

# MINUTES OF THE METRO COUNCIL MEETING

March 2, 2000

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, Rod Monroe, Jon Kvistad

Councilors Absent: None

Presiding Officer Bragdon convened the Regular Council Meeting at 2:03 pm.

## 1. INTRODUCTIONS

**Presiding Officer Bragdon** introduced his parents, Dr. Paul and Mrs. Nancy Bragdon, his sister Susan Bragdon, his niece Emily Bragdon and nephew Matthew Bragdon, as well as their godparents, Linda and Byron Doulan.

**Councilor Washington** introduced a ceremonial resolution declaring Matthew Bragdon, who was born in Nairobi, Kenya, an honorary African American. He read the resolution into the record.

**Matthew Bragdon** thanked Councilor Washington, saying, “this is such an honor.”

**Ms. Doulan** spoke briefly, expressing her pride in Matthew.

## 2. CITIZEN COMMUNICATIONS

None.

## 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

## 4. AUDITOR COMMUNICATIONS

**Alexis Dow**, Metro Auditor, reviewed three documents she had recently provided to the Council. The first was the preliminary audit plan and the list of requests for audit work. The second and third documents were analyses of the historical budget process and a summary of interfund transfers. She asked the Council to review these documents and provide her with feedback.

## 5. BUDGET/FINANCE COMMUNICATIONS

**Councilor McLain** reviewed the current status of the budget process. She noted an upcoming presentation on March 6th, and consideration of amendments on March 29th and April 17th. Councilor McLain referenced budget books provided to Councilors for their use.

**Councilor Kvistad** said he had spoken with the Auditor who indicated that her budget had been adjusted by the Executive Officer. The Auditor’s budget is coming forward for review on Monday, March 6th, and the budget committee might want to address the Auditor’s concerns.

**Councilor McLain** said she had not heard that from the Auditor, but would make sure that she spoke with the Auditor prior to the presentation.

## 6. MPAC COMMUNICATIONS

**Councilor Park** said the last MPAC committee discussed what had been accomplished in a variety of local jurisdictions. The Goal 5 and the NMFS Draft 4(d) Rule will be fairly close to completion by March 15. Since not everyone who serves on MPAC serves on a city council or county government, MPAC was given the same presentation that was afforded individual locations. Future discussion items included comments on behalf of the Council regarding the 4(d) Rule, as well as an initial discussion on the jobs research and policy questions. The discussion was good and it echoed what had been heard at the open houses that were held in February. MPAC will be moving on to Goal 5 discussions on March 8, with the big decision coming at the end of March if the meeting date can accommodate the spring vacation schedule.

## 7. CONSENT AGENDA

7.1 Consideration of minutes of the February 17, 2000 Regular Council Meeting.

**Motion:** **Councilor Atherton** moved to adopt the meeting minutes of February 17, 2000 Regular Council meeting.

**Seconded:** **Councilor Kvistad** seconded the motion.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed, Councilor Atherton noted a sentence he would like changed and indicated he would provide this to the Clerk.

## 8. ORDINANCES – FIRST READING

8.1 **Ordinance No. 00-849**, For the Purpose of Amending the Metro Code to adopt Campaign Finance and Disclosure Requirements.

**Presiding Officer Bragdon** assigned Ordinance No. 00-849 to the Metro Operations Committee.

8.2 **Ordinance No. 00-850**, For the Purpose of Authorizing a loan to Metro from the Oregon Economic and Community Development Department's Special Pubic Works Fund Loan Program; and Declaring an Emergency.

**Presiding Officer Bragdon** assigned Ordinance No. 00-850 to the Metro Operations committee.

## 9. ORDINANCES –SECOND READING – QUASI-JUDICIAL PROCEEDINGS

9.1 **Ordinance No. 00-843**, For the Purpose of Approving Urban Growth Boundary Locational Adjustment 98-7; Jenkins/Kim, and Adopting the Findings, Conclusions and Final Order.

**Motion:** **Councilor Kvistad** moved to adopt Ordinance No. 00-843.

**Seconded:** **Councilor Washington** seconded the motion.

**Presiding Officer Bragdon** reviewed the rules for quasi-judicial proceedings. Public comment was already held at the first reading, and this second reading consisted of Council discussion of the findings and a vote, not public comment, as the record has been closed.

**Councilor Kvistad** reviewed the process to date and recommended approval.

**Councilor McLain** opposed the ordinance and explained that she cannot support the findings that were presented. She stated she believes that they do not follow our Code. Even though this ordinance has the majority of Council approval, she feels it does not meet the letter of the law. She further stated that, referring to the map included in the packet, this is a block of land that is being added to an urban area. The land to the north is exactly the same. She found the similarly situated finding to be weak.

**Councilor Atherton** supported Councilor McLain's comments and said that this issue of similarly situated land is being handled very differently than it has been handled in the past. The existence of a county line should not affect the status of this land. This policy change establishes a very dangerous precedent for Metro, and he urged a veto. Furthermore, the convenience of a utility service is not sufficient enough basis to make a change in the urban growth boundary.

**Councilor Monroe** has studied this locational adjustment process and feels that if even one of the recommendations that the Hearings Officer has made is sound, that his recommendations should be upheld, rejecting the locational adjustment request.

**Councilor Park** said this was a difficult decision for him because of the agricultural component of the issue. In reviewing the map, he said he could not find another piece of land similarly situated, with the same criteria. He agreed with Councilor Atherton stating he wished we could stick to legislative issues and not quasi-judicial issues. He said he would vote in favor of this ordinance.

**Councilor Kvistad** noted for the record that a locational adjustment was not an end run but an established legal process allowing for the consideration of smaller parcels of land. What lies before the Council is a duly recognized legal process, and he supported passage of this legislation.

**Vote:** The vote was 4 aye/3 nay/ 0 abstain. The motion passed with Councilors McLain, Monroe and Atherton voting no.

## 10. RESOLUTIONS

10.1 **Resolution No. 00-2898**, For the Purpose of Authorizing Participation in a Local Improvement District to Fund the Steel Bridge Pedestrian Walkway.

**Motion:** **Councilor Washington** moved to adopt Resolution No. 00-2898.

**Seconded:** **Councilor Kvistad** seconded the motion.

**Councilor Washington** reviewed the committee report for this resolution (a copy of which may be found in the permanent record of this meeting), and urged passage of this resolution.

**Councilor Atherton** also urged approval of this resolution, and added that there was support from the east side of the river which could mean opportunities for parking revenue and more entrepreneurial use of our parking resources.

**Councilor Monroe** strongly supported the measure.

**Presiding Officer Bragdon** echoed the comments of Councilors Washington and Atherton, saying that ultimately this should be part of a much larger loop system.

**Councilor Washington** urged passage of this resolution.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

10.2 **Resolution No. 00-2901**, For the Purpose of Authorizing the Executive Officer to Execute an Intergovernmental Agreement with the City of Gresham for the Management of Property in the East Buttes/Boring Lava Domes Target Area.

**Motion:** **Councilor Monroe** moved to adopt Resolution No. 00-2901.

**Seconded:** **Councilor Park** seconded the motion.

**Councilor Monroe** said this was another opportunity to expand the open spaces in our region and to work with City of Gresham on an intergovernmental agreement. He reviewed the history of these properties and indicated Gresham had urged Metro to purchase this land for protection, and they are willing to manage the land as part of their open spaces program. He urged support of this legislation.

**Councilor Park** expressed his pleasure at the opportunity to preserve this pristine area, and he urged an aye vote.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

10.3 **Resolution No. 00-2912**, For the Purpose of Directing Metro Comments to the National Marine Fisheries Service Concerning their Proposed 4(d) Rules.

**Motion:** **Councilor Park** moved to adopt Resolution No. 00-2912.

**Seconded:** **Councilor Washington** seconded the motion.

**Councilor Park** reviewed the history of the threatened salmon and steelhead. On or about December 1999, the National Marine Fisheries Service (NMFS) released its proposed 4(d) Rule, defining prohibitive take or harm of the Lower Columbia River salmon and steelhead, and proposed fish conservation programs. WRPAC and Growth Management have been working on Title 3, implementing state land use Goals 5, 6, and 7, which may be the basis of our response to NMFS' 4(d) Rule. A response date of March 6 had been requested. An informal discussion was held on Tuesday, and now Council must vote on whether or not Metro should move ahead. He urged approval of this resolution.

**Councilor McLain** supported the revised document that was published since Tuesday. She asked Mr. Moskowitz about water rights concerns expressed by the Water Consortium. They had stated their issue to Metro staff, and she requested that it be reviewed before we mailed ours off. Their issue is with state water rights and making sure that they have recognition that water rights would not sit with the Functional Plan, but that they would sit with a state requirement and state regulation. She wanted to make sure that we have some parallel comments.

**Councilor Kvistad** responded that as previously mentioned, he has a problem with the letter that is being attached. The requests in the letter for the most part are valid, except for the demonstrable reduction of salmon abundance by the current urban environment in this area. It also mentions the "region's salmon and steelhead will falter towards extinction because of the built environment" which he thinks is not the case. He gave other examples, as well. He said he felt NMFS' impact on our community would be severe and has been based on poor science. He said he could not support this legislation.

**Councilor Atherton** rebutted Councilor Kvistad's comments. He felt there was good science about the impact of urban development on salmon habitat. He said within a large ecosystem, to try to segregate

the relative impact of any one part of that system is very difficult. The species is near extinction, and it is now incumbent upon us to accept our responsibility.

**Councilor Kvistad** responded by saying NMFS has not proven their theories, but only claim they may help. When we're talking about the built environment, because we're not regulating everything, we're moving toward the extinction of the species unless all of the rules apply to everything, everywhere. That's not good public policy, and that is not good science. Quite frankly, it's just bad for people of this region and the state.

**Councilor McLain** said that both Councilors Atherton and Kvistad made good points, and she agreed with both of them on different issues. She said today, they were simply voting on a letter that would comment and ask for clarification from the federal government about its rule. There would be an opportunity to further debate the issues. She said she supported the letter, which basically stated that the Metro Council was willing to discuss the matter further with the federal government, as Metro responded to both economic and natural issues.

**Councilor Monroe** recalled that 20 years ago, while a member of the Oregon Legislature, he sponsored a bill to ban smoking in indoor, public areas. A representative from R.J.R. Reynolds flew out to testify that there was absolutely no proven, scientific evidence that second-hand smoke impacted a person's health. When asked if smoking cigarettes adversely affected a person's health, the representative said there was some evidence that it may, but it had not been absolutely proven yet. He noted that the Legislature chose to pass the Oregon Indoor Clean Air Act anyway, and he believed that the Metro Council would pass this resolution anyway, despite the protestations of the good councilor from Washington County.

**Councilor Atherton** said Councilor Monroe's comments were apropos in terms of how science was viewed, used, and understood. He spoke to two comments made by Councilor Kvistad: first, that just because fish spend 60% of their lives in the ocean, somehow actions taken in the riparian and spawning environment were not as important. He asked if it followed that because humans spent 90% of their lives in adult clothing, their needs could be abandoned as infants and children? Secondly, concerning the issue of private property rights, he recalled that a few years ago, while driving along the Willamette River, his son asked him why the river was so dirty, if he was working so hard on saving the water. Councilor Atherton answered that it was a lot of private property in a public waterway. He suggested that he and Councilor Kvistad may be able to find common ground and keep that private property out of the public waterway. He said the resolution before the Council, and everything NMFS was trying to do, was aimed at that effort.

**Councilor Kvistad** said he did not object to the majority of the text in the resolution. He was not here to destroy what was left of the environment or to give people second-hand cancer or tell kids they could not wear Garanimals clothing. He objected to the first paragraph in the letter because it set a bad precedent for the region, by stating that everything in the built environment must be regulated by government. He said his concern was about Metro expanding the role of government, not in terms of "fish takings," but in the potential taking of private property, and the potential expansion of government interference in the lives of people. He said he would be voting against that principle today, not voting against saving the salmon.

**Michael Morrissey**, Senior Council Analyst, said the phrase in the letter paralleled a section that was called out in the body of the package of comments, on page 9. He said the ESA listing said that "take" applied throughout the region. The letter responded to protections that NMFS proposed to allow to urban development. Therefore, the "take" applied across the board, regardless. The issue of all new development had some subsets, but part of the discussion that had been underway on Goal 5, was trying to determine to what and how those protections should apply. The section on page 9 indicated that in

the preamble to NMFS 4(d) rule, NMFS seemed to suggest that the protections should apply only to totally new development, such as land newly added to the UGB. Essentially, the package of 12 criteria, which NMFS said should be part of any urban development protections, should apply throughout the entire region.

**Councilor Washington** said this was just part of the beginning, and there would be more debate in the future. He said he was ready to move forward and see what happened next.

**Councilor Park** said he understood Councilor Kvistad's interpretation of the first paragraph in the letter; however, he interpreted the statement as an equity issue. The letter stated that everyone contributed to the problem in some fashion, whether by driving a car, flushing a toilet, etc. The letter asked everyone to help with the solution in some way, not just put the burden on new development.

**Councilor Atherton** asked staff about page 3 of the proposed ESA 4(d) Rule amendments, in which Metro made specific language suggestions. He noted the sentence, "avoid stormwater discharge impacts," and asked if there was any discussion about using the word "prevent" rather than "avoid."

**David Moskowitz**, Salmon Recovery Coordinator, said the discussion on the stormwater aspect was quite preliminary, and at this point, they had not debated the use of the words "prevent" versus "avoid." He said the words may be semantically different, but their meanings were similar in some respects. He said through consideration of stormwater in Metro's current Title 3 discussions, there would be an opportunity to have that discussion.

**Councilor Park** closed by saying that the Council needed to keep an eye on the bigger picture. Metro was asked specifically by NMFS to respond. If Metro does not give a good response with questions asking for clarification of the rules, the region could be shut down in terms of urban development. He shared Councilor Kvistad's concerns about private property rights, and Metro asked NMFS about Fifth Amendment rights in its response. Metro also requested clarification on the appearance cross purposes in federal agencies' rules, and on equity issues concerning all development versus new development versus current development, and on whether all governments should be allowed to respond to NMFS individually if they do not like Metro's response. It was also very clear that Metro had a lot of work still to do on stormwater issues. He commended Councilors McLain, Kvistad, Monroe and Washington, who were members of the past Council, for their work on the 2040 Growth Concept. By developing in a compact form, the region was impacting a lot less of the native environment than it would have otherwise. He hoped to receive clarification from NMFS sometime in June. He said he had some concerns, like Councilor Kvistad, but he felt it was important to move ahead.

**Vote:** The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

## 11. CONTRACT REVIEW BOARD

11.1 **Resolution No. 00-2891**, For the Purpose of Authorizing an Exemption from Competitive Bidding Requirements and Authorizing Issuance of RFP #00R-1-REM for Replacement of Two Compaction Systems at Metro Central Station.

**Motion:** **Councilor Park** moved to adopt Resolution No. 00-2891.

**Seconded:** **Councilor Washington** seconded the motion.

**Councilor Park** introduced Resolution No. 00-2891. A staff report to the resolution includes information presented by Councilor Park and is included in the meeting record.

**Councilor McLain** noted that the REM Committee discussed the criteria for reviewing request for proposals (RFPs), and reminded staff to use the criteria when evaluating submitted proposals.

**Councilor Kvistad** said Metro had done business with both of the vendors, and both were reputable. He noted, however, that one of the companies was based in Oregon, while the other was not. While he did not feel that should disqualify the company, if the proposals were equal, he would like to see a criteria to provide for Oregon manufacturing jobs, as a tie-breaker.

**Councilor McLain** said legal counsel would have to determine whether Councilor Kvistad's proposal was possible. However, under the criteria of schedule and cost benefit proposal, a shorter shipping distance would be taken into consideration.

**Councilor Atherton** asked about a statement in the staff report that the price submitted by the unsuccessful bidder was \$9,000 higher than its per unit cost for replacing two compactors, which was a much more difficult installation. He asked for an explanation of the significance of that statement.

**Dan Cooper**, General Counsel, said the statement implied that buying two at once was cheaper.

**Councilor Park** closed by urging an aye vote.

Vote:                The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

**12.A EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e), DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.**

**Presiding Officer Bragdon** opened an Executive Session pursuant to ORS 192.660(1)(e) at 3:17 p.m. to discuss Resolution No. 00-2908.

Present: Members of the Council, Mr. Cooper, Charlie Ciecko, Parks and Greenspaces Director, Nancy Chase, Senior Real Estate Negotiator, Amy Kirschbaum, Associate Public Affairs Specialist, Joel Morton, Assistant Counsel, Council staff.

**Presiding Officer Bragdon** closed the Executive Session at 3:29 p.m.

**12.B EXECUTIVE SESSION, HELD PURSUANT TO ORS 192.660(1)(h) TO CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION.**

**Presiding Officer Bragdon** opened an Executive Session pursuant to ORS 192.660(1)(h) at 3:17 p.m.

Present: Members of the Council, Mr. Cooper, Charlie Ciecko, Parks and Greenspaces Director, Nancy Chase, Senior Real Estate Negotiator, Amy Kirschbaum, Associate Public Affairs Specialist, Joel Morton, Assistant Counsel, Council staff.

**Presiding Officer Bragdon** closed the Executive Session at 3:29 p.m.

12.1 **Resolution No. 00-2908**, For the Purpose of Amending the Jackson Bottom-Dairy McKay Creeks Target Area Refinement Plan.

**Motion:**            **Councilor McLain** moved to adopt Resolution No. 00-2908.

**Seconded:**      **Councilor Kvistad** seconded the motion.

**Councilor McLain** introduced Resolution No. 00-2908. A staff report to Resolution No. 00-2908 includes information presented by Councilor McLain and is included in the meeting record. She noted the strong neighborhood and local business support for open space acquisitions.

**Presiding Officer Bragdon** opened a public hearing on Resolution No. 00-2908.

**Robert Coussens**, 3850 NE Jackson School Road, Hillsboro, OR 97124, said his property abutted the property in question. He thanked Councilor McLain for her support and hard work on the acquisition. He said this was a unique piece of property and a perfect opportunity to make a park for the neighborhood, as well as an educational opportunity for the three schools in the area. He encouraged the Council to support the resolution.

**Bob Flansburg**, 3157 NE Jackson School Road, Hillsboro, OR 97124, represented the Evergreen Estates Homeowners Association. He asked the Council to support the resolution, and he noted that the back five acres of the property were full of wildlife and natural habitat. He said the entire homeowners association supported the acquisition as well.

**Councilor Atherton** asked if the City of Hillsboro had any money left in its local share.

**Councilor McLain** said there were still some funds left in the City of Hillsboro's local share, but the City of Hillsboro would have to come up with money regardless, because the resolution only approved funding fifty percent of the purchase price. Hillsboro had targeted some of its money for Jackson Bottom and some other sites along Rock Creek.

**Councilor Atherton** said the acquisition appeared to a local park, not a regionally significant park, and he asked for an explanation of the guidelines that determined this property to be regionally significant.

**Mr. Ciecko** said the staff perspective in regard to the regional significance was the linkage it provided along the tributary of McKay Creek. The property was an 11-acre site without any real opportunity to be aggregated with other larger acreages, which would indicate a regional scale significance. That, coupled with the property's location within an existing neighborhood, brought staff to the conclusion that it did have some regional significance in the context of the waterway and the ability to positively influence water quality and provide for connectivity for biological purposes. However, in terms of providing a regional opportunity for citizens of the region to access the site, it was lacking.

**Councilor Atherton** noted an additional statement in the resolution that the owners would sell the property to a developer if it was not acquired for park purposes. He asked if that was a common practice for Metro, because buying property for development was almost universal. He asked if threatened development was a legitimate regional criteria for Metro to acquire property.

**Mr. Ciecko** said he would not consider possible development as a stand-alone reason for this proposal. In fact, he believed that staff considered a number of elements and tried to capture the essence of the various components considered prior to bringing the resolution to Council.

**Councilor Atherton** asked if Mr. Ciecko knew the total level of all systems development charges assessed by the City of Hillsboro for property development. He noted that in West Linn and Lake Oswego, SDCs were over \$10,000 per housing unit, which was still woefully short of the total public cost.

**Mr. Ciecko** said he did not know.



**Councilor Washington** said that while Metro was not specifically buying this property because of threatened development, the whole purpose of the Greenspaces bond measure was to buy property because it was being developed so quickly.

**Mr. Ciecko** agreed with Councilor Washington. Threatened development certainly played into a decision. However, he added that the resolution before the Council was not a purchase and sale agreement at this point in time. The resolution only added the property to the existing refinement plan, which created the potential that, if there was a willing seller and Metro was able to overcome all the hurdles associated with a land acquisition, including the development of an acquisition partner, then Metro could close on the deal.

**Presiding Officer Bragdon** said in terms of regional significance, linkages had always been a theme of the master plan. The current policy discussion in the Goal 5 work was that all streams were regionally significant. Therefore it was logical that from an acquisitions point of view, streams were regionally significant.

**Councilor McLain** closed by asking the Council for its aye vote. She believed that the property was regionally significant, and that staff had made a case for the importance of the connections in the McKay and Dairy Creeks area. She said there were willing partners who had publicly stated their support.

**Presiding Officer Bragdon** closed the public hearing.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

12.2 **Resolution No. 00-2910A**, For the Purpose of Amending the Rock Creek Greenway Target Area Refinement Plan.

**Motion:** **Councilor Kvistad** moved to adopt Resolution No. 00-2910A.

**Seconded:** **Councilor Park** seconded the motion.

**Councilor Kvistad** introduced Resolution No. 00-2910A. A staff report to the resolution includes information presented by Councilor Kvistad and is included in the meeting record.

**Presiding Officer Bragdon** opened a public hearing on Resolution No. 00-2910A. He noted that the Council received a letter that morning from Rob Drake, Mayor of the City of Beaverton, advocating the Council's participation and pledging the City's participation. He said previously, the Tualatin Hills Parks and Recreation District sent a letter also advocating the Council's support and pledging its participation. He noted that the Tualatin Hills Parks and Recreation District sent a representative to the Council meeting, should there be any questions.

**Dick Schouten**, 6105 SW 148<sup>th</sup> Ave., Beaverton, OR 97007, asked the Council to pass Resolution No. 00-2910A. He said the community in the Beaverton/Aloha area would be very grateful, and that approval of the resolution would be a great step forward. He said the Council could help save a resource of almost 22 acres, plus help expand the nature park itself to over 215 acres. He noted that the nature park was a \$10 million public investment with incredible natural resources. He hoped that the council would pass the resolution. He was thankful for the high level of professionalism from the Metro staff, and the important part they had in making this possible.

**Jack Franklin** 5025 SW Fairmount Drive, Beaverton, OR 97005, said he had presented to the Metro Operations committee last week and wanted to reinforce to the full council how important this is to the citizens of Beaverton. He said they had worked very hard to make this happen. He commented that they appreciated Charlie Ciecko and Jim Desmond's hard work and thanked the council for their help.

**Presiding Officer Bragdon** said in regard to Mr. Franklin's compliments to Metro staff, that they dealt with a lot of citizen groups around the region, and council had heard positive things about the way the citizens had organized in this case. He asked about the number of signatures that had been gathered on the petitions they had circulated. He thought they had gathered a lot of signatures in a very short period of time and felt it would be useful for the council to hear how many.

**Mr. Franklin** said they had gathered approximately 4,300 signatures in support of this property. He added that ten of the 14 neighborhood associations in Beaverton had signed on to work on this and the ones who did not sign up were not active at the time they were seeking support.

**Councilor Atherton** asked about the level of system development charges (SDCs) per dwelling unit in the City of Beaverton and Washington County.

**Jim McElhinny**, Superintendent of Natural Resource Services, Tualatin Hills Park and Recreation District, did not know the actual number. He did know that the park district SDC for a single family dwelling unit it was \$1,950 and for a multiple family development it was \$1,499 and for a manufactured housing it was \$1,350.

**Councilor Atherton** said that was laudable. He thought Beaverton's total SDC was below \$4,000. He commented that this property was listed as a potential 20 dwelling units per acre.

**Councilor Park** asked a point of order regarding the relevancy of this question.

**Councilor Atherton** replied he was trying to show the impact of SDCs on the valuation of the property.

**Presiding Officer Bragdon** said the relevancy was the value of the property and they were discussing an option to purchase property.

**Councilor Park** responded that their discussion was in terms of changing the target area, not in the actual purchase of the property.

**Councilor Atherton** said he save further comment for the comment period.

**Councilor Park** said, in regard to Mr. Schouten's comment about Metro making this possible, that he felt the citizens had actually done that, and the previous council had done a lot of work in 1995. He asked if Councilor Atherton's questions could be answered through Growth Management staff rather than individual citizens who came before council. He thought they could discuss that at a later time.

**Presiding Officer Bragdon** closed the public hearing

**Councilor Atherton** was concerned about the high prices they were paying in areas with very low SDCs. He wanted to find a way to recognize that and get in the process.

**Councilor McLain** added her support to the resolution. She noted they were voting on a refinement plan, not an acquisition.

**Councilor Washington** said he would support this resolution. He wondered if Councilor Atherton's concern was about establishing a level of SDCs. He felt that should be handled at the appropriate committee. He did not understand the ramifications in this context but he would like to have that discussion later.

**Councilor Atherton** said he would support the resolution but the SDC issue was something that was definitely appropriate for discussion. He said it was often very helpful to have discussions in the context of a real world problem. He appreciated the council's indulgence.

**Councilor Kvistad** closed by saying he was very pleased to carry this resolution as it was a very significant piece of property in his community. They all knew this land would be warehouses and roads it was not included in the Parks and Recreation District's land. He noted that what was before them was the amendment of the refinement plan to allow staff and the community the opportunity to look into the purchase, and into saving this important parcel of land. He highly recommended this change in the refinement plan and gave staff and the community his highest regards in working on this. He urged an aye vote.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

### 13. COUNCILOR COMMUNICATIONS

**Councilor Park** commented that the March 9, 2000 Council agenda had a public hearing scheduled on the annexation of the South Hillsboro area. He noted the Genstar communication they had just received asking for the hearing to be continued. He asked Mr. Cooper if it was his interpretation of this that they would not be presenting before the Council at that meeting.

**Mr. Cooper** responded yes.

**Councilor Park** suggested those that had planned to testify should delay their testimony.

**Councilor Monroe** announced that he would be representing Metro in Washington DC along with a delegation from the region concerning funding for regional transportation needs. He said he would be gone next week and report back in 2 weeks about the trip.

**Councilor Kvistad** said the next JPACT meeting would not be until April due to Councilor Monroe and the staff's trip to Washington DC. As a member of the Dorchester board, he formally invited the council to their conference at the coast. He said everyone was welcome Friday, Saturday, and Sunday at the Seaside Convention Center to enjoy a weekend of non-partisan debate of many issues.

**Councilor Washington** told Councilor Monroe to have a good trip and added he knew the council would be well represented.

**Presiding Officer Bragdon** announced that Zimmer Gunsul & Frasca had been selected as the architect on the Convention Center expansion. He said they would be bringing the preliminary models to an informal meeting sometime this month for review. He noted there was some controversy about moving the log sculpture, so regardless of what the newspapers had reported, no action had been taken there as yet. He reminded the council that next week's council meeting was at 7 o'clock in the evening in the Council Chambers.

### 14. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 4:15pm.

Prepared by

Chris Billington  
Clerk of the Council

**Attachments to the Record  
Metro Council Meeting of March 2, 2000**

<b>Doc. No.</b>	<b>Document Title</b>	<b>TO/FROM</b>
030200c-01	Minutes of February 17, 2000 Regular Council Meeting	Council/Billington
030200c-02	Staff report for Ordinance No. 00-849	Council/Morrissey
030200c-03	Metro Operations Committee report for Ordinance No. 00-850	Council/Washington
030200c-04	Metro Operations Committee report for Resolution No. 00-2898	Council/Washington
030200c-05	REM Committee report for Resolution No. 00-2891	Council/Park
030200c-06	Resolution No. 00-2910A	Council/
030200c-07	e-mail RE: Jenkins/Kim synopsis for council meeting	David Bragdon/Larry Shaw
030200c-08	Fax RE: continuance for South Hillsboro Annexation Petition	Council/Genstar, Doug Draper
030200c-09	Letter RE: support for Rock Creek area Refinement Plan for land adjacent to Tualatin Hills Nature Park	Bragdon/Ronald D. Willoughby
030200c-10	Letter RE: support of Rock Creek area Refinement Plan	Bragdon/Mayor Rob Drake