

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 17, 2005
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Robert Liberty, Rex Burkholder, Carl Hosticka, Rod Park, Brian Newman

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. METRO AUDITOR'S UPDATE

Alexis Dow, Metro Auditor, provided an overview of areas that her department had been working on. She noted that she had regular meetings with the Council President and the Chief Operating Officer. She noted recent changing in staffing for policy and public relations. She spoke to the charge of her office, which was to focus on operations. Were efforts being carried out efficiently and results being achieved? She talked about her role in evaluating various operations of Metro and making recommendations for better performance with fewer resources. She apprised Council of the Auditor Office current activities, which included several projects that were outsourced. There were 8 audit projects in process as well as monitoring the financial statement audit. She provided details on those audits, which were almost done, were at mid point and were just getting started as well as one, which was planned for the first of the year.

Almost done:

1. Analysis of MERC maintenance efforts and reserves
2. Evaluation of Planning Dept service contract management
3. Evaluation of Zoo contract with ARAMARK for management of zoo retail store
4. Preparation of upcoming audit plan
Midway
5. Annual update on the status of audit recommendations
6. Oversight of BPI effort
7. Study of the 2040 performance measures report by the planning Dept
Just starting
8. Study of cash collection internal controls
Planned around 1st of year
9. Evaluation of Workers Comp claims

She also noted other areas of interest including MERC's use of Central Services, the Parks proposed Bond Measure, the Aramark contract and other human resource issues at the Zoo and the ongoing changes in Central services. She asked Council if they had any feedback of questions. There were none.

4. CONSENT AGENDA

4.1 Consideration of minutes of the November 10, 2005 Regular Council Meetings.

Motion:	Councilor Liberty moved to adopt the meeting minutes of the November 10, 2005 Regular Metro Council.
---------	--

Vote:	Councilors McLain, Liberty, Park, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed with Councilor Burkholder abstaining from the vote.
-------	--

5 ORDINANCES – FIRST READING

5.1 **Ordinance No. 05-1097**, Amending the Metro Habitat Conservation Areas Map and Other Maps Related to Title 13 of the Urban Growth Management Functional Plan, and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 05-1097 to Council.

6. ORDINANCES - SECOND READING

6.1 **Ordinance No. 05-1089A**, For the Purpose of Amending Chapter 3.01 of the Metro Code (Urban Growth Boundary and Urban Reserve Procedures) and Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan to Comply With Changes in State Planning Laws, and Declaring an Emergency.

Motion:	Councilor McLain moved to adopt Ordinance No. 1089A.
Seconded:	Councilor Newman seconded the motion

Councilor McLain introduced the ordinance and explained the changes in the Code and Title 11 to comply with the State Planning laws.

Dick Benner, Metro Senior Attorney, provided specific details of the changes, which included the findings (provided in the meeting record).

Councilor Liberty asked Mr. Benner about best practices. Mr. Benner responded to his question and suggested choosing the areas that best achieved the goal. Councilor Liberty asked about picking the area that was better, was this implicit in the Code? Mr. Benner said he felt it was implicit, you must chose the area that was better or best. Councilor Liberty suggested a language change to clarify Exhibit A, pages 84 and 85. Councilor Hosticka provided his comments on the language change. He did not think it was a good idea to say what a Council must do. Councilor Liberty said when Council set rules forth, they were bound by those rules. Councilor McLain said on page 4 of Exhibit A, it said exactly what Councilor Liberty was suggesting. Mr. Benner concurred with Councilor McLain’s comment. She said they had two things to deal with: State law and local jurisdictions criteria that regional partners had determined were important. Councilor Newman agreed with Councilor McLain’s comments. Councilor Liberty said his revision was primarily housekeeping.

Council President Bragdon opened a public hearing on Ordinance No. 05-1089A.

Meg Fernekes, Division of Land Conservation and Development (DLCD) staff, thanked Council for their changes to the ordinance. She spoke to the minor Urban Growth Boundary (UGB) amendment process. She suggested removal of a sentence to satisfy DLCD’s concerns. Section 035A, page 10, Exhibit A.

Council President Bragdon closed the public hearing.

Motion to amend:	Councilor Liberty moved to amend Ordinance No. 1089A.
Seconded:	Councilor Park seconded the motion

Councilor Liberty explained his amendment and felt that Forest Park was an example of why he was bringing forward the amendment. Councilor McLain suggested the need for balance between being too restrictive and partner’s requests. She felt the language in front of Council provided that balance and that she did not support the amendment. Councilor Newman said he would not support the amendment and explained his vote.

Vote to amend:

Councilors Park, Hosticka, Burkholder, McLain, Newman, and Council President Bragdon voted against of the motion. The vote was 6 nay, the motion failed with Councilor Liberty voting in support of the motion.

Vote on the main motion:

Councilors Park, Hosticka, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

6.2 **Ordinance No. 05-1070A**, For the Purpose of Amending the Urban Growth Boundary To increase Capacity to Accommodate Growth in Industrial Employment and to respond to Remand Orders from the Land Conservation and Development Commission.

Council President Bragdon indicated that the motion had already been moved and was on the floor.

Council President Bragdon opened a public hearing on Ordinance No. 05-1070A.

Amy Scheckla-Cox, City of Cornelius Council Chair, 1355 N Barlow St. Cornelius, OR 97113 said she was shocked about the Council’s amendment last Thursday concerning Cornelius. They needed to have dependable intergovernmental trust. She counted on policies to be followed and the process had not been followed. She urged reconsideration of the Council’s amendment. She noted a letter from Council President Bragdon. She summarized her letter of response (a copy of which is included in the record). She also spoke to rules for amendments called out by Council President Bragdon. She said every indication was that the Metro Council supported the Cornelius expansion. The verbal amendment gutting the Cornelius amendment was contrary to staff finding and was offered after public testimony with no allowance for rebuttal. She urged reconsideration of the amendment.

Brad Coffey, Cornelius City Council, 946 S. Oleander, Cornelius, OR 97113 said he had also signed the letter from the City of Cornelius. He had lived in Cornelius for seven years. He was excited about the opportunity for new business and industry. He urged reconsideration of the amendment. He was curious about the reason for the amendment.

Richard Kidd, Mayor of Forest Grove 3022 Watercrest Forest Grove 97116 said he represented all of the small cities in his area. He spoke to the 4th and 7th whereas in Ordinance No. 05-1070A. He then talked about Metro Policy Advisory Committee (MPAC) meeting minutes, which spoke to the industrial land remand from Land Conservation and Development Commission (LCDC). He talked about the staff presentation at MPAC. He noted that Mayor Hughes had made a motion, and John Hartsock seconded to motion to adopt and forward the Chief Operating Officer's (COOs) recommendation to the Metro Council. He had not attended last Thursday's meeting. He said his Council talked about this the following week. His Council wanted him to relay their support to include Cornelius in the industrial land UGB decision. He asked Council to reconsider the amendment from last week and reinstate the industrial land in Cornelius. Councilors Liberty and Newman talked about Councilor Park's amendment to delete Evergreen and keep Cornelius. Mayor Kidd also said the Cornelius amendment had not been distributed to MPAC.

Jack Hoffman, MPAC Chair, 851 SW 6th Portland OR 97201 continued the theme that Council Chair Scheckla-Cox had started about process. He talked about the decisions in 2005. He noted what worked and what had not worked. He talked about the history of the UGB from 2002 to present. He noted that Metro Technical Advisory Committee (MTAC) reviewed the COO's industrial land recommendation in September 2005. MPAC had also reviewed the recommendation. They had approved the COO's recommendation October 5, 2005. He explained the reason why MPAC approved the recommendation. He had looked forward in 2006 to working with regional partners. He debated the process that was used last week.

Councilor Hosticka talked about the MPAC process and that there had been no public hearing. The first public hearing had been November 10, 2005. The public needed input as well. Mr. Hoffman said there were a citizen public and a local jurisdiction public. Councilor Hosticka suggested that there might be a better way. Councilor Liberty echoed Councilor Hosticka's concern. The testimony on November 10th was important to him. He suggested an opportunity for public participation at an earlier stage in the process. Councilor Hosticka said these decision involved citizens who lived outside the UGB. The only chance Council had to hear from them was at the public hearing. Councilor McLain said the Council had tried hard to listen to all of the public. It was important to make sure that the decision would not be remanded again. Mayor Kidd felt that there had been a lot of public input prior to the last public hearing. Councilor Newman said only two parties testified in relation to Cornelius, the Farm Bureau and 1000 Friends of Oregon. These two entities had participated over the past two years.

Mayor Hughes urged Council to adopt the COO's recommendation. He acknowledged his letter of November 10th. He said the State of Oregon had determined that the Metro Council had not brought in enough land. The COO had reviewed the DLCD decision and made a recommendation, which included adding the Evergreen site. He noted MTAC and MPAC acknowledged adding the Evergreen site. He was agreeing with his partners. Councilor Burkholder spoke to the amendment to add housing capacity in Hillsboro due to the additional employee acreage. He wanted to have Mayor Hughes address the amendment, which has failed at last week's Council meeting. Mayor Hughes said the previous expansion was balanced except that there needed to be more industrial land. Second, the two areas in Hillsboro where they would add capacity would be in Hillsboro Downtown Center and Tanasborne Town Center. The Tanasborne area was already fairly impacted. The downtown area was evolving but they had planned for an educational campus, which would include student housing. In order to reach additional capacity they had hired staff to review this suggestion. They were attempting to organize the downtown area in a positive way. He suspected that if they added more capacity in the downtown area it would probably be beyond the next 20-year plan. He said Council was asking them to rezone the downtown area to accommodate growth at the edge.

Councilor Park talked about the 2002 decision on Shute/Evergreen site on additional capacity. He wondered what the difference was between 2002 and 2005. Mayor Hughes said he did not recall the need to add additional housing. Councilor Park explained his reasoning for asking the question. He wondered if Mayor Hughes would be opposed to adding housing conditions. Mayor Hughes responded to his comment. Councilor Hosticka agreed with Mayor Hughes about the fact that there was a lot of employment in Hillsboro but many individuals came from other parts of the region. These issues were not confined to one geographical city. If Council was adding to the industrial land of Hillsboro, was he open to sharing the revenue and impacts on residential and city services that were created by the increase in industrial land? Mayor Hughes said he had had many asked if the increase in industrial land would generate a lot more revenue. It was hard to assess the financial benefit of the size of the industrial land increase. He thought it was possible to overrate the financial benefit. He felt that Cornelius wanted a complete community. He wasn't sure the addition of the land had made Hillsboro wealthier. If this expansion went through, that would be the last industrial land available in Hillsboro. He spoke to future industrial land areas. In his area there had always been a need for smaller sites. He felt that the Cornelius site would accommodate this need. Councilor Hosticka added his comment. Mayor Hughes said he felt that every expansion created its own set of challenges.

Councilor Hosticka asked about removal of the Sunset Acres housing area. He wondered if we should be adding housing in another area near Hillsboro. Mayor Hughes responded to his question. Councilor Liberty said at the hearing on November 10th they were trading off one kind of land for another. Mayor Hughes said they were all looking for assurances. He had championed the beginning of that discussion. He believed that they needed to move in the direction of rural preserves. Most of his colleagues believed they needed to find those lines as to what would be the maximum of their growth capacity. He also talked about the morphing of the industry. He noted Intel expansions for manufacturing. Councilor Park asked about industrial land assurances. Mayor Hughes said they pioneered large lot overlay. Second, he had no objection to site-specific conditions as long as they could accommodate the industry. What they wanted to avoid particularly on the 100 acres site was the appearance that a company had to deal with too many layers of government. Councilor Park said he would be proposing that the sites remained industrial. Mayor Hughes said that could be a problem but he had great hope with the current partnerships.

Keith Fishback, Washington County Farm Bureau, 11375 NW Roy Rd Banks OR 97106 said he appreciated that the Council listened to the farmers to not go north of Council Creek. He urged reconsideration of the amendment of Evergreen.

Henry Oberhelman, 26185 NW Evergreen Hillsboro OR 97124 provided a letter for the record and summarized his comments.

Rockford Regula, 5010 NW Sewell Hillsboro OR 97124 said he was putting a face on one of the individuals effected by the UGB expansion. The language in the ordinance seemed to ignore the individuals. Nowhere did it mention the number of individuals impacted by the decision. He noted negative impacts on agriculture. He owned a nursery, which would be impacted by this decision. He was concerned about those individuals whose property may be devalued. Councilor Liberty asked if he was opposing the expansion? Mr. Regula said he did not know because he couldn't make a decision on how this expansion would affect him. He wasn't sure how this would affect him economically. Councilor Hosticka said by changing the UGB they didn't require him to change the size of his lot. Mr. Regula said he understood this.

Catherine Sidman, Cornelius Chamber of Commerce Vice President, 947 S. Beach Cornelius OR 97113 provided a letter for the record and summarized her letter. She also addressed the issue of financial growth.

Robert Ferrie, Cornelius Planning Commission, 2601 S Dogwood St Cornelius OR 97113 said they were talking about 42 acres of Exclusive Farm-Use (EFU) land. There was no intrusion into the valuable farmland by adding this acreage.

Harry Jacobsmuhlen 1395 NW Susbauer Cornelius OR 97113 said they owned Jacob's Meats. They had 22 acres that was north of Council Creek, which they wanted to put into industrial. He was opposed to the amendment.

Letha Jacobsmuhlen 1395 NW Susbauer Cornelius OR 97113 concurred with her husband's testimony. She was disappointed that the land had been taken out. She was for the original recommendation.

Jim Johnson, Oregon Department of Agriculture, 653 Capitol St NE Salem OR 97301 said he was getting many calls. He thanked the Council for their action at the last hearing. He felt the Council listened to the Farm Bureau and the farmers. He reminded the Council that exception lands were only designated if they were found to be compatible with adjacent agriculture land. He spoke to irrigation and its role in the agriculture land. There were a lot of crops that did not require irrigation. He said agriculture related business could locate on farmland. He pointed out that the Evergreen site was ranked 11th out of 15th sites. They had not ranked it high for inclusion. He felt a good edge or buffer was as important as locating the line on a lot line. Councilor Liberty asked what was the ranking of the Cornelius site? Mr. Johnson said it was ranking 14th out of 15. Councilor Liberty asked about the Department's position on exception land zoning. Mr. Johnson said it was not uncommon to have exception land used for agricultural uses. Councilor McLain said there was a suggestion made that there might be more appropriate acres in Cornelius for manufacturing. She asked if the Department of Agriculture had studied lands south. Mr. Johnson said they were told to focus on land suited for warehousing. Councilor McLain explained why she had asked the question. Councilor Hosticka said he had looked at some aerial maps. It was almost impossible to determine where exception land started and EFU land started. Councilor Park asked if the Department had taken a stand on a "time out". Mr. Johnson said he was not sure the Department had a position. Councilor Park wondered if the Department would have looked at other sites related to Hillsboro. Mr. Johnson said he wasn't aware of any lands that they hadn't taken a look at for industrial purposes.

Gregory Manning, representing NAIOP and CREEC, 7238 SW Capitol Hwy Portland OR 97219 provided his testimony for the record and summarized his comments. He spoke on behalf of NAIOP and CREEC. He had submitted CREEC's testimony separately.

Christine Dean 4700 NW Sewell Rd Hillsboro OR 97124, said she had email her input to Council. She raised several questions concerning livability (a copy of her email is included in the meeting record).

Bruce Dean 4700 NW Sewell Rd Hillsboro OR 97124 talked about the variety of acreage available in the area. He talked about the windfall tax amendment. The Council voted unanimously to windfall tax property once brought into the UGB. Third, his family wanted a large piece of land so children could play. He talked about vacancy on already designated land. He felt they didn't need this industrial land now. Finally, he said his neighbors' felt Council had already made up their mind. Why hold a public hearing if Council had already made up their

mind. He felt there was a lot of industrial land available and a lot of it was vacant. He questioned if there was a need for additional industrial land.

Mary Kyle McCurdy, 1000 Friends of Oregon 534 SW 3rd Portland OR 97204, said she testified at the last hearing. She addressed previous testimony. The idea that Council had to decide on amendments prior to the public hearing offended her. Last week's public hearing was the first opportunity for them to respond to the staff report. Testimony provided new information. She noted additional lands that had been identified south of Council Creek that could be considered. Council would have opportunity to revisit the site north of Council Creek. There was still approximately 50 acres available for development in Cornelius. She talked about impacting the farming industry.

Walter Duyck Farming 1640 Cornelius-Schefflin Rd Cornelius OR 97113 said he farmed in the Cornelius area. Most of the areas including his were 2 to 5 acres. They couldn't afford to move equipment. He noted testimony last week representing large growers. They did not represent the small growers. Councilor Burkholder asked if his land was part of the exception areas. Mr. Duyck said yes. They had farms without water.

Tim Duyck, 4760 NW Marsh Rd Forest Grove OR 97116, said he was a full-time farmer. He managed the land his family owned inside the UGB. There was no indication that Cornelius expansion was an issue. He was surprised by the Council's amendment. He noted Farm Bureau representation and felt that they did not represent the farmer. He said it was not fun or profitable to farm small pieces of land. He felt industry was coming to Cornelius soon. Cornelius needed land for expansion for industrial purposes. He urged reconsideration of last Thursday's amendment.

Jennifer Finegan, 3775 NW Cornelius-Schefflin Rd Cornelius OR 97113, said her family made their livelihood as farmers. They owned property south and north of Council Creek. They had not received notice. They needed land for industrial purposes. She believed they should expand north of Council Creek. She wanted choices.

Bill Bash, City of Cornelius Planning Commission 1490 S Alpine Cornelius OR 97113, addressed the issue of the longest commute in the region. Expansion in Cornelius would allow them to work in the area rather than commute a distance to work. He spoke to costs of transportation. He urged a variety of work opportunities in his community. He wanted to see the UGB moved back to original position.

Richard Meyer, City of Cornelius, 1355 N. Barlow Cornelius OR 97113, reiterated some of things Council had learned from the testimony. He spoke to the need to balance the needs. There was a need for choices to accommodate industry. The landowners that were part of the exception land spoke to the fact that their land was not profitable for farming. He urged allowing Cornelius to develop into a healthy sustainable place. He felt a delay in the decision was costly to their city. He urged reconsideration of the amendment.

James Burns, 5840 NE Sewell Road, Hillsboro, OR 97124 talked about his land. He wanted the Council to take all of his land. It was currently half in and half out. Councilor Burkholder asked Mr. Burns about his land and where it fell. He responded that he was on the second ninety-degree corner on Sewell Road.

Jonathan Schlueter, Westside Economic Alliance, 10220 SW Nimbus Ave Portland OR 97223, provided written testimony and summarized it for the record. Councilor Burkholder talked about

his amendment for increased capacity for housing. He wanted to know their position on that amendment. Mr. Schlueter said they would always value living closer to where they work. Councilor Liberty asked about long-term rural reserves. Mr. Schlueter said he had worked for agriculture. He valued the American farmer but at the end of the day, you had to ask where were they going to put the growth. Councilor Park asked about protection of the land for industrial purposes. Mr. Schlueter said he had not seen the poaching of land.

Jim Long PO Box 33 North Plain OR 97133 applauded citizen participation and public hearings. He hoped Council listened to the public. He thought it was important to protect farmland. He encouraged more public input. Councilor Burkholder said this was actually the final piece of a very long process. They had many hours of public outreach and public hearings on this decision.

Councilor McLain said they all wanted citizen participation. One of the other items brought up was the need for other agricultural industry, like processors. Her understanding was that the agricultural related business could build on the EFU land and the exception land outside of the UGB. Mr. Benner commented that was correct in large measure. It was not any agricultural industry that could locate outside the UGB. In order to answer the question specifically you had to look at the industry. Councilor McLain provided examples. Mr. Benner said they were usually conditional uses.

Council President Bragdon closed the public hearing.

Council President Bragdon spoke to the history of the UGB expansion starting in 2002. They had spent the last three years working on the industrial piece. He spoke to the remand issues before Council today and detailed the two issues the Council needed to respond to.

Councilor Liberty asked if they could have a review of where they stood at the moment. Council President Bragdon said there were amendments last week to remove a portion north of Council Creek as well as adjusting some of the lines in the Evergreen area.

Councilor Burkholder wanted to reconsider his amendment.

Motion to reconsider:	Councilor Park moved to reconsider the Burkholder amendment because Councilor Burkholder was absent from the meeting.
Seconded:	Councilor Burkholder seconded the motion

Councilor Burkholder indicated he had not been at the meeting last week and would like to vote on his amendment. There was no objection to reconsidering the amendment. Councilor Newman said he would be voting against the amendment and explained his reasoning. Councilor Park said he would support the amendment and explained his reasoning. Councilor Hosticka said he had voted for this amendment last week but would not be supporting the amendment this week. He explained his vote. He felt these were regional issues, which couldn't be localized in any one city. Council President Bragdon said he would be voting no again and explained his vote. Councilor McLain agreed that she would vote the same way she had last week. She felt the City of Hillsboro testimony today supported her vote against the amendment. Councilor Burkholder thanked the Council for the opportunity to reconsider the amendment.

Vote to amend:

Councilors Park, Burkholder, Liberty voted in support of the motion, Councilors McLain, Hosticka, Newman and Council President Bragdon vote against the motion. The vote was 3 aye/4 nay, the motion failed.
--

Council President Bragdon talked about issues that had been raised during the testimony, which needed to be addressed in the future. The issue today was trying to deal with the last decision on expansion. They had just begun the conversation about redevelopment, sub-regional issues, etc. He urged closing the chapter and supporting the ordinance.

Councilor Liberty said he would be voting yes despite reservation on Evergreen. Every part of the region had to succeed. Cornelius had had some challenges but he wasn't sure adding land ensured economic development. In the future when they looked for stability for agriculture land, rural reserves could perhaps lead to some certainty. They needed to focus on the future. He spoke to current financial constraints

Councilor Hosticka addressed some of the questions raised by Mr. Schlueter. He spoke to how the system worked currently and the need to change this system.

Councilor Burkholder said this process was long. The value of what Council did was to make a conscious deliberate decision about how we grow. He provided examples of cities that didn't do this. He expressed his appreciation for the public that participated as well as the local elected officials.

Councilor McLain said she lived in this area. She was affected personally. She cared about the decision she made. She considered every kind of input. This was the first time in 15 years that she had seen urban and rural partners acknowledge the need that both agricultural and other industries needed to work together. She said there would be an inventory of agricultural lands. Second, the residential issue was integrated with this evening's decision. Lastly, there will always be edge properties. Those edge properties didn't have a release valve. This issue also needed to be considered in the future. Cornelius still had an opportunity to grow because there had been a commitment by the agricultural industrial.

Councilor Park said he felt they were close enough. He expressed some concerns about the process. He was a farmer who farmed inside the UGB. He spoke to the need for balance. He also noted the need to interact with cities outside the UGB such as North Plains. He talked about notices to the public. He suggested a regional vote on these issues. He also acknowledged the need to engage the citizens.

Councilor McLain talked about the findings and that she would support the ordinance as amended. She noted the Cornelius findings. She wasn't sure that the findings answered all of the questions the State raised.

Councilor Hosticka raised a point of order about aerial maps, which he requested be part of the record.

Councilor Newman thanked the Council for their efforts. He spoke to the Cornelius vote and his past votes. They had talked about the situation that Cornelius was in. He acknowledged that there were challenges and trade-offs. He also spoke to the rural urban conflict. Their job was to find balance. He acknowledged staff's efforts. He valued Council's working relationship

Vote on the Main
Motion:

Councilors Park, Hosticka, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

7. RESOLUTIONS

7.1 **Resolution No. 05-3628**, Designating Council Projects and Confirming Lead Councilors and Council Liaisons.

Motion:	Councilor Burkholder moved to adopt Resolution No. 05-3628
Seconded:	Councilor Liberty seconded the motion

Councilor Burkholder talked about the resolution and detailed the Council Projects. Council President Bragdon noted that there additional projects in the works. Councilor Liberty asked for clarification on the fairness, farmland project. He wasn't sure if this project would be completed in January and asked that it be set for the end of the fiscal year. Councilor Burkholder asked Councilors Liberty and Hosticka about resources required. He felt that the work plans should be laid out more specifically. He then talked about options available. He encouraged that they be more opened ended, he recommended striking language so they could have a more open-ended conversation. Councilor Liberty responded to Councilor Burkholder's concerns and recommendations. He felt Councilor Burkholder's points raised would be considered. Councilor Park asked about flexibility in half of the money being spent inside and outside the boundary. Councilor Liberty responded to his question. Councilor Hosticka said voting on the work plan did not commit them to any policy. He felt the questions that Councilor Burkholder raised were legitimate. The distribution of money was illustrative. Council President Bragdon acknowledged the projects that had been completed. Councilor Newman said there were additional projects that would be considered in the future.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

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

8.1 **Resolution No. 05-3630**, For the Purpose of Approving an Application For Easement/Right of Way/Lease to the City of Wilsonville for the Construction of the Boeckman Road Extension Project.

Time Began: 5:49 pm

Members Present: Jim Desmond, Alison Kean Campbell

Time Ended: 6:04 pm

Motion:	Councilor Hosticka moved to adopt Resolution No. 05-3630
Seconded:	Councilor Liberty seconded the motion

Councilor Hosticka explained the resolution.

Council President Bragdon opened a public hearing.

Charlotte Lehan, Mayor of Wilsonville, supported the resolution. This easement was an important link in the project. She provided a letter, which iterated her comments (a copy of which is included in the record). She thanked the Council for this important partnership.

Councilor Hosticka talked about the possibility of a new bond measure. He said one property under consideration was the Tonkin Trail. Did City of Wilsonville have any thoughts on this property? Mayor Lehan said they had a task force working on bike-pedestrian trails. She knew that the Tonkin Trail was part of their transportation planning.

Councilor Park asked about whom this road would serve? He asked about capacity of Villabois with or without this facility. Mayor Lehan said without Barbur and Boeckman you couldn't develop at all. It had close to zero capacity without one or the other. Councilor Park said build out was about 7000 dwelling units. Mayor Lehan concurred.

Council President Bragdon closed the public hearing.

Councilor Newman said he would be supporting the resolution. He felt this particular facility was important. Council President Bragdon said he would also be supporting the resolution. He appreciated how the City juggled all of its issues. Councilor Liberty said he would support the motion as well. He was impressed with Villabois.

Councilor Hosticka said the easement was to grant the right to put a road across our property. The construction had a number of potential impacts on the environment of the property. Staff had examined the impacts. The judgment of the COO was to recommend the easement

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

9. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordon, COO, had nothing to add.

10. COUNCILOR COMMUNICATION

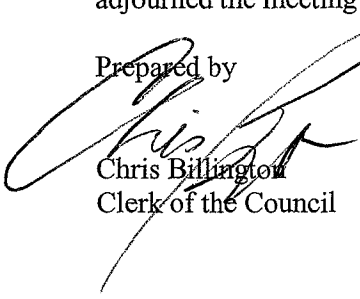
Council President Bragdon said the Council would not meet next Thursday, as it was Thanksgiving.

Councilor Newman noted that the Oregon Zoo would have an all day retreat tomorrow.

11. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 6:18 p.m.

Prepared by



Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER 17, 2005

Item	Topic	Doc Date	Document Description	Doc. Number
4.1	Minutes	11/10/05	Minutes of the Metro Council Meeting of November 10, 2005	111705c-01
6.2	Letter	11/15/05	To: Metro Council From: Mayor Hughes, City of Hillsboro Re: Letter concerning Industrial Lands Ordinance No. 05-1070A	111705c-02
6.2	Letter	11/16/05	To: Metro Council From: Don Schellenberg, Associate Director of Gov't Affairs for the Oregon Farm Bureau Re: agrees with County Farm Bureau's comments about UGB expansion in Evergreen Study area and acreage north of Council Creek	111705c-03
6.2	Letter and attachments	11/16/05	To: Metro Council From: Mayor and Council of City of Cornelius Re: requesting reconsideration of vote on Cornelius as well as attached letter to Dick Benner from Richard Meyer concerning findings on Cornelius UGB expansion for industrial use	111705c-04
6.2	Letter	11/17/05	To: Metro Council From: Dale Erickson Re: Council Creek property owner requesting inclusion in UGB, industrial lands	111705c-05
6.2	Email	11/16/05	To: Metro Council From: Chi-Hwa Tsang Re: Property owner in Evergreen who wants northern corner of property included in industrial lands	111705c-06
6.2	Letter	11/17/05	To: Metro Council From: Marjorie Lafollett Smith Re: supports Dairy Creek as the appropriate boundary for the UGB in the Cornelius area	111705c-07
6.2	Letter	11/15/05	To: Metro Council From: Dave Armstrong Re: support staff recommendation UGB expansion North of Cornelius including exception areas connected by 42 acres of EFU	111705c-08
6.2	Maps	11/7/5	To: Metro Council From: Lydia Neill, Planning Department Re: Three maps reflecting Council amendments of 11/10/05 in Evergreen and Cornelius	111705-09

6.2	Letter	11/16/05	To: Metro Council From: Francine Waagneester Re: disappointed in Cornelius amendment	111705c-10
6.2	Letter	11/16/05	To: Metro Council From: City of Cornelius Mayer and City Councilors Re: Cornelius UGB Expansion	111705c-11
6.2	Letter	11/17/05	To: Metro Council From: Henry and Anita Oberhelman Re: Additional industrial lands – Evergreen Study Area	111705c-12
6.2	Aerial Photographs	11/17/05	To: Metro Council From: Councilor Hosticka Re: 2 Aerial Photos of Evergreen and Industrial Remand areas under consideration	111705c-13
6.2	Letter and attachment	11/17/05	To: Metro Council From: Catherine Sidman, Product Manager, Sheldon Manufacturing Re: Letter and attached letter from Dave Daniels re: land north of Council Creek in Cornelius	111705c-14
6.2	Testimony	11/17/05	To: Metro Council From: Tim Duyck, Farmer Re: farmland north of Cornelius	111705c-15
6.2	Testimony	11/17/05	To: Metro Council From: Jonathan Schlueter, Westside Economic Alliance Re: supporting COOs recommendation on industrial land	111705c-16
6.2	Email	11/16/05	To: Metro Council From: Christine Dean Re: Doesn't want to live next to industrial land	111705c-17
6.2	Testimony	11/17/05	To: Metro Council From: Greg Manning, NAIOP and CREEC representative Re: process for industrial land selection	111705c-18
6.2	Letter	11/17/05	To: Metro Council From: Mike Tharp, CREEC Chair Re: Letter opposing exclusion of Cornelius land north of Council Creek	111705c-19
6.1	Findings	11/17/05	To: Metro Council From: Dick Benner, Metro Senior Attorney Re: Findings for Ordinance No. 05-1089A – Exhibit C	111705c-20
8.1	Letter	11/17/05	To: Metro Council From: Mayor Charlotte Lehan, City of Wilsonville Re: Supporting Resolution No. 05-3630	111705c-21