Monroe introduced and welcomed Miss Peggy Lu, the Director of Public Relations at Showshung City Council, in Tiawan, Republic of China and Dr. Richard Cole, retired administrator for the David Douglas School District. which has a sister school relationship with the schools in Showshung.

### 2. CITIZEN COMMUNICATIONS

None

### 3. EXECUTIVE OFFICER COMMUNICATIONS

Mr. Burton addressed the Council. He reported on the RFP process for waste transport from Forest Grove. On September 20, 1995 Metro received three proposals in response to an RFP to transport and dispose of waste from the Forest Grove Transfer Station. The findings were published in an October 1995 evaluation report. The report ranked the proposal received from Oregon Waste Systems as the highest.

The result of the evaluation was appealed by two other firms submitting proposals. In response to the appeals Mr. Burton said he asked Metro Auditor, Alexis Dow, to conduct an independent review of the procurement and evaluation process. This review was completed by KPMG Pete Marwick. KPMG researched five areas of concern brought up by the two companies that appealed:

1. Costs associated with compacting the garbage.
2. Fees required by Oregon Department of Environmental Quality.
3. The perception of unequal treatment of applicants.
4. An alleged lack of consistency in applying performance criteria.
5. The composition of the Metro evaluation team.

A January 5, 1996 letter reporting KPMG's findings to the Auditor concluded "while our review identified certain aspects of the procurement process that could have adversely impacted the equal treatment of each proposal submitted in response to the RFP we did not conclude that any members of the evaluation team displayed a bias toward or against any of the proposals."

Mr. Burton said he stands behind the work the staff did. He continued to say he was the final person to approve the process and is pleased that the accusation of bias leveled against Metro staff by Sanifil were found to be groundless. However, the review points to several possible technical flaws in the process including the compaction rate used and the inclusion of DEQ fees. Mr. Burton said that he has decided to cancel the procurement and re-examine Metro's options concerning this waste. He said his reason for taking this action is that he believes Metro can save even more money by reconstructing the procurement process to remove some of the confusion that is a result of using a RFP process instead of a low bid process.

Executive Burton said he has directed staff to develop a procurement approach that will incorporate the recommendation of an independent review and utilize a low bid procurement process while safe guarding the region's environmental interests. He said he believes the low bid process in which the lowest bidder is awarded the contract is most appropriate because it minimizes the variables to be considered and challenged during the award of a contract. He expects staff to be ready to present a report to the Regional Environmental Management Committee at a February meeting.

Mr. Burton said he is aware of costs involved in the delay of the procurement but he wants to take additional steps to insure the process is open and equitable.

#### **4. CONSENT AGENDA**

##### **4.1 Consideration of Minutes for the January 4, 1996 Metro Council Meetings.**

**Motion:** Councilor Monroe moved for adoption of the consent agenda.  
Councilor Washington seconded the motion.

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

#### **5. RESOLUTIONS**

##### **5.2 Resolution No. 96-2252, For the Purpose of Authorizing the Executive Officer to Enter into An Intergovernmental Agreements with the Cities of Beaverton, Portland, and Hillsboro and Washington County for the Purpose of Undertaking Westside Station Community Planning for 1995 through Fiscal Year 1996-97**

**Motion:** Councilor Morissette moved for adoption of Resolution No. 96-2252  
Councilor Washington was the second.

Councilor Monroe said Resolution NO. 96-2252 has to do with the 2040 compliance of planning along the West Side Light Rail line and involves community planning as well. It would authorize the Executive officer to execute multi-year intergovernmental agreements with the various locals along the route including the cities of Beaverton, Portland, and Hillsboro and Washington County for station planning that would be in compliance with 2040. Councilor Monroe urged the Council's support of Resolution 96-2252.

**Vote:** All those present voted Aye. The vote was unanimous and the motion passed. Councilor's McCaig and McLain were absent.

##### **5.3 Executive Session: Held Pursuant to ORS 192.660(1)(e). Deliberations with persons to negotiate real property transactions.**

##### **5.4 Resolution No. 96-2267, For the Purpose of Authorizing the Executive Officer to Purchase Property in the Newell Creek Target Area.**

**Motion:** Councilor Morissette moved for adoption of Resolution No. 96-2267.  
Councilor Washington was the second.

**Vote:** All those present voted Aye. The vote was unanimous and the motion passed. Councilor McLain was absent.

##### **5.5 Resolution No. 96-2265, For the Purpose of Authorizing the Executive Officer to Purchase Property Within the Terwilliger-Marquam Natural Area in S.W. Portland.**

**Motion:** Councilor McCaig moved for adoption of Resolution No. 96-2265.  
Councilor Washington was the second.

Councilor McCaig said that this piece of property is 18 acres right in downtown Portland, for all intents and purposes. It is an extraordinary property and exemplifies exactly what the greenspaces measure was about. The acquisition of the property will leave an extraordinary legacy in the middle of a hugely populated area that has natural habitat, wonderful wildlife and incredible scenic beauty. She thanked the voters of the region for supporting the Greenspaces Measure and she urged unanimous passage of Resolution No. 96-2265.

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

**5.6 Resolution No. 96-2266 For the Purpose of Authorizing the Executive Officer to Purchase Property Within the Willamette River Greenway Regional Target Area.**

**Motion:** Councilor Washington moved for passage of Resolution No.96-2266.  
Councilor Monroe was the second.

Councilor Washington said it is a pleasure as the Councilor for District 5 to bring more water to his district in that the property fronts the Willamette River. Known as "Willamette Cove", Councilor Washington said the property is incredible. He urged full adopting of the resolution.

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

**5.1 Resolution No. 96-2264, For the Purpose of Accepting Nominees to the Metro Committee for Citizen Involvement.**

**Motion:** Councilor McLain moved for adoption of Resolution No. 96-2264.  
Councilor McFarland seconded.

Councilor McLain said she attended last night's MCCI meeting and all of the nominees were there to listen and introduced themselves. All but one position will be filled with passage of Resolution No. 96-2264. District 4 still has a vacancy. The names are listed on the staff report as well as members of the nominating committee. Nominees include:

District 1: Linda Bauer  
District 2: Susan Johnson  
District 3: Debra Downey  
District 4: Position 12: Peter Seto  
District 5: Ronald Fossum and Position 14: Steven Stent  
District 6: Dan Small  
District 7: Robert Maestre  
Clackamas County outside Metro Boundary: Ric Buhler  
Position 9: Ronald Repp  
Citizen Involvement Committee Representative Washington County: Bob Bothman

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

**5.7 Resolution No. 95-2244, For the Purpose of Amending Urban Reserve Study Area**

**PUBLIC HEARING**

The portion of the meeting devoted to the Growth Management Public Hearing was introduced by Councilor Susan McLain. Councilor McLain announced that, in view of the inclement weather, a continuation of the hearing would be held at the regularly scheduled Metro Council Meeting at 7:00 PM

on January 25, 1996. Presiding Officer Kvistad announced that the record would be kept open through January 25 with regard to written as well as oral testimony.

**1. Alice Schlenker**, Mayor of the City of Lake Oswego, PO Box 359, Lake Oswego OR 97034: "Today, I want to talk to you about costs. In an effort to objectively illustrate and quantify the costs of servicing the North Stafford Area, Lake Oswego's utility engineers have applied Metro's methodology used in utility feasibility analysis done by KCM, completed three months ago for the original 41 Urban Reserve Study Areas (URSAs). In this study, fifty acres was added to the Lake Oswego Equation. Lake Oswego, in this study, is identified as area 14. Our cost for water according to KIM would be approximately \$150,000 or approximately \$900 per dwelling unit and for sewers, \$378,000 or \$2,300 per dwelling unit. However, 1873 acres were added on December 21, 1995. 1200 acres north of the Tualatin River would presumably be served by Lake Oswego. The information I am going to be providing you is based on 6844 dwelling units and that is based upon the KCM study assumption of 5.9 dwelling units per acres and a population of 17,000 new people. Exhibits One and Two show the results of our analysis. These exhibits reveal that when you compare this new 1200 acres to the other 41 areas studied by Metro, including the Damascus areas, which you have deleted because of high service costs, the North Stafford area is now more expensive than 37 other areas for sewer and water. In Exhibit One, original water costs were \$156,000. Our engineers noted that no cost for water treatment was included in the KCM study. Now Lake Oswego projects an additional \$9 million for treatment which would be added to the \$14 million total cost under the 2040 designation. We have gone from a cost to our community of \$378,000 in sewer costs to \$22 million for sewer costs. I think that you have the exhibits before you but I would like to close by saying that if you look at Exhibit Four, based on the KCM study and our current SDC dwelling unit costs for a water system, if we add 1200 acres, we will create a revenue deficit of over \$3 million. In sewers, we will have a revenue deficit of \$13 million based upon our current SDC process. We in Lake Oswego want you to know that we have used your data to establish our data base for our costs and we would like you to look at this very carefully and re-examine your consideration of adding any more areas to the Stafford are for study. We believe unless we follow the adopted guiding principles and leave the new Stafford study area our, then this will not be a very nice place to live anymore."

**2. Mike Burton**, Metro Executive Officer, 600 NE Grande Avenue, Portland OR 97232: "First, I want to say I appreciate the incredible amount of analysis and work that you have all been going through in this process and it is not easy on any of us. Urban Reserves are in place to discourage speculation, to give business and industry as well as land owner certainty about what land will be used for and just how they can use them not only now but for the next generation. I am here to urge you to reduce the amount of the URSAs for three reasons.

First, the URSAs currently designated, contain over 5000 acres of resource lands. These lands are clearly not intended by state law or by 2040 goals for urbanization. A lot of good arguments will be used to try to move the issue of protection of resources lands to the forefront but we can't let that happen. State law and LCDC provide guidelines in our land use decisions. LCDC is very clear about what lands shall be considered for Urban Reserves and what shall be given highest priority and protection of resource lands is clearly of the highest priority. According to those urban reserve administrative rules, determination of URSAs has a number of factors to them. I am sure that you understand these. The first priority goes to land adjacent to an UGB which are identified in an acknowledged comprehensive as exception areas or non-resource land. First priority may include resource land that is completely surrounded by exception unless there are high-value crop areas as identified in Goal 8 or prime or unique agricultural lands as defined by the USDA. It goes down that priority list until you find that if land of higher priority are inadequate to accommodate the amount of land estimated, the fourth priority goes to land designated for agricultural or for forestry or for both. The decision and the hierarchy of that in state law and by precedent is very strong and resource land should be considered under what the priorities are as set out in state law.

The second reason that I want to address is the not just the farmland itself but the intrusion into those resource lands, particularly those that are used for agriculture in the Washington County area. I don't want this process to become an attack on the agricultural industry in Washington County. Washington

County provides a center for agricultural industry that includes distribution centers, farm equipment and machinery retailers and if we begin to force our along the edge those industries, they will go elsewhere and Washington County's farm industry will suffer as a result of that.

The third reason is local government and the role that they play. Local governments are clearly the ones that will have to implement and manage the 2040 Growth Concept that we adopt here. Local governments are telling Metro that they think the expansion of the UGB for the next twenty years can be held to approximately 4500 acres. Many are determined to prove to us that they can keep it even smaller than that. I believe it is a remarkable advance that we have made with local governments and their comments to us about the doability of these things should be taken into consideration. We should be asking them to encourage a more compact design as we are and I think we should work with local governments to achieve that.

Fourth, if we are committed to compact urban development, I do not believe that there is any need for 22,000 acres in the study area. It is increasingly clear that local governments believe expansion of under 5000 acres of doable. If that is true, we will require less acreage for urban reserves as well. There is no need for the study of 22,000 acres. My recommendation includes a study area of approximately 13,000 acres. I believe that that is an adequate amount of land to determine what will ultimately be designated as urban reserves.

I would like to walk you around the map to show you the changes that I am recommending in the map itself. Section 309, in the western side: Recommend that this area come out. My reason for that is that it is 51% resource land and the City of Gresham has concerns about the costs of servicing it and I am sure that you will hear from Mayor McRobert about that. That is a total of 657 acres. 334 acres of that is resource land. Areas four and five should be out. The rating on that is very low. It is 5 to 12 acres, ten of which are resource lands. For Site No. 7, I recommend a revision - the resource lands in there be eliminated. There are about 50 acres of resource land out of the 322 acres that I would recommend we take out of the study area. Site No. 8 should be out. It has a low rating. It has 266 acres. 31 acres of that is resource land. Site 308: Clackamas County has expressed concerns about services and the large impact of the size of that Site. It is 1947 acres. Commissioner Hammerstad raised that question of concern at an MPAC (Metro Policy Advisory Committee) meeting. Sites 10 and 11: These are resource lands of 10 to 19 acres. 13 acres are resource lands. No. 11 is 55 acres, 51 of which are resource lands. Site 12: I recommend a revision there that there is 322 acres in there. 188 of those are resource lands. The balance should be studied. Site 204, again we have here 40% resource land on that particular Site. No. 18 is all resource land. 83 acres out of the total 86 are resource lands. Site 39, again eliminate the resource lands. There are 36 acres, 12 of which are resource lands and should be eliminated from that portion of it. Site No. 19 - some of the resource lands there should be eliminated and revised to reduce the study area to eliminate those. Area 21 has a low rating; 70% of that land is resource land. Out of 162 acres, 114 of those are resource lands. Site 303 - to make a revision in that - about half of that land is resource land and I believe that the other half should be studied. Sites 27 and 28 both should be revised to eliminate the resource lands there. Site 301 is almost all resource lands: 181 acres out of 203 are resource lands. Site 29 should have the resource lands removed and the rest of the acreage should be studied. Sites 30, 31, and 32 are all resource lands for a total 652 acres. The same thing applies to Site 48. Site 33 should have the resource lands eliminated. Sites 34 and 207 should be out because the majority of that is resource land. Site 35 is a low rated Site. 400 of those acres are resources lands out of 616 acres. Site 36 should be reduced by the amount of the resource lands. There is still some land surrounded on three sides by exception lands and would probably meet the rule under LCDC (Land Conservation and Development Commission) but that should be reduced and looked at for the balance. That is a quick review of those and we can provide you with the specific map that would show the difference, the balance, then would be a study area of 13,965 acres of which there would still remain 1500 acres essentially of resource land but which are surrounded and would potentially meet those criteria that I believe should be studied. I think that even with we do study those, my concern about that is that they are the last resource that should be looked for but I believe that since they are surrounded would meet that preliminary step, at least in the LCDC requirement that they at least be studied. Those are my recommendations. This information is available to you in a tally sheet. My final

comment is that we will, of course as you make your adoption of the study area, we will do everything to bring to you all the information that you need to make a final decision on that, recognizing that there is a tremendous amount of value, personal values, and others that go into that and I think that is legitimate. I think each one of us has to decide what we are trying to do. I know that the goals of 2040 are on everybody's heart here so I believe that my recommendation would help you in making those decisions in reducing the amount in the URSAs, particularly those that are resource lands."

Councilor Monroe questioned Mr. Burton's findings regarding Site No. 308. The area near Clackamas Community College in the Beavercreek area is exception land. The Council had testimony that it might be a potential Site for an expanded industrial or commercial base for Clackamas County which it badly needs. Councilor Monroe expressed his surprise that the Executive Officer had recommended that area not be studied. Mr. Burton responded that local governments have indicated problems with studying that area. Mr. Burton further explained that he agreed with Councilor Monroe that Clackamas County does indeed need industrial development.

Councilor McLain questioned the area by Forest Grove since the Metro Transportation Committee has been working with Oregon Department of Transportation on Bypass 47. There was quite a large acreage out there. Mr. Burton replied that this is all resource land and that this was an extremely tough call.

Councilor McCaig asked about the 1500 acres that the Executive Officer is recommending. She stated she had established a criteria for those 1500 acres which is that established by LCDC. She questioned as to what that standard actually is. Mr. Burton quoted out of the Administrative Rules for his answer. The first priority goes to lands adjacent to the UGB which are identified and acknowledged as exception lands or non-resource lands. First priority may include resource land that is completely surrounded by exception areas unless there are high value crop areas, as identified in Goal 8. Councilor McCaig asked whether there were more parcels or acres which fit that standard that have not been included in the 1500 acres just mentioned. Mr. Burton replied that all tracts in the 1500 acres met those criteria and everything else was eliminated. Councilor McCaig asked what would be the next generic criteria that would be applied if moving on a continuum to broader the EFU lands that might be considered for study? Mr. Burton replied that what he had just read was the state priority under LCDC. The second priority goes to land designated as marginal land. Councilor McCaig asked that staff what the consistent criteria in the proposal before the Council today. Mr. Burton replied that he has tried to be consistent with state law and state administrative codes. Councilor McCaig stated that perhaps some of the areas under consideration may not conform to state law - but wondered further if there would be some middle ground between the Council's proposal and the Executive Officer's proposal. Mr. Fregonese replied that it is not possible to get beyond the first priority very easily in the areas under consideration. Mr. Fregonese stated that you would have to apply the portion of the state law that allows the exception. Councilor McCaig wondered if there was not some commonality between sections that would allow the inclusion of the needed amounts of land without considering each section individually.

**3. Gussie McRobert**, Mayor of the City of Gresham, 1333 NW Eastman, Gresham OR 97030, presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I am wearing two hats today. I would like to speak to you about a couple of items from MPAC as well as a couple of ideas the Gresham City Council has voted unanimously and that is you have threshold criteria for the study areas and that they be based on resource lands as Mr. Burton was saying. We have twenty years of legal precedence in this state dealing with UGB expansions and farm lands. This is not Alice in Wonderland new stuff. We have a lot of both court rulings and LUBA rulings as well as LCDC rulings. It is a waste of your time and all of our money to study an area that cannot ever be taken inside the UGB. That is a total waste of everybody's time and money. The other issue is: If local governments can tell you that it simply is too expensive to provide the services and, in the case of our council, they have unanimously voted on No. 309 and 201 that we will not serve those areas with water, sewer or storm water. We simply will not do it. Those two issues apply to the MPAC recommendation which was to remove the Stafford Basin area that was based on previous presentations by that group based on cost which you heard from Mayor Schlenker today. Our plans and the way we have spent our capital improvement program money over about the last 15 years, but particularly in the last five years, is

that we knew the recession would end and we would grow. We are ready for that. We can handle 30,000 people. That is what our plans tell us. It make no sense to us, therefore, when Metro's population projections without an expansion is only 27,000, why we should pay four times more money to take in those two pieces of property. We can do it within our boundary. We have an absolute explosion in infill and redevelopment in our area, replacing six houses with 115 units. If you come out, I will take you a tour which will shorter than this. It simply is not going to work because it is too expensive. \$90.5 million for those two areas is so conservative I am almost embarrassed to say it. You are looking at a lot more than \$100 million that is nothing for the outside for the areas that we are talking about without improvement to our system within our boundary. We are not going to do it."

**4. Ed Lindquist**, Clackamas County Commissioner, 901 Main Street, Oregon City OR 97045 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**5. Scott Kappes**, Industrial Real Estate Broker for CB Commercial representing the Clackamas County Marketing Committee, 902 Abernathy Road, Oregon City OR 97045 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "We would like to urge the Council on behalf of the Clackamas County Marketing Committee to continue its study of the following areas: Primarily the Stafford Triangle, the Beaver creek areas and the Damascus area. In addition, please expand your study areas to include the former Kvistad-10 Site and the area around Highway 26 and Highway 212. We feel all of these areas offer excellent potential for future industrial or employment centers of development. We are submitting maps and written testimony for your consideration. All these areas are important to the balanced development of this county. They provide suitable land for future industrial and business park development. This is a major concern because the supply of industrial land is critically low. According to our records, we have a supply of about 2.5 years remaining but I can tell you from being in the trenches, there is no land left in Clackamas County. Everything is spoken for. Industrial land provides stable family wages, high assessed values and it can also generate the demand for future office development. As you know, Clackamas County has an unacceptably low jobs to housing ratio which must be addressed. Studies show that in the region we have 25% of the population and only 12% of the jobs. Increasing the land available for industrial and employment center development will even help the scales in the future. If jobs are closer to where residents live, it will reduce traffic congestion and air pollution, wear and tear on road and will improve the quality of life. Several members of our committee with extensive real estate development expertise went on several Site tours. We evaluate topography, accessibility and general suitability of the proposed areas. We found parts of the Stafford Triangle next to I-205 around Stafford and Borland roads promising. This area is comparatively flat and well suited for attractive business parks and office buildings. This would be a compatible land use with nearby high end housing because it will provide and attractive and effective buffer for highway's noise and dust. The area has excellent access to I-205. This makes the Site attractive to high profile image-conscious businesses. It doesn't have to be the down and dirty industrial like I think a lot -people think of. A large, skilled labor force lives in Lake Oswego, West Linn, Oregon City and Tualatin. If this area became an employment center, future employees could easily reverse commute or use local roads. This could significantly reduce the traffic burden on I-5, I-205 and Highway 43. Oregon City and Beaver creek have attractive development options as well. Locations along Beaver creek Road, Ferguson Road and Highway 13 near South Mitchell Road merit further study. These parcels are relatively flat and could easily be developed for smaller industrial and light business parks. The accessibility to Highway 213 is a plus. The distance from I-205 is of modest concern but won't be an obstacle for many high value added transportation firms. In the Damascus area we saw a strong potential in the areas near 122nd on Highway 212. I think with possible inclusion of that expressway that is the Sunrise Corridor out there, I think that has some merit as well. There are flat industrial potential sites out in that area. Unfortunately no other proposals have any large contiguous sites needed by many large users. It is critical that parts of the Damascus, Stafford and Beaver creek areas and the Highway 212 and Highway 26 interchange be designed for future industrial and employment center use. It is the county's main hope of addressing our jobs / housing balance, reducing vehicle miles and improving the quality of life for the Clackamas County citizens."

**6. Richard Stevens**, 18880 S Whitten Land, West Linn OR 97068. "I am a life long resident of the Stafford Triangle. I am here to encourage Metro to leave Area 204 inside the study area. Some contend that Stafford has been studied to death. I tried to verify this assertion and last week, when I made a few call to Lake Oswego, West Linn and Clackamas County, I came to the conclusion that no study has ever involved the area now known as Area 204. The conclusions drawn previously, I think, suffer from the inclusion of dissimilar property to the south of Area 204. Second, no study is of recent enough vintage to account for the change in underlying cost benefit assumptions. I don't pretend to understand those completely but I do know that with rapidly escalating housing prices, what seemed to be too expensive to develop in the past is maybe more reasonable now. It may be that opponents of studying Area 204 do not apply scientific method. Instead of hypothesizing about the unsuitability of Stafford and drawing conclusions based upon objective evidence, it is possible that local cities in Clackamas county decided to oppose growth and are reaching only for that information which they feel supports their decision. Please conduct an unbiased, apolitical study and draw impartial conclusions. A comment on the word "sprawl:" It is a wonderful, emotional word, certain to evoke a negative response from almost anyone including me. If you look at a map of Area 204, ask if it is sprawl. It might be characterized as infill just as easily. Please don't be overly swayed by the overuse of the term. Last, this area is not farmland. I have West Linn on my eastern border, I have Lake Oswego on the north and west and small lots and five-acre parcels to the south. I am encircled by suburban neighborhoods. You will see little or no farming taking place as you drive through this area. Where I live, EFU stands for ephemeral farm use."

**7. Jolene Segel**, 8680 SW 155th Avenue, Beaverton OR 97007 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**8. Greg Malinowski**, representing CPO-7 and self, 12450 NW Springville Road, Portland OR 97229 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I am wearing two hats today. Hat number one is from CPO. We had a meeting last week and went over your work from last week and we have provided you with an approved and unanimously adopted document on what we believe. CPO-7 in Washington County supports and appreciates the removal of the EFU lands near Bethany in Multnomah County from consideration as urban reserves. We also appreciate the removal of 300 acres of land north of Springville Road from consideration. However, we would like to see all the land north of Springville Road and east of PCC-Rock Creek Campus removed as well as the EFU lands north of West Union which Mr. Burton recommended. The urban area south of Springville is already scheduled for almost complete buildup without parks, schools or roads to support densities. Children are being bussed from new subdivisions from the areas just south of Springville because there is already a lack of school capacity. Our roads are bursting at the seams. Transportation needs in this section of the county are extreme. This area that you have set aside could generate 10,000 new cars. We don't know where they are going to go. It is no one's job to provide parks in our area. We are outside of a park district and the County, as you know, is not in the parks business. We are very concerned about adding another several thousand homes into this area. The EFU lands north of West Union Road which the Executive Officer has recommended removing, is the last area that can be used to hold storm water for the Rock Creek basin. It is the last area left. We are very concerned about losing resource lands as well as not wanting to jeopardize the ability to hold rain and storm water back in there. This is our last chance to store water to prevent flooding downstream on Rock Creek until it gets to the Tualatin River. We feel that is more valuable to the metropolitan area in that guise than to be used for development. This is the recommendation from the CPO-7. I would also like to state, for Malinowski Farms that we appreciate very much your removing the area from Multnomah County. We think that was good decision. We think that is going to give us the ability to have a neighborhood area that has farms in it that will help to keep us in business and make it healthy for all of us. I have heard a rumor that was mentioned in testimony that Map Area 80, which is now out, is 1/4 mile from the town center development. It may be 1/4 mile away from that purple blob on the map. The situation, which you can on Map Site 36, at NW Kaiser Road, shows several subdivisions right there. The development is actually by the road which goes south and dead ends. It is at that location. That is where the office development is and that is where the commercial development is. That is also where the school development will be. If you start there and you don't bulldoze a path to that farm land in Map 80, you cannot get there in 1/4 mile.



I measured it with my car and it is 1.3 miles to this piece of land. That is not a terribly long distance away but it is not 1/4 mile. "

Councilor McCaig questioned as to the operating procedure of this evening's meeting: Presiding Officer Kvistad stated that the purpose was not to make a motions on parcels as they appear and resolve them but rather that the Metro Council intended to hold a public hearing tonight then make a final decision at next week's meeting, January 25, 1996, based on tonight's testimony and move to a vote. Presiding Officer Kvistad suggested, with the agreement of Growth Committee Chair Susan McLain that, because of the weather, take additional public testimony and more the vote to February 8, 1996.

**9. Michael Robinson**, representing Mr. Hart and Mr. Bobosky, 900 SW Fifth, Suite 2300 Portland OR 97204-1268 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "The City of Wilsonville asked that all the area above the 150' contour line be included in the URSA and this is referred in our letter as Area 2. This map shows a hatched area that represents a mapping area. The hatched area is the area that, according to the city of Wilsonville, ought to have been included but through a mistake, it incorrectly identified that 150' contour level. At a minimum, if you follow the City of Wilsonville's wishes, a portion of this area, at least, is included in your study area. I also think that if you look at all the facts that are available to you and consider some information that was incorrectly presented, that the entire ownership east of Graham Ferry road ought to be included in the URSA. There are three reasons for this. First, using the Executive Officer's map, this is an area that the Executive Officer suggests be included in the URSA. This area is essentially a notch that is surrounded by an area to be included in the existing UGB in an existing city limits. If you look at the criteria in OAR 660.21 which is the Urban Reserves administrative rule, this is exactly the kind of area described. The Wilsonville town center is only 1.7 miles away so it is proximate to a town center and proximate to the existing UGB. Secondly and most importantly, this area has the best jobs / housing balance in the entire Wilsonville area. Lastly, there are a number of factual mistakes in the actual ranking of the criteria and I will provide more detail in a letter submitted to the Metro Council members and the Growth Management Department."

**10. Rex Burkholder**, 1912 NE 11th, Portland OR 97212, presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "As an inner city person, I state that we must have the infrastructure in place and we should be looking at how can we best utilize what we already have in place, in what we have already invested. I am concerned that as we expand the UGB what we will do is be spending that money in areas outside and therefore not being able to spend it somewhere else. That is the principle which I give you to act on and I hope you can see that as a good one."

**11. Jeff Bachrach**, of O'Donnell, Ramis, Crew, Corrigan and Bachrach representing Polish-Duncan Homes, a locally owned home building company and Michael Jenkins who is the primary property owner of the 65 acres in Site 80, presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I am going to be discussing a map of Site 80. This is currently not recommended for inclusion in the URSAs. This is kitty-corner from study area 36. That is the one on the north side of Springville Road about which you have had quite a bit of discussion in the past. In your discussion of Site 36, I don't think you have focused on Site 80. It has never been part of Site 36. My main point is that you have made a decision to study Site 36 despite some opposition to that. It is logical to include Site 80 as part of it. It is the same service issues, the same Bethany town center area, it gives you some contrast. Site 80 is on the south of Springville Road and Site 36 is on the north so you will be able to do some contrast and have some options when you study it. It is a Site that has Urban Growth Boundary on two sides. It has urban development right to its door on two sides; exception area and a major collector surrounding it. The staff ranked this the second highest Site in the entire study area. The reason they didn't recommend it and here's the problem: It's an EFU Site. Let me address that. I certainly understand and respect the policy at the state and regional levels of strongly discouraging the inclusion of EFU lands. I do take legal exception to the notion that the URSA rule is a legal straitjacket that leaves you with no options. Someone commented today that we have had twenty years of legal cases on Urban Growth Boundary expansions. That is true on Urban Growth Boundary expansions in

Goal 14. It is false on the urban reserve rule. We have never had a test case on the urban reserve rule and I can tell you in that in the legal community that there is great disagreement as to what the urban reserve rule means. It is clearly policy guidance and it clearly tells you to look skeptically at EFU land which puts a burden on me as a proponent for an EFU land but this Site can meet the burden. I will give you a farm report and soil report on Site 80 which makes clear that it is simply unsuitable for farming purposes. It is surrounded by urban growth, by rural housing. Attempts have been made at farming it for fifteen years and we detail all that for you in the memo. The happenstance of its zoning shouldn't affect the fundamental issue of its farm suitability. I urge you not to be blinded by this notion that it is EFU. There is a role to at least look skeptically and closely but some EFU sites deserve part of your study process. This should be studied along with Site 36."

**12. Brian Grover**, representing North Clackamas Chamber of Commerce, 7740 SE Harmony Road, Milwaukie OR 97222, presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "We, in Clackamas County, are both in and out of the UGB. We would like to take the following positions: We would like to thank the Metro Councilors for moving towards the intent of the Metro Charter and HB 2709 ensuring that a 20-year supply of developable land exists within the UGB, thus letting Clackamas County share in the commerce mix needed for balancing Metro's equations by your adopting of an acreage to the UGB of the exception lands in Clackamas County and we appreciate that and we want to thank you so much for including us in this last round. We would hope that you would move quickly to expand the UGB, particularly in Clackamas County with all the study areas including Site 2 which is now being left out. We would like that in the study but we would like you to expand immediately the UGB to help us accomplish a needed balance required by Charter. We need employment next to housing and we have 60% of the people in Clackamas County working outside the County. We have 26% of the population with only 16% of the jobs in the area. We think that Clackamas County has been short-sighted in developing the employment base. We also feel that the agricultural commerce within the UGB should not be forced by rule out of the area. The market should determine this. We also suggest that Metro revisit the EFU with the intent of elimination of those people not actually in the agricultural business. Those people who own five to ten acre parcels and are not farming it. Agricultural income in Clackamas County is in the millions of dollars and we would like to support it and keep those people in agriculture if they wish to belong there. We are looking for fairness with jobs and population and we look for your support in expanding the UGB so we may have some industrial base. I look forward to any questions you may have."

**13. Lowell Patton**, 16050 SE Highway 224, Carver OR 97015. "I am representing myself. We have, in the Carver area, over 200 acres that belongs in the URSA. It was recently added as a study area to the UGB. A portion of this land, between 20 and 25 acres, is zoned rural industrial. At one time, we had a sawmill there and at one time we were employing approximately 250 people. All of those jobs are gone. The biggest part of this 200 acres there would be suitable for industrial uses and could attract firms such as Fujitsu or Intel or any of the one that Washington or Multnomah counties have attracted. I believe that if we include this 200 acres in the Carver area, that we will get that kind of employment right there. We have already some state highways going adjacent to this property. Highway 244 borders it for about 1.5 miles. The sewer line is only 1/4 mile away. The Clackamas Water District is going to connect right in front of this property to the Clairmont district. I think that we have all of the infrastructure in place and probably belonged in the UGB in 1979 but for some reason, we were overlooked at that time and certainly the time is right now that it should go in. We are only 25 minutes from airport in Portland. We have medium density residential zoning within the UGB that is just across the highway from us and all along our property lines for a mile that joins the current UGB. It is either single family residential or medium density residential. We can certainly accommodate a multiple use on this property, perhaps some commercial and some residential and most of all, I believe, industrial and we cannot do any of that unless we are in the UGB."

**14. Mary Kyle McCurdy**, speaking on behalf of the Coalition for a Livable Future, 534 SW 3rd, Suite 300, Portland OR 97204 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**15. Tasha Harmon**, Community Development Network of Multnomah County, testifying on behalf of the Affordable Housing Work Group and the Steering Committee of the Coalition for a Livable Future presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**16. Michael C. Houck**, representing the Audubon Society presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**17. Louis J. Fasano**, 2455 SW Gregory, West Linn OR 97068. "First, I think that we need as much land in the UGB expansion as possible. There are not enough areas in Portland that have decayed to the point where they are ready for redevelopment. There are some, of course but in most areas, things are too new. It is not going to happen. I am also concerned about reducing the lot sizes inside the UGB and creating higher density that way. A lot of the land inside the UGB simply cannot accommodate small lots. I am sure that people would accept 4000' square lots but you cannot put them on lots on land that is straight up and down or is affected by water or other factors. You must be realistic in the way you analyze this. Your projections are based on certain ratios of certain housing types and it is heavily weighted to our traditional single family lots. Just look closely and make sure you are working with real information before you make the decision to have that happen."

**18. Lloyd Piper**, 14357 SE Sunnyside Road, Clackamas OR 97015. "I am here representing Site No. 77. It is east and west of SE 147th on Sunnyside Road. I am in favor of the proposed study of Site 77 for inclusion within the UGB which will include properties on the north side of Sunnyside Road around SE 147th. The inclusion of these properties will permit my community to expand in a way that I feel is appropriate. Expansion from the center in a symmetrical, efficient pattern. The present UGB structures the Sunnyside Village to represent one-half of an apple. I attended Sunnyside Elementary School when it was located at SE 122nd and Sunnyside Road. Community needs for a larger school necessitated that it be moved to SE 132nd just south of Sunnyside Road. Recently a much-needed school expansion to SE 152nd and Sunnyside Road was completed. This represents 55 years of school growth that I have observed. As the school needs have grown so also have other community needs. The Sunnyside Community Center was historically the Grange Hall, store and Hubbard Land as well as Sunnyside Road which is now known as SE 132nd and Sunnyside Road. To meet present and future needs of the Sunnyside Community is a reason for the Sunnyside Village. Our grandchildren were told in the summer of 1994 there would be a library to visit by April 1995 in Sunnyside Village. Good things are worth waiting for. I appreciate the individuals who know of the needs for a larger center of activity and growth in this region. Growth in the area is going to occur. As the community grows, I would like to see a symmetrical similar to a whole apple rather than an alternative that is somewhat long and strung out and worm-like. All of us want our community to be a safe, pleasant place to live, work and play for individuals, families, friends and visitors. With your approval of the UGB study, Sunnyside will continue as a pleasant community."

**19. Stephen Lashbrook**, representing the City of Wilsonville, 30000 SW Town Center Loop, Wilsonville OR 97070. "I am the Planning Director for the City of Wilsonville. I want to speak about two areas this afternoon. The first, Site 18, most of which is owned by the Division of State Lands, south of Dammasch Hospital. We took your vote two weeks ago to mean that you no longer wanted to consider that area yet two different parts of it are still shown here on the map. I have colored these up. The area shown in pink we think you should delete. That will give you another 40 or 50 acres taken out of the URSA that would otherwise be EFU land within it. DSL is no longer interested in discussing urbanizing that property so it seems that that is an easy thing to do. The other one is Site 19, shown on a separate map with a littler area in green. This area somehow lost some ground between two weeks ago and today. Our concern here is a masterplan for the whole area around Dammasch State Hospital. We have five different state agencies, your own staff, Clackamas County and ourselves working in this effort. We have \$120,000 already allocated for this study and part of our concern is making sure that Beckmann Road can extend across and reach this area to gain access there which will enable this to become a housing area to gain access to our employment area which is just east of this. Our concern is that this line has slowly moved around over the last few months as it appears on the maps. It is now south of

where Beckmann Road would extend. Our concern is that the land as far as the east/west line where Beckmann Road would extend should be within the URSA. We would ask for your consideration of that."

**20. Ray Polani**, representing Citizens for Better Transit, 6110 SE Ankeny Street, Portland OR 97215-1245 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "We are here to urge you to hold the UGB tight. Say no to Urban Reserves. Why? Repetition helps. The Oregonian editorial of December 7, 1994 said as follows, 'Metro and Portland will have to work hard to escape the fate of American cities.'"

**21. Richard M. Hager**, Councilor, City of Tualatin, PO Box 369, Tualatin OR. "I would like to mention that the small Site 74 on your map is an area that the City of Tualatin has testified in regard to in the form of a December 12, 1995 letter. We are against that area being included. Let me also mention that an area on your map, Site 21, in excess of 300 acres, is an area which was proposed by the City of Tualatin for inclusion in the URSA and is shown as such. Mayor McRobert, with respect to Site 201 and Site 309, along the lines that Gresham will not be serving those areas and then with respect to Site 204, Mayor Schlenker, fiscally speaking it is going to be nearly impossible for Lake Oswego to serve 1200 or 1333 acres of the northern portion of Site 204. The southern 700 or 800 acres of Site 204 would presumably Tualatin's to serve. Let me say that I don't have the authorization of our Council to say that we won't serve it but I do believe that I have the authorization of our Council and the understanding of our Council to say that it will be fiscally almost impossible for us to serve it and as such we will be pleased to put it as a very low priority should be it be designated as URSA. The MPAC Committee has voted again to delete the North Stafford area, the approximately 1900 acres known as Site 204 from URSA. I believe that portions of the areas that you have shown violate the letter if not the intent of the portions of the growth concept statement, RUGGOs statement, state planning goals and/or administrative goals. I am very hopeful that you will listen to your Executive Officer and greatly reduce the total area in the URSA."

**22. Ron Dyches**, 8785 SE 137th Avenue, Portland OR 97236. "After owning the property on the Wilsonville Road area which is right next to the State of Oregon property, Site 18 and also right next to the housing project you will see there, it looks like there is about 2/3 taken in and perhaps 1/3 not taken in. After owning this property for 15 years and paying taxes on it, I am grateful to see this white area. In defense of maybe getting the other little portion in, I would like to point out that it is only about 30 yards from the next housing development and a road separates it. It is adequate for single or multi-family housing or whatever could be put there that would be good for the environment. It is right next to sewer, water and lights. The slope is not too bad. It is next to schools. It is much better than other sites that do not have the advantage of the sewers and the electricity and all of that. It is one piece of land and is not divided up into two pieces. It is one single piece of land. To make it simple, I hope you will consider putting that other small piece in. It has a little creek that winds around in the property that would never be disturbed that could be very conducive to be a very pretty area and made into a very nice area that would fit in with the environment that would be very esthetic and nice for the area. Thank you for your time and I hope you will consider that."

**23. Tim O'Callaghan**, 6955 NW 185th, Portland OR 97229. "My property is also split by the urban study. I would like the entire area to be included in the Urban Growth Study Area. I have lived on the property for 18 years and the first ten years of that unsuccessfully farmed that property. We tried to grow wheat, barley, oats, crimson clover and other things and have had to change it to pasture land because that is the only thing it would support. We have never made more than \$1000 per year off those efforts to try to grow different crops off it. Green Lane is north of our property. That would seem to be an appropriate ending spot for that study area instead of the creek that runs through the property that was apparently used as the demarcation point originally. Tri-Met currently serves the area. We are within 1.5 miles of major employment in the Washington County technology area. We are 1.5 miles from Tanasbourne. We are one half mile from Rock Creek Grade School, Westview High School and PCC-Rock Creek. The property would be easy to develop because of the location of existing utilities. Thank you very much."

**24. Marcus Simantel**, representing Washington County Planning Commission, 31025 NW Scotch Church Road, Hillsboro OR 97124. "Our farm is outside the UGB and is not in nor is it close to any of the study areas. It is difficult for me to accept the fact that good productive farm land is needed more for urbanization than it is for food production. When the experts tell us that world population is expected to double by the middle of the next century, it seems short-sighted of mankind to be decreasing the amount of productive land when we should be looking to increase it. Developers and planners often refer to my farm as undeveloped land or speak of it as vacant. I resent that because it is not true. It is developed and it is productive. It produces food and fiber and I suggest that producing food and fiber for a growing world population is just as important than nice big front lawns."

**24. Stephen A. Hart**, 10644 SW Walugg Drive, Lake Oswego OR 97034 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I would like to speak against expanding the UGB. I don't see cash flow-wise how the government can make any of this stuff work without raising taxes on the citizenry that is already within the UGB."

**25. Mark Dane**, representing Conrad Sproul presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**26. Mark Dane**, representing James Standing presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**27. Mike Miller**, representing Alpha Engineering, 1600 SW Oak St, Suite 230, Portland OR 97223. "Our comments are not related to a specific property but rather to the overall process of selection of URSAs. As we are actively involved in development services, we want to contribute our expertise to help shape the process. We view the URSAs as a dynamic and continually involving planning process. As demographic projections and other growth indicators as well as planning trends evolve, so must the URSAs. Property that is overlooked now may very well be considered for development for the next several years and vice versa. Our feeling is that we should not preclude properties from being studied as part of the URSAs. After all, the purpose of the study area is to consider which parcels are most suitable for ultimate inclusion into the UGB. If we exclude properties now, before actually studying them in detail, we may very well be limiting our future options."

**28. Bill Brandon**, representing the City of Happy Valley, 12918 SE King Road, Portland OR 97236 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**29. Charles Hoff**, 21557 SW 91st, Tualatin OR 97062. "I represent the Rosemont Property Owner's Association and also myself. We requested that approximately 500 acres be placed in the URSA now known as Site 204. We have heard that it makes good sense to include this area because a lot of utilities are close along with good transportation corridors which include the I-205 interchange. The northern part literally is surrounded by the city limits of Lake Oswego and West Linn and has direct availability to sewer and water because this area is farm land. As property owners we knew that it would come down to this argument so let's be clear on how it came about. Our county government came in and took the property that was zoned low density urban and down zoned it into prime farmland. This was done with the full cooperation and urging of the city governments bordering the area. This was done in spite of the fact that this land met none of the requirements for zoning to prime farmland let alone farmland. The government went against the requests of the owners of the property. The soil quality did not meet Class I or Class II soils that was required for prime agricultural designation. 90% of this area is Class III through Class VI soils. By down zoning, they have created a literal island of EFU land surrounded by high urban density and rural properties. Mr. Burton talked about this and he said it is farm land and you should not include it. He failed to mention that this is farm land that is totally surrounded by exception land. By mandating EFU-20 zoning, our government made over 84% of the legal parcels in our area into nonconforming noncompliant zoning status. The property owners hear that the Metro government cannot have this area studied for potential URSA status because it goes against the agricultural LDC rules which may or may not be factual. If Metro Council allows this argument to stand, you will have perpetuated the largest

taking of private property by our government through the blatant misuse of their zoning powers that this state has ever witnessed. If anyone believes that this is prime farmland, why did the City of Lake Oswego buy and over 55 acres of it for a city park right in the middle of our area? If this is farmland, then the City of Lake Oswego should become a farmer and hope to recoup their over \$1.5 million of Lake Oswego citizen's money to farming activities."

**30. Eulia Quan Mishima**, 840 NW Sixth, Gresham OR 97030. "I feel unsettled this evening. I am here because I feel that not enough time has been given to the study of this possibility of expanding the UGB. Less than six months has been given to it. The second reason is that I have been very active in Gresham since 1989 with Livability In Gresham. I was on several committees appointed by the Councilors of the City of Gresham and I served on the 2020 Action Planning Committee as well as the Vision Committee before that. Mayor McRobert has talked about the various problems you would have in including the Sites 309 and 201 within the UGB if it is expanded. It doesn't seem like anybody is paying attention to her or people who have represented Gresham. I have responded to all questionnaires sent out by Metro. My plea is that you extend the period of study; that you exclude Sites 309 and 201; that you seriously consider not expanding the UGB at all; that you give more attention as to what can be done within the current UGB to make it more livable. We need to address sprawl within the UGB. We need to find more creative people who are willing to speculate and present ideas to you as to what can be done to maintain livability within the city and to maintain livability for our children and grandchildren. When we were working on the 202 Action Plan and making our recommendations, we realized that we could accommodate 40,000 people within the existing City of Gresham and can do it very beautifully."

**31. Keith Fishback**, 14985 NW Springville Road, Portland OR 97229 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

**32. Michael Meyer**, 16950 SW 150th, Tigard OR 97224 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "The area I am discussing is owned by six Meyer families on this side of the creek. This is Class I farmland. It is misrepresented on Metro's handout as Class II.

**33. Derek L. Brown and Leonard Brown**, 13620 SW Beef Bend Road, #78, Tigard OR 97228 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "My father and I are developers here in town. We own a portion of Site 24. We are the largest land owners on Site 24. We have a section east of 137th. Mr. Meyers and I both know each other pretty well. We would request inclusion Site 24 in the UGB."

**34. Gordon L. Kellogg**, 25955 SW Stafford Road, Wilsonville OR 97070. "My concern today is Mr. Kvistad's recommended study Site No. 5 that was voted down. From what I am hearing and reading, the land to be developed needs to be connected to the UGB. The land I am talking about meets this plus nine other critical criteria for development. It is a well-known fact that Clackamas County is very short on industrial land and desperately needs more. Most of the 245 acres that we are talking about here are connected to the industrial land in Clackamas County which is the Burns Brothers Property Development. It is currently zoned farm land but it is not farmland. As a result of all these reasons, I would ask that you resurrect this parcel into the study area. If you have any questions or any concerns or if you like to see it, if you are not familiar with it, I would be more than happy to take you on a personal tour of the area and show it to you. It can't be farmed but is screaming to be developed."

Councilor McFarland asked why it was voted out. Presiding Officer Kvistad suggested that Mr. Kellogg look into the voting records which are public records. Councilor Morissette stated that he recalled that it had something to do with the EFU status of the land.

**35. Lynn White**, representing the Columbia Group Sierra Club presented oral and written testimony, a copy of which is included with the permanent record of this meeting.

- 36. Clay Moorhead**, representing CDA Consulting Group, PO Box 3311 Portland OR 97208-3311 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 37. Mark Fahey**, representing Rosemont Property Owners Association, 9650 SW Sattler, Tigard OR 97224 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "We thank you for your vote in December to study Site 204. We applaud you for your vote and we disagree with the recommendation that Executive Officer Mike Burton continues to make."
- 38. Robert Nunn**, of Preston Gates and Ellis, 111 SW Fifth Avenue Suite 3200 Portland 97204 and representing the Halton Company presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 39. Maria E. Balogh**, 145 NW 87th, Portland OR 97229 presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 40. Camille Kabdebo**, 725 SW Viewpoint Drive, Portland OR presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 41. John Rankin**, representing Joe Hobbs, Dale Rockwell and Michael Speer, presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 42. Joe and Kim Hobbs**, who were represented by John Rankin presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 43. Dale and Pam Rockwell**, who were represented by John Rankin presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 44. Michael and Pat Speer**, who were represented to John Rankin presented oral and written testimony, a copy of which is included with the permanent record of this meeting.
- 45. Robert Van Brocklin**, of Stoel Rives, 900 SW Fifth Avenue, Portland OR 97204, representing Site 75, the property owned by Joseph Angel, presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I am here tonight representing Joseph Angel who is the owner of Site 75, property in the Linnton Quadrangle. It is a 48 acre parcel. It is entirely within the City of Portland. I believe that it is the only parcel in this process that is inside the City of Portland. 46 of 48 acres are outside the UGB. Two of the 48 acres are within the UGB. It is, as I mentioned, owned by Mr. Angel as a single ownership and it receives urban services from the City of Portland. It is in the Portland School District. I believe it receives all basic essential urban services other than sanitary sewer from the City of Portland. It is not on a sewer system. It received a 55 rating in the URSA process. We believe there is some reason to think that the slope designation may be low and are working with your staff with respect to its topographical analysis. I want to briefly go through a couple of the reasons that we believe this property ought to be within the URSA and let me make clear that that is what we are asking for tonight. We are asking for this site to be included within an URSA. It is not currently within either the Executive Officer's recommendation or the Council's recommendation. One reason is that it is within the city and outside the UGB for the most part with the exception of this two acres. Secondly, we believe that back when the UGB was originally designated, it was mismapped. I brought a map which shows clearly why that occurred.
- 46. Ted Halton**, President, Halton Tractor Company, 18508 SW Old River Landing, Lake Oswego OR 97034 presented oral and written testimony, a copy of which is included with the permanent record of this meeting. "I would like to compliment you on the fine job you have done and I hope that you stick by your guns. I think you have done a tremendous amount of research in coming up with what you have done. I wish you all well and I know we all need to get home."

Presiding Officer Kvistad announced that another public hearing would be held next Thursday evening, January 25, at 7:00 PM to afford an opportunity for those members of the public who were not able to attend this afternoon's meeting due to inclement weather.

Councilor McLain stated that she wished to honor the Metro promise to not vote on the URSAs the same evening that testimony was taken. Therefore, she asked the Council to shift the final decision point to February 8, 1995. Presiding Officer Kvistad stated that the public record would remain open through Thursday, January 25, 1996.

**6. Report and Request to Approve Metro Testimony Regarding LCDC Goal 5 Revision for January 25, 1996 LCDC Hearing.**

Councilor McLain stated that this agenda item had been dealt with at the committee level. Mr. Shaw is to return to Growth Management Committee with additional information on this topic. Presiding Officer Kvistad stated therefore that this item would not be discussed this evening.

**7. COUNCILOR COMMUNICATIONS**

Councilor Monroe clarified the fact that next week's meeting will be held at 7:00 PM.

Councilor Morissette responded to an article in the January 18, 1996 Oregonian. He stated that it was not at all his intention to in any way inhibit our ability to make a speedy decision in this process nor does he want to inhibit in any way our ability to do the best work as well as to encourage early implementation so the land can be used as wisely as possible, contrary to the article in the newspaper. Councilor Morissette does want the Metro Council to answer the questions he has brought up and expressed his frustration considering the fact that many of these questions were brought up in September. Councilor Morissette requested staff to address his questions in a reasonable, economic fashion.

Councilor McLain stated that it is her personal obligation, as Chair of the Growth Management Committee, to make certain that everyone who has testified today and next week gets notification so that they might know when the Council votes so they can be in attendance and hear the reasons why the Council votes the way it does.

With no further business before the Council, the Presiding Officer adjourned the meeting at 6:45 PM.

Prepared by

Cathy Ross  
Acting Council Clerk

David Aeschliman  
Council Assistant