

MINUTES OF THE METRO COUNCIL MEETING

January 25, 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:

Presiding Officer Kvistad called the meeting to order at 7:00 p.m.

1. INTRODUCTIONS

None

2. CITIZEN COMMUNICATIONS

Jack Polans, 16000 SW Queen Victoria Place, King City, Or. 97224 said he hopes that Metro will present to the public the future cost factors for planning for example Open Space Lands of the Urban Growth Boundary so that the public will not have only Metro's planning but the total costs as well. He said that he believes that Executive Officer Burton should provide the council his estimate of any and all cost factors for all areas of planning.

Dave Nadal; 654 SW Grant #102 Portland, Or. 97201 commented on the Council's not having night meetings on a monthly basis. He thinks the Council should make the later meetings an institution even if attendance is sparse. He said he approved of the Council's decision to not have personal assistants.

3. EXECUTIVE OFFICER COMMUNICATIONS

None

4. CONSENT AGENDA

4.1 Consideration of Minutes for the January 18, 1996 Metro Council Meetings.

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

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

5. ORDINANCES - FIRST READINGS

5.1 Ordinance No. 96-628, Amending the FY 1995-96 Budget and Appropriations Schedule for the Purpose of Conducting the FHWA Pre-Project Study of Congestion Pricing, Authorizing Two New FTE, Recognizing Federal Grant Funds and Local Match Expenditures, and Purchasing Two Laptop Computers; and Declaring an Emergency.

Presiding Officer Kvistad moved Ordinance No. 96-628 to the Transportation Planning Committee and the Finance Committee after which it will be moved to Council for action.

6. RESOLUTIONS

Motion: Councilor Monroe moved for suspension of rules to hear Resolution NO. 96-2258.

Second: Councilor Washington seconded the motion.

Vote on suspension: 6 yes 1 no. Councilor McCaig voted no.

Resolution NO. 96-2258, For Authority to Release an RFP for the Music by Blue Lake Concert Coordinator and to Execute a Contract

Motion: Councilor Monroe moved for adoption of Resolution No. 96-2258

Second: Councilor Washington seconded the motion.

Councilor McCaig spoke to her "no" vote to suspend the rules. She said she had no difficulty with Resolution No 96-2258. Her difficulty was with requests coming to the Council in a timely manner for systematic review. She said that in late November or early December, 1995 the Council said it would be the last time the rules would be suspended unless it was an emergency. She said she didn't know how else to get the time process to be communicated throughout the agency that the Council is serious about when requests are going to come through committees and come to the Council in a way that is predictable.

Presiding Officer Kvistad said he agreed with Councilor McCaig, this resolution was brought as a special request of Councilor Washington. He continued by saying that he does not anticipate seeing more cases like this one.

Councilor McLain said she agreed also but explained that reorganizing the Council and meetings being canceled because of bad weather had delayed the timely presentation of this resolution to Council. She found this to be a special circumstance but thought that Councilor McCaig had raised an important issue.

Councilor Washington agreed that this is an important issue and asked for Council support this time and advised staff that this should not happen again.

Vote: The vote was unanimous and the motion passed.

6.1 **Resolution No. 96-2257, For the Purpose of Authorizing an Exemption From Competitive Bidding and Issuing a Request for Proposals for a Home Compost Bin Distribution Program and Authorizing the Executive Officer to Enter into a Contract with Successful Proposer.**

Motion: Councilor McLain moved for adoption of Resolution No. 96-2267.

Second: Councilor Washington was the second.

Vote: The vote was 5 yes 2 no with Councilors Morissette and McCaig voting no.

6.2 **Resolution No. 96-2254, For the Purpose of Authorizing the Release of Two RFP's for Public and Technical Components of Congestive Price Study.**

Motion: Councilor McLain moved for adoption of Resolution No. 96-2254.

Second: Councilor Monroe was the second.

Vote: The vote was unanimous and the motion passed.

6.3 Resolution No. 95-2244, For the Purpose of Amending Urban Reserve Study Areas.

The Public Hearing was opened at 7:25 PM by Presiding Officer Jon Kvistad.

Councilor Susan McLain, Chair of the Growth Management Committee made brief comments regarding the purpose and mission of the Growth Management Committee by way of introduction to the public testimony. Presiding Officer Jon Kvistad announced that written testimony must be on file with the Clerk of Metro Council not later than 5:00 PM January 30, 1996.

1. **Kenneth Wright** representing Lower Tualatin Valley Homeowner's Association, 22560 SW Stafford Road, Tualatin OR 97062 presented oral and written testimony, a copy of which, numbered #012596 - 01, is included in the permanent record of this meeting.
2. **John Klor**, representing the Petitioners for Cooper's Mountain presented oral and written testimony, a copy of which, numbered #012596 - 02, is included in the permanent record of this meeting.
3. **Kenneth L. and Trudy Reusser**, representing the Petitioners for Cooper Mountain presented oral and written testimony, a copy of which, numbered #012596 - 03, is included in the permanent record of this meeting.
4. **Linda White**, representing the property owners of the Stafford Basin / Wanker's Corner area, 2661 SW Borland Road, Tualatin OR 97062. "I am here on behalf of the property owners of the Stafford Area / Wanker's Corner. I am here to thank you for your hard work and the support of Wanker's Corner. We, as landowners, feel that we have knowledge that is important in the next steps of the study. We want to be involved. We have a history that can be drawn from and with the resources and technology available today, we are excited about sharing a community that we can offer to the people for affordable housing. When we talk of costs, let us keep in mind what is already in place in our location. After reading Don Morissette's Book **Expanding Horizons** we can relate to the American Dream of owning your own home. You will get no greater return than investing in our future. Some of it is the satisfaction of creating and setting an example. What better gift to give our children. Let us move ahead, learn and grow together for a positive future. Thank you for letting us be a part of the 2040 Plan."
5. **Peter Wright**, 2201 SW Hazel, Lake Oswego OR 97034. "I also wish to thank you for your time and energy listening to so much controversy about one issue. If we are going to consider opening new areas around Portland to urban development, at the same time we must consider closing others because the area within the Urban Growth Boundary (UGB) is best left unchanged. Oregon has taken a stand favoring long-term livability over short-term diversions in the same way we, as parents favor for our children healthy foods over candy, classical music over gangsta rap and Mrs. Doubtfire over The Terminator. While each has its place, we are at that point when we must decide which are the enduring values and virtues for an enduring society. Clearly, good character is one of those virtues. To say in advance of a party, 'I will have two drinks and no more,' and then to make good on that promise even after alcohol has weakened the will requires strength of character. How much easier it is to say 'Well, why not just a little bit more and a little bit more and a little bit more,' and good character is slowly compromised away. We ask our youth to say no to drugs. We ask our teenage females to say no to the passionate urgings of their boyfriend and yet we mature and sober cannot say no to the passionate urgings of developers. Are we the kind of parents who tell our children, 'Do as I say and note as I do?' and then are baffled as to why they snort coke and flip off our advice. As the intoxication of change urges us to forsake the line, most of us have the character to stand by the promise we made when we were sober. We know that, unlike alcohol, the effects of development are a Los Angeles-size headache that will be gone in two or three days. Some would argue that expansion is good for the economy but isn't pushing drugs also defensible as an economic activity, benefiting some while hurting hundreds downstream. And doesn't teen motherhood bring federal dollars to the region supporting a few while the rest of us pay? Portland has enough room for man's need. It does not have enough room for

man's greed. We do not need to grow out. We need to grow up. We have a miracle here. No other state in America has UGBs. It is one of the reasons people choose Oregon. It is a condition they want and can't find elsewhere. It is part of our character, like the Willamette, the Cascades and the rain. It is doing what it is supposed to do and is so successful that some people want to change it. We can say no and give an example to our youth of resolute character or we can continue to exploit innocent trees and defenseless meadows for personal profit, teaching upcoming generations that breaking promises and exploiting the innocent and defenseless is what we are all about."

6. **Michael Hammons**, of Century 21 Real Estate and representing Paul Reeder, 20320 SE Highway 212 Clackamas OR 97015 presented oral and written testimony, a copy of which, numbered #012596 - 04, is included in the permanent record of this meeting. "I would like to take the opportunity to give you an additional piece of property to study. You should have an information packet in front of you that is four to five pages long. It is a piece of property that was previously in the UGB and I am here representing Paul Reeder, the majority owner of the piece. This is an approximately 267 acre piece that is adjacent to Area 12 in Oregon City. It is a piece that would allow gravity sewer from Area 12 down through this piece into Oregon City. It is a piece that the city of Oregon City thought highly enough of to approach the property owners back in 1990 to include it back in the Urban Growth Boundary. In fact, they thought so highly of it that they actually came up with a development plan for the property and we would just like to bring it to your attention and apologize for the lateness of it. It is hard to include one more piece, but we felt that it is a piece that deserves some consideration."
7. **Angela Sundholm**, 12835 S Casto Road, Oregon City OR 97045 presented oral and written testimony, a copy of which, numbered #012596 - 05, is included in the permanent record of this meeting.
8. **Dave Nadal**, 654 SW Grant, #102, Portland OR 97201. "Some farmers have argued for inclusion of parcels because nearby development has made it impractical to farm. Some problems mentioned were aerial spraying near home sites, operation of noisy equipment at night and difficulty using busy road for slow-moving farm equipment. If we create new urban areas, we will also be creating new 'bordering farm lands' and introducing these problems to new lands and people. From these meetings and conversations with planners, I have learned that there is no plan to study transportation or other kinds of impacts on these prospective new border areas. I suggest this be done if URSA consideration is continued. Further, I also discovered that the only legal notification requirement or other plan for direct mail notification of neighboring property owners is for owners of record within 500' of a study area boundary. I would suggest that the only fair action for nearby citizens would be direct and fully informative mail notice to all residents or landowners in a several mile radius of any proposed study area and notification in plenty of time to testify and give feedback. Yes, there have been some 2040 Process Update meetings in local areas but these don't provide the kinds of hearings that specific resident notice needed for a particular proposed action like the URSA proposals. Here, on November 15, 1995, an elderly lady from a multi-generational farm in the Bethany region said in an exasperated but frail voice, 'We should get to vote on things like this. In actual fact, that is what it should take for proposed changes that so radically alter the face of our lives, lifestyles, landscapes and dreams. This probably affects people much more than an election of politicians that we do get to vote in. I also suggest that Councilors rework their acceptance of the computerized numerical ranking system of study properties. In watching Councilor reaction, this seemed a superficial way for them to put a number on parcels and, in some of their words, 'Get on with it.' A good example is wetlands evaluation. As a person with a lot of experience with rural lands, I know that often the official inventories are way off. They don't catch everything that should, by law, be included. I was told by staff that there has been no new analysis of wetland features or other natural features by biologists for this process of the individual parcels. I think this should be done. Next to last, regarding protected growth rates for the next twenty years: I understand that this was set at about 600,000 people. I was told that if the region happens to use that allotment in ten years or five years, at that time, the whole process starts over again with the requirement to again project another twenty years of growth, based upon the last five years. We will have no protection from a devastating and unwise boom in population. We should set a limit to an acceptable rate of growth, perhaps decided upon through region-wide election. Now to conclude: Despite a wide variety of acquaintances, I have yet to met a person who doesn't loathe the infill and congestion we are seeing right now within the existing boundary. We shouldn't even be considering this proposal. We should find a way to use the increased power and

value of our regional desirability and channel it to full education and employment for our own existing disadvantaged people of all races and walks of life rather than creating more disadvantaged who will be displaced by people from other regions. Almost everyone, even including some cynics, wants the same level of growth. Metro Councilors should become activities on the level of state legislation. Lobby with all the strength of our Metro area numbers to change state law to protect our interests. If not, Metro may well be dealing not only with regional trash problems but all the problems of a trashed region."

9. **Mary Bradley**, 19390 SE Semple Road Clackamas OR 97015 testified regarding Site 203. "This is a proposed site of 190 acres. This site is on Highway 224 just south of the Highway 212 - 224 cutoff and just north of the Clackamas River. I am not against growth. Growth is inevitable. Directly north of this site of a proposed 190 acres is the already approved but barely started 447 homes. These homes will enter and egress on 224 or 212, whichever is the fastest route in and out to each home. Highway 224, at this time, can be very congested as I myself can tell you. At 6 PM we are bumper-to-bumper from the 212 - 224 cutoff to Carver Junction which is one mile. Keep in mind that we do not, at this time, have 447 homes already approved coming on 224. In the morning hours, it is not uncommon to be backed up on Highway 224 for one-half mile trying to get on Highway 212 to get into town. All this traffic is coming from Estacada, Redland, Highland Road, Patton Road, etc. In the summertime because of the river, it is not uncommon to be backed up both directions for one mile from 224 to the 212 cutoff to Carver. Remember also this is before the 447 home already approved are built. If you approve this site, we will have an additional 442 homes in this area which is in addition to the 447 homes, making a total of 889 homes. Highway 224, presently a two-lane highway which those of us to travel it, call the Carver Curves. These curves follow the Clackamas River. It is not lighted. In the wintertime it can be very foggy from the river and blinding in the rain. On the south side of 224 is the river. On the north side of 224 is very hilly terrain. This terrain is very susceptible to slides. Over the last weekend, only one lane was available on part of 224, just east of Carver because of this slide. This part where the slide was is directly below Site 203 proposed area. According to your factor chart, the terrain slope of Site 203 is 21%, a high slope to me and is the second highest on your whole chart. Maybe these slopes on 224 are maybe because of the slides. This 190 acres of site 203 is a beautiful wooded site. Whether you add this 190 acres, I am sure is not going to make or break your Urban Growth Area. I would like to invite each of you to travel down Clackamas River Drive from I-205 over the Carver Bridge east of Highway 224 and see if you also consider this area should be left as it is. It reminds me of a little Columbia Gorge - wooded, beautiful and serene. Please, let's keep this area the way it is."
10. **Linda Gebhart**, 18871 SE Semple Road Clackamas OR 97015 testified regarding Site 203. "I live east of Carver. I am talking about previous Site 81 but it is now Site 203, the Patton property. First of all, I do not know Mr. Patton. I have never met him. I don't know what he looks like. This has nothing to do with Mr. Patton himself but his request. I have a letter that he gave you on November 30, 1995 and January 2, 1996. I would like to read portions of this. He says that he has owned this property in Carver since 1971. At the time, he bought these 190 acres on the hill above Carver that had already been surveyed and platted for 442 single-family lots. He could have proceeded at that time with the developed but he decided to wait. In 1979, the UGB was put in place and his property was not included in the boundary. It was outside of it. Now it was recommended to be in the URSAs. He describes Carver area as being a commercial and industrial center since the turn of the century with shops, restaurants, grocery stores, a school, a fire hall, a bank, a sawmill, a rock quarry and even, at one time, a passenger train station and post office. That was at the turn of the century. This is 1996. I would like to bring you up to date on the Carver area. There is only one shop, a very tiny antique shop and gallery. There is not grocery stores, it is one grocery store. The Carver school closed approximately 12 years ago. Just last year they started a very small community school, up to fifth grade, very few students there. The fire hall is a volunteer fire empty building. There is no bank. There is a sawmill that Mr. Patton himself owns. There is no passenger train station and no post office. One would be led to believe that this is a booming, metropolis but it is not. He goes on to say that the land is virtually solid rock and is not suitable for agricultural purposes including timber production although it is currently a designated TT-10. Does he plan to cut down all of these beautiful trees and put these 442 homes on it? He talks about how that area is ringed with development. The area is ringed by residential development. OK. At the Highway 212 - 224 junction, 212 goes up to Damascus and 224 goes to Carver. OK. One-half mile in, are these homes that are being currently built, going to be built or waiting to be approved. Orchard Lake 146, Andrick Park 233, Orchard Summit 44, Eckhart Drive 244. So one-half

mile in it is 447 houses. Now his property aligns this highway one and one-half more miles to one-half mile, there you are at Carver. With one mile further it is all along the Carver Curves and he want to propose 442 houses of that 889 houses. As she said, people are going to be exiting these 447 houses on 212 and 224. It is insane to ask that 442 more houses are exiting on 212 or coming down on the Carver Curves. It is a nightmare of traffic already. He writes in here that unless this property is now included in the new URSA, the injustice will continue. The injustice is not to him. He could have developed it if he wanted to. The injustice is to all the folks out in this area that have to live in this."

11. **Tim Ramis**, of the law firm of O'Donnell, Ramis, Crew, Corrigan and Bachrach, 1727 NW Hoyt Street, Portland OR 97209 and representing the law firms of Bogle and Gates, Ball, Janik and Novak, and Preston, Gates and Ellis, presented oral and written testimony, a copy of which, numbered #012596 - 06, is included in the permanent record of this meeting.
12. **Kenneth Hoffman**, 12401 SE 162nd Street, Clackamas OR 97015. "I have not been involved in this process. I am very active in the area however in this particular process, I have not done anything. Much to my surprise, about a week ago, I realized that I have been leap-frogged over in 46 acres that I own basically near Site 77. So if you look at Site 77, it is off Sunnyside Road. There is, for the first time that I have ever seen in land use planning, an area that is an island that was just left out of the study area and I realize that there are a lot of things that happen in that area that may not make that area the best for all development. My particular property is probably better suited than most but it should not be left out of the study area for a lot of reasons. Basically right now, I am zoned RR-FF-5 and FF-10. The property is farmable. It is not timberable. The timber was logged in the 1940s and has never been really redone. It was never reseeded properly and most of it is deciduous type trees. The slope is not bad. The soil types are not farmable-type soils. It is very clayish. If I understand what this system is about, I would need to be 95 years old before I could look at this property for development and I need to retire before then. Because of where it is, just to give a little background, Site 77 is the site, I think, that Clackamas County is bringing to you right now and asking you for immediate annexation into the UGB because of transportation needs more than anything else. We are the link. We are between the new shopping center at 147th and Happy Valley. There is a hill and the steepest slope of the hill is on the south side. The property that I reside on is one-half mile long and in that it raises about 130' so it is not a very steep piece of property. Going up 147th to Scouter's Mountain is very steep. However, all the traffic and Happy Valley is about to explode and as it explodes, those people are going to have shop and they will have shop at the corner of 147th. So the question is, 'Where should this annexation go on?' What I am proposing is that we take to Monta Road so you would be going north of Sunnyside road, up 147th to Monta Road out to 167th or actually go back into the URSA. That would allow us to do some transportation needs other than 147th itself. What would happen is we are looking at some switchbacks around... I will get you a written letter by Tuesday."
13. **Jack Polans**, 16000 SW Queen Victoria Place, King City OR 97224 presented oral and written testimony, a copy of which, numbered #012596 - 07, is included in the permanent record of this meeting.
14. **Ron Huddleston**, 15291 SE Royer Road, Clackamas OR 97015. "I have reference to Site 202 and it is the one in conjunction with what the ladies referred to as the Carver area. My thinking is that in the area in Clackamas or Damascus that Highway 212, at this time, is so overburdened with traffic that it is almost impossible to get on and off the highway at any time and you almost have to take your life in your hands just to get on the highway. I think that it is not feasible in any way to put any more building out there or any more people or anything until we make facilities to move the traffic in and out of the area because it is beyond approach at this time. To go ahead and develop out there with the terrain that we have because there are a lot of hills and everything, it would require a consider amount of pumping for the sewers in order to put a sewer in there to move it in and out. There are some areas that have access (Stafford, Tualatin, etc) to I-205, I-5 and other areas and unfortunately we don't have any access roads to go in and out there and Highway 26, which Highway 212 is moving the traffic on, is not a freeway. I think that it isn't practical for Metro to do anything out there in development until they make the necessary means to get the roads out there. Two nights ago Oregon Department of Transportation (ODOT) told us that it would be ten to twenty years before there was any building built on the second part of the Sunrise Corridor. Thank you."

15. **Bill Resnick**, representing Jobs With Justice (Committee Stable Economic Development), 1615 SE 35th Place, Portland OR 97214. "I am here to urge you to not expand the UGB not by an inch. This county has conducted a fifty-year experiment in encouraging suburban sprawl that is all over the country and we all know the results that has ruined and devastated cities. Tonight I would like to address the issue of economic and population growth. Expansion of the UGB, the need for it, has been premised on predictions of very rapid growth. Even if these were right, we could accommodate it within the present Growth Boundary. More important, the estimate of great population growth seems to many people very dubious and, in fact, inflated. Why is it so dubious and inflated? First, of course, it includes Clark County and I won't go into why that distorts. Second, as you undoubtedly know, it assumes that the high rates of growth of the early 1990s will continue. Yet the 1990s were very unusual. Even the PSU Population Center disputes Metro figures and they do it on strict demographic lines; that is, because the high rates seem to be leveling off. Third, your inflated figures assumed that the rapid economic growth that generated the population growth will continue. It assumes that companies and people will continue to flood here, that somehow it is inevitable. But is it inevitable? The answer is no because the rapid growth of the early 1990s in this area was the result of deliberate public policies of giving tax breaks, giving public subsidies, promising cheap water and power, promising some environmental waivers and promising privileged access to government. These rapid growth policies were justified, of course, as lowering unemployment or bringing high-wage jobs. Have they lowered unemployment? Well, of course they haven't because it is impossible to lower unemployment in any small local area of the country; at least you can't lower it below the national average. A city that has already moderate levels of low unemployment or near the national average, when it brings in more jobs and artificially stimulates its economy just lures in more and more desperate people from around the country and of course there's lots of desperate people so we just grow a lot larger. If these were high-wage jobs, maybe it might be OK to pursue those kinds of policies but they aren't. These companies are not unionized; they pay a few, on top, quite a lot for 60 to 80 hour work weeks and they pay shop floor workers between \$6 and \$10 per hour. So what do we get from these high-growth policies? We get a malignant growth. Some, of course, get much richer. Most continue to get poorer because the jobs are so lousy. We get more trouble and congestion, more burdens on public facilities, more burdens on schools and other services but, of course, a weakened tax base. So instead of assuming artificially high growth which your projections do and planning for it, you should be setting population projections based on sustainable growth and you should be holding hearings, at least I am recommending that you hold hearings that explore the wisdom of the economic policies that generate this high rate of malignant growth. Thank you."
16. **James M. Uldrikson**, 13299 SE Kanne Road, Portland OR 97236 presented oral and written testimony, a copy of which, numbered #012596 - 08, is included in the permanent record of this meeting.
17. **Klaus Heyne**, representing the Corbett Community Association, PO Box 93, Corbett OR 97019. "I am here as the representative of the Corbett Community Association. We are the largest community association east of the Sandy River in Multnomah County. Please allow me to make some general comments as we are currently not yet affected by these boundary changes. I think the arguments for studying and eventually expanding the UGB have gotten a lot thinner since last summer when a sizable majority of people living within the UGB voiced their preferences in two exhaustive survey, one by Metro and other by The Oregonian. That sizable majority said even if we have to move a little closer together and our lots get a little smaller, we do not want any more sprawl. We do not want to pave over any more precious soil. Let me be blunt. The only group left pushing hard for expansion at this time are some real estate developers and their associations who have absolutely no long-term interest in the livability of the region but the expansion as a short-term cash cow. Metro's mandate is not to accommodate real estate interest but to preserve the best topsoil in the western United States for agriculture and timber production and to plan for continued livability of the region which is now such a strong magnet for immigration precisely because we have so far resisted the pressure by some developers to lead us down the path of suburban blight, California style. We urge you to call the bluff of those in the real estate industry who keep threatening to sue you if you don't expand soon. Let them sue you. And if you are willing to defend your mandate, you will win. You will win because the citizens of this region, their mayors, their civic leaders, are behind you. I thank you for your attention."

18. **Kevin M. Harold**, 1705 Fern, Lake Oswego OR 97034. "I live in Area 204. This area is close to my heart, obviously where my home is near. My biggest concern is the overall expansion of Portland's area. It is a beautiful place to live. The UGB was put in place for certain reasons. Why do you think so darn many people are moving here. We have been able to control our style of life and our living quality. The UGB was put in place for a reason. Compact urban density was the goal. 23,000 new acres is way too much to study. You take on a huge thing and before you know it, you'll be incorporating that whole area. Too much expansion is a self-fulfilling prophecy for disaster. It only truly benefits the developers, severely degrades the quality of life for the people who live within the area that is about to be expanded. I believe we can infill where infrastructure exists. I don't believe expanding and paying all the expense to expand - civil work and roads and county and all the congestion that goes with it. There is plenty of area within the UGB to allow the growth that is projected. It just takes a little bit of work and a little bit of coordination but there is a lot of land available to be benefited there. I don't agree with the UGB being expanded. If it were to be expanded you must expand it in the areas that have been drawing the growth. There is \$4.5 billion of high tech construction currently under way in this area. It is in Hillsboro, it is in Gresham, it is in Vancouver, it is in Newberg. Laws and tax laws were changed by those areas that said, 'Hey, we want tax base. We want industry to come this way.' They changed their laws and have drawn the growth bump in the areas. I don't agree we should bump it at all but if it must be bumped, bump it in the areas that are drawing the growth. I really believe that we need to pay attention to our quality of life here. That's why everyone is moving here. Please keep the UGB where it is. Thank you for your time."
19. **Gary Conkling**, representing Genstar Land Company presented oral and written testimony, a copy of which, numbered #012596 - 09, is included in the permanent record of this meeting.
20. **David P. Miller**, 16415 NW Brugger Road, Portland OR 97229 presented oral and written testimony, a copy of which, numbered #012596 - 10, is included in the permanent record of this meeting.
21. **Tammy S. Linver**, 25890 S Schockley Road, Beavercreek OR 97004 presented oral and written testimony, a copy of which, numbered #012596 - 11, is included in the permanent record of this meeting.
22. **Kim Vandehey**, 17207 SW Siler Ridge Lane, Aloha OR 97007. "I would like to address the first part of my comments as somewhat of a rebuttal to Mr. Klor's comments earlier this evening. He said that in 1993, the Unified Sewerage Agency dropped our area, Site 113 which is part of Area 25. We were dropped, according to Mr. Klor, for many reasons. Actually, the only reason we were dropped from the Unified Sewerage Agency was they were trying to align their boundary along with the UGB. We are outside the UGB. We are bordering it. We were being taxed to extend sewers and when some of the neighbors complained about that, they realized that they had a problem where we were being taxed for something we couldn't get and so they decided to drop us. My next comment is Mr. Klor and Mrs. Reusser were talking about the streams in the area. If you look on a map, there is a stream that runs across my property. I would like you to come take a look at it. It is a stream that starts and ends with the rainy season and it comes off of the roadway, No. 175. When it rains, the water runs down the roadway and runs across my property and we have a creek. In the summer it is not there. In reference to the logging in the area, it is true that most of the trees in the area are about 50 years old. That is about the time that Mr. Reusser's grandparents logged the area because they owned the property that I now own. Most of the trees that are left are...my dad was a logger and they used to call them 'school marns.' They have multiple trunks and they fall apart in a good windstorm because as the tree grows, there is constant pressure to split the tree. One of the last comments they made was that they thought that the EFU land down along 175th and Scholls Ferry Road should remain in but we should be dropped out. I would like to propose that we do just the opposite. Since we are all exclusionary ground up where we are, and since we have the sewer available and they don't and since we're not farmland and they are, I would like to reverse that trend. Three weeks ago, Site 113 was included into a new section, No. 25 on the new update that Metro did. I would like to ask that you separate us and vote on us separately. That way, if you actually do want the farm land dropped into the UGB or the URSA's that you make that decision. And the same way with us. If you think we are capable, that we should be included, then we should. Thank you."

23. **Donald Logan**, representing Washington County Farm Bureau, 20750 NW Dixie Mountain Road, Aloha OR 97007. We operate a 540 acre farm and tree farm. We are a century farm. We have been there in the same family for 113 years. I am here to represent the Washington County Farm Bureau, of which I am the president. This is an organization that has 680 bona fide farmers in Washington County. We are an industry which has proven itself for over 100 years. We have some of the most productive farm land in the world with booming markets knocking at our door. We have water, a favorable climate. We have good farmers and they are looking for land. This brings us to the point I want to stress to you tonight. Our farm land is not for sale. No more EFU land for development. Save our farm land. We believe the farmland inside the UGB on farm deferral should remain on deferral until these farmers wish to change. These farmers signed a contract many years ago. These contracts should continue to be honored. I think they should be looked upon just as industry is looked upon in our EFU zones. They were here and their investments were made before land use planning came into effect. We must honor them and we will expect the same treatment for our farms inside the UGB. We know you are under great pressures to expand the boundary. Everybody wants a piece of the pie. The truth of the matter is that we don't have any pie left. An acre of houses here deprives someone in this world a reasonable diet. We can no longer look at our land selfishly, as a commodity to develop or build houses on. We must look at the future needs of our world's population and how we fit into this economy. Our land base must be preserved. This is your job and our future depends on your decisions. As president of the Washington County Farm Bureau, we are ready to cooperate in any way possible to meet sound goals and good Metro planning, working side by side with a healthy farm community. This should be our goal and we farmers believe it can be done. I would like to say just one other thing: You don't know where you are going to end up on this boundary. But it would be awfully nice when you are done if the line could be drawn in cement because any time you put our land under reserve or under study, the value of that land is immediately escalated in price to where the farm community cannot compete. This has to be stopped some way so that we, as farmers, can plan and build our structures and put the necessary improvements in our land that are necessary to compete in the world fifty or one-hundred years down the road. Thank you."
24. **Fred Britt**, 7770 NW Kaiser Road, Portland OR 97229. "I reside in URSA 36. The earlier gentleman's comments about malignant growth reminded that the WPPS plants were planned on overly ambitious growth projections. I grew up in Seattle and was raised in a small town east of Seattle where the population was 600 people and didn't change for 15 years. The population in that town of 600 is now 60,000 and one of the reasons I left Seattle or King County was the way that the growth had been managed down there. You can imagine my delight when I got to Portland and found out about your UGB which I thought was the most progressive concept I had run across and my delight when I was able to buy a small farm about twelve miles out of town. Now you guys are coming after my farm. My objections to the inclusion of this area fall basically on two lines. The schools. Since I have been down here, I have been amazed at what appears to be a lack of coordination between Metro and the school districts. It seems that Metro plugs them in and then it is the school district's responsibility to provide for the growth. In our area, there is no school capacity left. A brand new high school, two years old is filled to capacity already. Beaverton has a \$146 million bond issue up. It is the largest bond issue in their history and it is a big whopping bond issue now matter how you cut it. If it doesn't pass, it is going to be a lot of trouble out there for schools. They need that school district to pass just to accommodate the growth that has already occurred. If more growth occurs in the area, they are going to need another similar bond issue in the near future. There are 3000 living units planned for the Bethany area within the UGB at the moment. By my calculations, that is roughly 4500 more cars and 4500 more children. I don't know where the schools are going to come from to accommodate 4500 more children. It is a real push to imagine it. My second objection is just the road situation out there. Geographically, on the map, it has a delightful proximity to downtown Portland but the geography doesn't hold it up. The roads to the east are Laidlaw, Germantown Road, Springville Road, which go up the mountain's narrow, steep, winding roads. In many areas, you can envision improving the roads as the capacity demands. There is no improvement that is possible to these roads. All of the traffic will have to drift south into the I-26 corridor and I-26, as we all know, is on the threshold of approximating the worst in Los Angeles. I don't know what can be done to improve 26. Anyway, I just don't think that it is a logical, responsible decision to add more pressure to this area that it already experiencing a lot of pressure that is more than they foreseeably handle."

25. **Mary Carol Britt** 7770 NW Kaiser Road, Portland OR 97229, presented oral and written testimony, including a petition, #012595 - 12 as well as a group of letters written by her third grade school children, #012595 - 13 - 40, copies of which are included in the permanent record of this meeting. " I represent the people who live, work and play in the Bethany area tonight. We would like to see Area 36 removed as an URSA. I have a petition to read that has been signed by 80 some neighbors in the last week. I would also like to share some pictures and essays from the first through third graders at Oak Hills School explaining their feelings about growth that happens too quickly. Oak Hills is the school that has the boundaries going up into Study Area 36."
26. **Randy Reichen** 19060 NW Germantown Road. "I would like to refer to your Site 35. I have property in that area that borders Cornelius Pass and Germantown Roads. I would like to refer to a letter that I wrote Councilor McLain a couple months ago and then add a little bit to it. In 1890, when my great grandparents moved to our present farm location, a trip to Portland took most if not all of the day. They moved to Oregon from Switzerland to escape the expanding population of the area and small plots they were forced to farm. These conditions made farming uneconomical. Today, I face many of these same pressures. With nearly 7000 cars passing our farm each day, the movement of machinery and farm vehicle is very difficult and dangerous. Much of the land my family has rented and farmed in the past has already been developed. This leaves us with smaller and smaller parcels and further distances to travel. As you discuss the UGB, I would urge you, if you include Parcel 35, that you would move over - the natural inclusion there is to go along Germantown Road and Cornelius Pass Road also because, as I mentioned earlier, our farm is right along there and with 7000 cars going by our place every day and we are trying to move equipment, it is really not feasible and economical to farm the way we do anymore and so I would urge you, because the services, (Tri-Met) and all the services are either running through - the necessary services are already running through that portion or they are right to the edge and this area is within minutes of the jobs in the downtown area as much of the land that you are discussing here is not. I ask you to consider that. If you do, No. 35, you would expand it over and take the natural borders there of those roads."
27. **Alan Malone** 19238 SW Heightsview, Aloha OR 97007 presented oral and written testimony, a copy of which, numbered #012596 - 41, is included in the permanent record of this meeting.
28. **Allen G. Taylor** 16101 S Hilltop Road, Oregon City OR 97045. "I would like to call your attention to Site No. 3. I live in Site 3. Site 3, which is approximately 190 acres has some development already in place on Stoltz Road with a number of houses on either side of it. The rest of the area is pretty much divided up into gentleman farms which aren't really producing food as some of the people have already testified that are farmers. As an argument, I don't think that really is relevant here. It is a relatively flat area and is right close to the UGB and I think it would make a good addition to the UGB."
29. **Kou-Ping Cheng** 3119 SE 165th Avenue, Vancouver WA 98683. "My wife and I are in the export business so most of the time, we stay out of this area. We found this whole thing this afternoon when we signed a lease contract with Western Nursery. We are on Site 36. I am the owner of part of this parcel, 17.7 acres. The lease price is \$1000 per year. I pay the taxes. If the people think that this is farmland how much more valuable is the land. The reason I am here this evening - look at my parcel on the map. I don't know why you drew this kind of curve. Originally I bought this land for the kids. I don't care if you put in urban growth or not. I just think that it is unreasonable to cut this into halves."

Presiding Officer Kvistad explained that these areas were not drawn, at this time, as being lot line specific for the study because this is not a land use decision in and of itself. When a land use decision is made, full parcels will have to be taken into account.

30. **Wendie Kellington** representing The Halton Company, 111 SW Fifth Avenue, Portland OR 97201. "I am here to urge inclusion of K6 or area 204, the Stafford - Rosemont area. I have a couple of things to respond to. One, I would like to respond to the bit of information that was received last week regarding the cost of services in the Stafford area. We were a little surprised by that study information. The Rosemont Property Owners believe that there may be some mistakes in the assumptions or methodology and the reason we are thinking that way is we look at the KCM Study that was commissioned by Metro that took a

little bit of time to finish. There was a sliver of property in the Rosemont area and the study concluded that that sliver of property was average to serve in terms of costs for water, average to serve in terms of costs for sewer, average to serve in terms of costs for storm water, average to serve in terms in costs for utilities and had an average composite cost for utilities overall. In addition, we think about the 1991 Urban Fringe Area Study analysis that Clackamas County did and it didn't seem to us that that study concluded it would be so bad to serve the area. We would hope that we could work with our neighboring city and with Metro in an effort to determine what those costs really will be based on a measured and a careful analysis. In addition, it is really important for the metropolitan area to do what everybody here is encouraged you to do and that is to find a line, whatever it is, and to hold it. And in order to do that Metro has to determine an adequate quantity of land in the right place to accommodate the people who are going to be here as well as those who are here and their children. In order to accommodate those folks, you have to have adequate room for their housing, for their parks, for their schools. Right now there is an embarrassing situation in the Stafford area. We have a public school outside of a UGB on a sewer and that shouldn't happen under a sophisticated system like we have. Something is wrong. It is an indicator of a problem and there is a problem in that area. The Rosemont area has problems because it is only 0.2 miles from the city limits and only 0.2 miles from the high school. On the corner of Rosemont and Stafford there is a new sign that says there is a city park. Across the street from Rosemont from Stafford is Atherton Heights, a new high-density residential development in the area that was done as a result of a locational adjustment issue as you know and even though there was a great deal of controversy that surrounded it, nevertheless, I think there is some indicia there that there is a problem that this great growth area has great pressure. In addition, I-205 is connected by the arterial Rosemont Road from most parts of Lake Oswego. I travel it many times. It is many people's only access to I-5 and I-205. It is EFU in name only. Imagine aerial spraying, field burning or slow moving vehicles. You know what the summary is. Thank you very much."

31. **Lee Grunes** 17055 NW Springville Road, Portland OR 97229 presented oral and written testimony, a copy of which, numbered #012596 - 42, is included in the permanent record of this meeting.
32. **D. A. Hildebrandt** PO Box 490, Beavercreek OR 97004. "I live on a farm at 16700 S Wilson Road in Beavercreek. I am here to speak inclusion in the Study Areas 9 and 308 which are the Beavercreek areas. I think that it is inappropriate to include these areas as URSAs now because historically Oregon City has not made an effort to provide the thrust of infrastructure development or schools for our area. There is no evidence that there will be any means of financing the type of infrastructure that would be required to support Oregon City commercial districts. There is really no logic in expanding residential areas in our area when the job creations are in the Gresham and Hillsboro areas. The transportation and logistics are staggering considered what we would do to ourselves in expanding housing in our area. I would like to see the study areas focused about the new job creation areas in Hillsboro and Gresham. Even if some people that I have heard believe that Clackamas County was shorted on its urban and industrial lands in the 1970s, I don't think that Metro needs to feel guilty about that problem and making it up for now by increasing our housing density in our areas. Another point I wanted to make is that I don't believe that we have really adequately explored the kinds of opportunities and benefits that we would get by increasing incentives for increasing urban densities and finding means of supporting urban infill. Wise development is essential to the support of our economic growth here in the metropolitan area and all I am asking Metro do is exercise a prudent and careful judgment in making these planning decisions."
33. **Tom Cardoso** representing Cruz Development Corporation, 5141 NW 171st Place, Portland OR 97229 presented oral and written testimony, a copy of which, numbered #012596 - 43, is included in the permanent record of this meeting.
43. **John Reeves** representing Damascus Water District, 18916 SW Highway 212, Clackamas OR 97015. "I am speaking as a citizen, having owned property out there for the last 26 years and living on it for the last 22 years and also I am a commissioner on the Damascus Water Board. I am looking at it from both aspects. I am about 1/2 mile SW of downtown Damascus. I would like to echo the previous testimonies of the two persons that raised their objections to Site 203 including the Carver area. Now I am probably speaking as a water board member in that we have been approached many years ago to serve the Carver area but we were unable to at that time and we really have no facilities at this time. The nearest facilities are clear up on

Highway 212 which is well over one mile away. There is only a four-inch water main which would be the nearest in proximity to that area so there would be a lot of infrastructure required as far as water is concerned. Other than that, I have no other feelings about this other than sympathy for them if that is the way they feel. I will follow up with something in writing and get it to you by the 30th as you have asked. I would merely say that I am probably going to address the southeastern portion of Site No. 1. There is a protrusion there that sort of protrudes out from south of Highway 212 to the equivalent of about 195th. So I will get you a letter on that part signed by myself as well as others in the community.”

44. **Robert J. Thomas** 2563 Pimlico Drive, West Linn OR 97068 presented oral and written testimony, a copy of which, numbered #012596 - 044, is included in the permanent record of this meeting.
45. **Jody Bruch** representing the Damascus Community Association, 15060 SE Anderson Road, Clackamas OR 97015 presented oral and written testimony, a copy of which, numbered #012596 - 045, is included in the permanent record of this meeting.
46. **Clay Moorhead** representing CDA Consulting Group, PO Box 3311, Portland OR 97208-3311 presented oral and written testimony, a copy of which, numbered #012596 - 46, is included in the permanent record of this meeting.

Councilor McFarland stated that she had had a conversation with Mayor McRobert this afternoon regarding Parcel 53, just discussed by Mr. Moorhead. Mayor McRobert told Councilor McFarland that after a discussion with Mr. Moorhead, Gresham had decided to take a neutral stand - neither in favor of nor against. Metro can do whatever it wishes and Mayor McRobert “won’t kick our shins.”

47. **John Rankin** representing Michael Speer presented oral and written testimony, a copy of which, numbered #012596 - 47, is included in the permanent record of this meeting. “I am handing out a packet of information that you have in front of you. The first page shows a little better map than maybe you have seen before, showing the two parcels. Now remember that No. 48, which shows on the first map, you have already approved to bring in. No. 49, you have excluded and it is No. 49 that I am representing tonight. I want you to notice, as you go through the process of thinking about this, I would like you to consider several things. The main one is that as you are looking at this 22,000 acres and trying to pare it down to somewhere around 14,000 acres as staff has recommended, I understand the regional issues you have to consider but I urge you to consider some local issues as well and be prepared, particularly in this case, to address jobs / housing balance issues. Please allow this property to be retained in the URSAs so that it can be studied so that Cornelius can at least have an opportunity to look at a second piece of property to try to do something to achieve some fiscal viability for itself. Right now it is jobs-poor - very much jobs-poor. You can see this by the data and you know it’s jobs-poor. As you are thinking through the process, give the City of Cornelius an opportunity to look at that property. It may be that their jobs / housing balance won’t be reached by just simply the northern property and industrial use. This property, the 69 acres of No. 49, could be zoned industrial or commercial. It does have a rail line going along the north boundary. We have talked about all the other aspects of the property: The four additional city streets that access the property right now and stub into the property; the availability of the services; public facilities and services. The last page in your packet is a sheet of paper that came out of our study that we did. Remember, we had a consulting engineer do a study and take the KCM figures and methodology for utility services and feasibility and they reworked it. Now the first time they worked it through on the 241 acres site that you originally saw, it was in seventh place on the low cost feasibility study. What has happened now, with its being shrunk to 69 acres, it is in first place, by our consulting engineers estimates so it is the least cost, lowest cost public facility and service site that you have in the Portland Metro area. So I do believe it needs to be reconsidered, at least so that Cornelius can look at its jobs / housing issues. I think also one of the things that is the big negative about this property is the EFU. I think but for the EFU designation on this property, this property would be in your URSA. You see on the map that staff has produced for me today, I haven’t had a chance to review it, that is the second sheet that is in your packet. Metro staff created a second run at this piece of property, taking the 69 acres instead of the 241 acres and came up with those additional numbers. In the interest of keeping going here on time, I want to focus on just a couple of issues. The two parcels that Cornelius has available, Nos. 48 and 49, should be looked at in contrast. The letter I have submitted does that so I won’t say any

more about that. No. 48, the one you have allowed in, is 65% buildable and developable. 35% is in the flood plain. No. 49 is 100% developable. No flood plain. No wetlands. With that, I would urge you to reconsider on behalf of the City of Cornelius and their financial situation as well as the adjacent property owners and reconsider retaining this site in the URSAs. Thank you."

- 48. Michael Speer**, 1579-A SW Walker Road, Beaverton OR 97006, represented by John Rankin presented oral and written testimony, a copy of which is included in the permanent record of this meeting. "We have been working with three of our neighbors there on the adjoining piece. The reason my brother and I would like this piece of land included is that it is just not feasible to farm any more. Like I said last week, we have garbage, cars, and neighbors using it as their back yard. One thing I didn't mention last week was that this piece of land does not have any irrigation of its own. The only way we can irrigate this piece of land is to come across a neighbor's land to the south of us so it's isolated from the irrigation of the Tualatin River. Engineering studies have shown that this piece is actually probably the most feasible to develop economically than the other piece that is being considered in the area and to close, I would like say that if this piece is included in order to keep up with the Green Space importance in this area, my brother and I are more than willing to donate a couple acres of that piece for a park, however you see fit to preserve green spaces. We would contribute trees from our nursery that we have moved to Woodburn for landscaping in the area. Anything we can do to improve the livability of the area. I can't think of anything else so I will let John take over."
- 49. Michael Meyer** 16950 SW 150th, Tigard OR 97224 presented oral and written testimony, a copy of which, numbered #012596 - 48, is included in the permanent record of this meeting. "I represent Site No. 24, at least that portion that is west of 137th. I wanted to give testimony on snow day but there was a little bit of confusion in finding the correct map. I hope you all have map 124 in front of you. Does everybody know where 137th is, right down the center of the map? My family has lived in the area for 116 years. My kids are sixth generation to live on that property so this is a subject that is very important to me and I am not going to give up so I am going to take advantage of every opportunity I have to talk about it. Like I said last week, I was unable to finish my testimony. I testified here with Derek Brown who represents the large portion of land that is east of 137th Avenue. I feel that the boundary 137th is the logical division from a congruent boundary standpoint as well as the fact that they want to develop over on that side. I also turned in a petition today that I was unable to finish. I was out of town this week but I turned it in and I had a 75% signature rate out of the 80 parcels. Two did not want to sign it because they didn't know what I was talking about. The other 18, I was unable to get hold of so I had a pretty good rate of desire to remain out. I would expect the percentage to have been 95% if I had been able to get everybody. I read tonight the report of the City of Tigard and submitted a letter in support of the three sites in the Tigard area. It is my opinion that they can't handle what they have right now. If you have taken a drive through Tigard, you get a good feel for that. I think they have picked up the kaleidoscope instead of the telescope as far as their vision of the future is concerned. The people that I hear tonight that want to sell it seems like they all have a vested interest in dollar signs. It is my contention that once an initial gratification is gone, the BMW or the cruise to the Bahamas is gone, that the land is gone forever. We can't go back. Please take your time. I hope that you take your time to look at this parcel that you look at the division of 137th Avenue. It makes sense. Derek Brown has testified to that. Jon Kvistad has stated that this area, part of it, does not make sense. Jon knows the area. I know the area. Derek knows the area. So please listen to use regarding what makes sense here. That's all I have to say."
- 50. Derek L. Brown** 13260 SW Beef Bend Road, Tigard OR 97224. "I am standing here as a citizen as well as a business person this evening. I agree with Mike Meyer on 137th as the division and hopefully all of you received a package that I sent out regarding the maps. On there you can see where the storm water lines actually area and you can see where they stop in the middle of my property. Hopefully that information will be helpful to you. If anyone needs information, please contact us. We would be more than happy to give some. I just want to thank each and every one of you very much."
- 51. Michael Robinson**, "I have placed a map in front of you that shows Mr. Harvey's property. It is also a good indicator of where the UGB is per the Executive Officer's recommendation for Site 19 which is the light green and then the larger Site 19 which is green. We just ask that you adopt Site 19 as originally

recommended in your December 4, 1995 decision. It includes most of the area recommended by the City of Wilsonville. It allows the city to extend Beckmann Road from the east and it also includes a good deal of Mr. Hartford's property. Thank you for your time."

The Public Hearing was closed at 9:40 PM by Presiding Officer Jon Kvistad

Councilor Susan McLain discussed the 2040 Growth Management Urban Reserve Study Areas process from now forward. She explained that she and Council Analyst Michael Morrissey would put out a memo to Metro Council regarding moving forward through the necessary deliberations. The Council has until February 8, 1996 to review all the testimony that has been received over the past two years. She requested that if Council members have amendments, they be brought to the attention of the other Councilors. A date for this will be included in the forthcoming memo. A final vote on the designation of individual sites to Urban Reserve Study Area status is scheduled to be taken on February 8, 1996.

7. Councilor Communications

Councilor McLain indicated that she and Mr. Morrissey would issue a memo to the entire Metro Council as to the manner in which the deliberations would proceed. She explained that all the testimony received over the last two years as well as from the public hearings in the last two months would need to be reviewed by February 8, 1996. Councilors who wish to make amendments must now make them know at this time to other Metro Council members.

Councilor Monroe announced that at the Wednesday, February 7, 1996, meeting of the Budget and Finance Committee, the first overview of the Council Budget and the Auditor's Budget for Councilor's review and comment would be conducted.

Prepared by

Cathy Ross
Acting Council Clerk

David Aeschliman
Council Assistant

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