

MINUTES OF THE METRO COUNCIL MEETING

Thursday, March 27, 2008
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Robert Liberty, Rex Burkholder, Rod Park, Carlotta Collette

Councilors Absent: Carl Hosticka (excused)

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the March 20, 2008 Regular Council Meeting.

Motion:

Councilor Liberty moved to adopt the meeting minutes of the March 20, 2008 Regular Metro Council.

Vote:

Councilors Burkholder, Harrington, Liberty, Park, Collette and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4. ORDINANCES – SECOND READING

4.1 Move to the end of the agenda.

4.2 **Ordinance No. 07-1162A**, For the Purpose of Adopting the Regional Solid Waste Management Plan, 2008-2018 Update.

Motion:	Councilor Harrington moved to adopt Ordinance No. 07-1162A.
Seconded:	Councilor Park seconded the motion.

Councilor Harrington said Ordinance number 07-1162A related to Metro adoption of the updated 2008-2018 Regional Solid Waste Management Plan (RSWMP).

Metro had a longstanding role in regional solid waste planning, with the earliest solid waste management plan for the region produced back in 1974. Our authority over solid waste management planning was derived from the Metro Charter and Oregon statutes.

Like its predecessors, the Plan before the Council today provided long term policy and program direction to Metro and its partners in the region's solid waste system. Implementation of Plan

objectives was through cooperation and coordination among public and private sector partners in the region. The Plan also satisfied state requirements in ORS 459 for a regional waste reduction program.

The following issue areas were addressed in the draft updated Regional Solid Waste Management Plan: 1) Reducing the amount *and* toxicity of waste generated *and* disposed, 2) Applying sustainability practices to solid waste operations. 3) Continuing disposal system planning and improvements.

The Metro Council contributed to the development of this Plan through:

- Disposal system planning, in which the Council determined the transfer system would continue to be a public/private hybrid. The outcome of this two-year process shaped RSWMP regional policies on Facility Ownership and New Facilities;
- The Interim Waste Reduction Plan, led by former project liaison and Councilor Susan McLain, was approved by Council. The contents of the Interim Waste Reduction Plan had been updated and incorporated into the Plan before Council;
- The Rate Policy Subcommittee, chaired by Councilor Park, considered rate issues and provided recommendations that shaped regional policies on Disposal Pricing;
- A presentation at a Council meeting on the Sustainable Operations goals in Chapter V of this Plan from several Solid Waste Advisory Committee (SWAC) members involved in their development;
- Work sessions, in which Council advised staff on several phases of RSWMP, including "Let's Talk Trash," the public involvement vehicle for RSWMP. Several councilors attended Let's Talk Trash public meetings.

This final draft Plan was shaped by four phases of public involvement, five regional workgroups, Metro's Solid Waste Advisory Committee (SWAC), local government staff, DEQ, and Metro staff and Council.

Members of the Regional Solid Waste Advisory Committee voted 12-0, with two abstentions, to recommend approval of the updated RSWMP to the Metro Council.

Councilor Harrington added that the Regional Solid Waste Management Plan contained the region's waste reduction program required by state law. Department of Environmental Quality (DEQ) had advised that the waste reduction program must have specifically enforceable components and must specify how enforcement could be accomplished. Ordinance No. 08-1183 was developed in response to this DEQ guidance. The legislative provision ensured that 1) required elements of the RSWMP were clear and precise, 2) local governments had a notice and a clear process to certify RSWMP or come into compliance and 3) required elements of the RSWMP be enforceable. The sole required element in RSWMP at this point in time was the Regional Service Standard, which was found on page 48 in the RSWMP, and on page 11 in the ordinance before Council. Recycling service standards were first established in the previous RSWMP (1995-2005). The standards, then as now, were intended to ensure a comprehensive and consistent level of recycling service to residents of the region. This in turn maintained progress

toward regional recycling goals. The compliance reporting process established in the ordinance was two-way. There were responsibilities for local governments to report to Metro, and responsibilities for Metro to issue compliance reports to local governments. With passage of this ordinance, any local government that was out of compliance with the Regional Service Standard would have a range of options to come into compliance, including time extensions, alternative programs or exceptions to the RSWMP requirement. In conclusion, the provisions of this ordinance would 1) satisfy DEQ concerns about Plan enforceability, 2) provide more flexibility for complying with RSWMP requirements, and 3) ensure awareness of RSWMP requirements on the part of local governments, and ensure awareness on the part of Metro of RSWMP compliance issues that needed to be addressed.

Council President Bragdon opened a public hearing on Ordinance No. 07-1162A.

Ray Phelps, Allied Waste Services, 10295 SW Ridder Rd. Wilsonville, OR 97070 provided his testimony for the record and summarized his comments. Councilor Burkholder asked clarifying questions about local services. Mr. Phelps responded to his question. Councilor Liberty asked about Mr. Phelps point about recovery rate calculation. Mr. Phelps responded to his question. Councilor Liberty said for the statewide goal we only needed 62% recovery rate. Mr. Phelps agreed. Council President Bragdon asked about Mr. Phelps abstaining from the vote at Solid Waste Advisory Committee (SWAC). Mr. Phelps said he didn't reject the plan but had some specific issues with some of the language.

David White, Oregon Refuse and Recycling Association, 1739 NW 156th Beaverton OR 97006 provided his testimony for the record. He spoke of his concerns. Council President Bragdon said they had been dealing with Regional Solid Waste Management Plan (RSWMP) for a long time. Mr. White said they had known about RSWMP for a long time. Metro's attorneys came up with a companion ordinance, which required enforcement. Councilor Harrington suggested we hear testimony on the companion ordinance.

Mike Leichner, Pride Disposal Company, PO Box 820 Sherwood, OR 97140 provided his letter for the record.

Ramsey McPhillips, 13000 SW McPhillips Road, McMinnville, OR 97128 talked about Riverbend Landfill. He summarized his testimony for the record. He talked about the issues of the Riverbend Landfill and provided a map for the council of the landfill. He provided some history of his farm and his steelhead stream and the impacts from the landfill.

Jeanne Roy, Center for Earth Leadership, 2420 SW Boundary Street, Portland OR 97239 provided her written testimony for the record. She urged not passing the plan as it was written and made further suggestions about the plan.

Audrey O'Brien, Oregon Department of Environmental Quality (DEQ), Northwest Region Portland Office, 2020 SW 4th Suite 400 Portland OR 97201 provided her testimony for the record. Councilor Park asked about regions outside our jurisdiction, did DEQ have the ability to fine the areas that did not meet their plan? Ms. O'Brien said DEQ did not fine local governments but reviewed the plan and made suggestions about how to meet the goal. Councilor Park asked if DEQ was comfortable with Metro's authority to set standards to meet the regional goal. Ms. O'Brien said yes.

Council President Bragdon closed the public hearing.

Councilor Harrington said the RSWMP that was before Council today was different than what had been reviewed by SWAC. She asked Mr. Hoglund to summarize the changes. Mike Hoglund, Regional Solid Waste and Recycling Director, provided a chart (a copy of which is included in the record), which clarified the changes. He summarized those changes.

Councilor Liberty asked to review Table 6 and getting to the goal. Was there something Metro could do to make sure a facility got cited? Mr. Hoglund talked about Cedar Grove finding an organics facility in the region. He also noted that Cedar Grove's overall costs had gone up more than anticipated. Councilor Liberty talked about construction demolition and timing. Mr. Hoglund spoke to the enhanced dry waste recovery program delay. Councilor Liberty summarized that it was just a matter of time to get to the goal. Mr. Hoglund said he felt they could achieve the goal by 2012. Councilor Liberty suggested we be more specific about what we were doing in getting to the goal. Councilor Park talked about public versus private sector transfer stations. He also asked for clarification on the 40% of waste that was going to Riverbend Landfill. He suggested looking at disposal bands as a region. Mr. Hoglund said they would be investigating the disposal bands and bringing information back to Council. They would also be looking at measuring success in the solid waste system. He then addressed the waste going to Riverbend Landfill, which he thought was about 20%.

Council President Bragdon wanted to know what our options were in terms of extraterritorial landfills. He felt we should not let waste flow to landfills that were not complying with our standards and having a detrimental community impact. Second, on the issue of local government authority, he wondered if we had gone to Metro Policy Advisory Committee (MPAC) on this topic. He wasn't sure about the timing. Third, SWAC worked on the RSMWP document in September 2007. The question was what had been going on for the last six months. Mr. Hoglund said they were ready to come back in December 2007 but a final review by Office of Metro Attorney recommended that we would be wise to have an enforcement and compliance measures. They had reached out to local jurisdictions about drafts of the companion ordinance. Council President Bragdon wanted a dollar amount on what we were spending on this program.

Councilor Collette expressed her concerns about the timing of the companion ordinance and felt that there was need for further review.

Councilor Harrington said her conversation with local jurisdictions indicated that there was confusion. She felt that we had dropped the ball in terms of providing information.

Motion:	Councilor Harrington moved to postpone Ordinance Nos. 07-1162A and 08-1183 so that these ordinances could be discussed with our partners.
Seconded:	Councilor Collette seconded the motion.

Councilors talked about the issue of postponement and that it would give Council opportunity to look further at components of the RSWMP and the companion ordinance. Councilor Burkholder talked about the fact that we were creating more waste in the region than before despite increasing recycling rates. Councilor Liberty said they had increased the rate of development. Council President Bragdon said he would support the postponement but hoped we would use the time effectively. Councilor Park also would support the motion to postpone. He would also like to look at the time local governments have taken and their costs.

Vote to postpone:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council
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President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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- 4.3. **Ordinance No. 08-1183**, For the Purpose of Amending Metro Code Title V, Solid Waste, to add Chapter 5.10, Regional Solid Waste Management Plan, to Implement the Requirements of the 2008-2018 Regional Solid Waste Management Plan.

This ordinance was postponed.

- 4.4 **Ordinance No. 08-1176**, Amending the FY 2007-08 Budget and Appropriations Schedule Providing for a Contribution to the Oregon Zoo Predators of the Serengeti Capital Construction Project, and Declaring an Emergency.

Motion:	Councilor Liberty moved to adopt Ordinance No. 08-1176.
Seconded:	Councilor Harrington seconded the motion.

Councilor Liberty introduced the ordinance and summarized the staff report.

Council President Bragdon opened a public hearing on Ordinance No. 08-1176. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

- 4.5 **Ordinance No. 08-1177**, Amending the FY 2007-08 Budget and Revenue Fund Contingency to the Operating Account to Provide for Additional Costs Incurred as a Result of Increased Tonnage, and Declaring an Emergency.

Motion:	Councilor Harrington moved to adopt Ordinance No. 08-1177.
Seconded:	Councilor Park seconded the motion.

Councilor Harrington introduced the budget amendment. We received more tonnage at the Metro transfer stations than expected. She explained why and urged support.

Council President Bragdon opened a public hearing on Ordinance No. 08-1177. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

- 4.6 **Ordinance No. 08-1178**, Amending the FY 2007-08 Budget and Appropriations Schedule to Establish Appropriation for a New Human Resources Project, Increasing Public Affairs Appropriation, and Declaring an Emergency.

Motion:	Councilor Park moved to adopt Ordinance No. 08-1178.
Seconded:	Councilor Harrington seconded the motion.

Councilor Park said the Human Resources (HR) project was the first time an agency-wide employee opinion survey would be conducted. Other surveys had been conducted which were narrow in scope (e.g., wellness program, service award program). Using this as a baseline survey, the Chief Operating Officer (COO) would periodically survey employees using the same instrument to evaluate the success or failure of the program initiated after the first survey. With the results of the survey, the COO and the senior management team would identify areas for change, and implement a process to effect the change. HR was requesting \$30,000 to engage a consultant who would perform an Employee Opinion Survey. This project would support Council's Critical Success Factor that Metro's workforce was exceptionally competent, productive and motivated. Karol Ford, Human Resources Department, would serve as project manager in engaging a consultant and working with the senior management team to identify the objective and scope of the project. The survey would request employee feedback on subjects such as: Job satisfaction, Recognition and retention strategies and Internal communication. The survey would be completed and recommendations made to the COO and senior management team no later than September 2008. The benefits of conducting an employee survey were: it served as a direct means to assess employee engagement; it identified organization-wide strengths; it identified organization-wide issues and solicited ideas for corrective action; it gathered objective data from which management may develop a meaningful dialogue; it detected early warning signs of workforce problems and/or sources of conflict, it improved employee relations; let employees know their views were important; it increased levels of employee trust; it served as a catalyst for improving two-way communication with employees and it established benchmark data to evaluate future improvements.

Councilor Park said the Public Affairs contract carryover was a technical amendment to correct a billing timing issue. In FY 2006-07, the Council approved \$100,000 in appropriation to redesign Metro's website. \$60,000 in work was expected to be billed in FY 2006-07, with the remaining \$40,000 in appropriation carried over to FY 2007-08. Instead, only \$37,630 was actually billed in 2006-07, leaving \$62,370 to be billed in FY 2007-08—\$22,370 less than the appropriation carried over into FY 2007-08 for the project. This amendment did not increase the total cost of the website redesign. The original contract was for \$100,000, and the final cost was \$100,000.

Councilor Liberty asked about the internal survey and if this was a standard cost for this type of survey? Karol Ford, Human Resources Department responded that \$30,000 was a standard fee for this type of survey.

Council President Bragdon opened a public hearing on Ordinance No. 08-1178. No one came forward. Council President Bragdon closed the public hearing. Councilor Park urged support.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.7 **Ordinance No. 08-1182**, Amending the FY 2007-08 Budget and Appropriations Schedule Adding 1.0 FTE Sr. Transportation Planner to Support the Regional Travel Options Strategic Plan, and Declaring an Emergency.

Motion:	Councilor Park moved to adopt Ordinance No. 08-1182.
Seconded:	Councilor Harrington seconded the motion.

Councilor Park said this ordinance was requesting to add and re-allocate 1 FTE (Senior Transportation Planner) to Regional Transportation Options (RTO). Currently the Senior Management Analyst, shared between RTO and Transit Oriented Development (TOD) programs performed all contracts management and RTO program management duties. This ordinance directed the management of the vanpool program to be moved from the existing Senior Management Analyst to the new Senior Transportation Planner position per a strategic planning process completed in collaboration with RTO program partners and stakeholders. The net impact resulted in:

- 1 FTE (Sr. Transportation Planner) dedicated to the RTO program management
- .70 FTE devoted to RTO contracts management, and
- .30 FTE to TOD contracts management.

The budget impact of this ordinance in FY 07-08 was \$21,920. Grant funds would be used for 90% of costs for new position, including the Oregon Business Energy Tax Credit (BETC) and other local matching funds for the remaining 10%.

Council President Bragdon opened a public hearing on Ordinance No. 08-1182. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.8 **Ordinance No. 08-1184**, For the Purpose of Amending Metro Code section 2.02.120 (d) to Conform to State Law the Requirements for Filing of Financial Reports by Metro Elected Officials.

Motion:	Councilor Harrington moved to adopt Ordinance No. 08-1184.
Seconded:	Councilor Collette seconded the motion.

Councilor Harrington said this ordinance was explained in the title. This ordinance would require elected officials to submit annual and quarterly financial reports to the State.

Council President Bragdon opened a public hearing on Ordinance No. 08-1184. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.1 **Ordinance No. 08-1169**, For the Purpose of Amending the Urban Growth Boundary in the Vicinity of the City of Cornelius Upon Application by the City of Cornelius.

Council President Bragdon said this was a hearing on the application of the city of Cornelius to add 161 acres to the UGB for industrial use. It followed a hearing on the application held in Cornelius on February 19 before an impartial Hearings Officer. Nearly 40 people and organizations testified or submitted written testimony at that hearing.

Prior to today's hearing

- The city filed its application in September 2007.
- Metro staff reviewed the application and submitted a report to the Hearings Officer in November 2007, recommending denial.
- The hearing before the Hearings Officer took place on February 19 of this year in Cornelius
- On March 3, the Hearings Officer submitted a recommendation to the Metro Council to approve the application.
- At today's hearing, the Metro Council will consider the Hearings Officer's recommendation and approve or deny the city's application.

Today's hearing was "quasi-judicial" in nature and must be based upon the record made at the February 19 hearing before the Hearings Officer.

That meant:

- The Metro Council must make a decision to approve or reject the application.
- The Council must determine whether the application met the criteria in the Metro Code for an expansion of the urban growth boundary.
- The Council must make its decision based upon the evidence presented to the Hearings Officer.
- Only those people or organizations that participated in the hearing before the Hearings Officer, orally or in writing, could participate in today's hearing.
- No new evidence could be presented to the Council that was not presented to the Hearings Officer at the February 19 hearing in Cornelius.
- Participants today were free to make reference to that evidence and tell Council why they thought the Council should approve or deny the application, but Council asked individuals not to speak about things that were not presented to the Hearings Officer.

After Council closed the hearing, the Council would make a written decision to approve or deny the application within 15 days from the close of the hearing. If the Council approved the application, Metro would submit its decision to Land Conservation and Development Commission (LCDC) for review, as required by state law. If the Council denied the application, the denial was treated as a "land use decision" under state law. Because this matter was quasi-judicial, it must be free of un-disclosed "ex parte contacts." So Council President Bragdon called upon Councilors to disclose any conversations, letters, emails or other contacts they had had from participants or others outside the building that were not part of the record.

Councilor Harrington said she had an ex-parte communication from Susan McLain former Metro Councilor. Councilor Liberty said the email letter from Mayor Bash did not appear in any of the factual information. Council President Bragdon said he had also received a similar letter. Councilor Park said he received a letter from a party who was not part of the previous testimony. J. Forester, Metro Hearings Officer provided his recommendation to Council (a copy of this recommendation is included as Attachment 2).

Councilor Liberty said he wanted to follow up with respect to criteria in 0130 and asked Mr. Forester's some questions on his theory of interpretation and several things related to need. He noted that Mr. Forester read in, as he understood this, reference to local because the list of facilities that were identified that might be a justification for making UGB amendments sounded local. That led him to two questions. The list did not include employment lands and specifically

excluded housing. If you accepted Mr. Forester's reasoning, it seemed that you could equally conclude that any idea about inputting a local need would apply to the facilities were listed and not to ones that weren't like employment lands which employment was inherently not local. The record was full of references about people working in one place and living in another place. He asked Mr. Forester why he chose to associate, input this local standard to employment lands? Mr. Forester responded that he didn't want to treat different categories differently because he assumed that the standard to be applied was going to be based on local need and the case was for local need was made by substantial evidence. That was how he applied the criteria. He said they had specific discreet local needs even though they may be different in kind. They had local employers who wanted to expand. He did identify that some of the arguments were not as strongly made by the applicant, but overall he thought they made an argument that they have local needs. Councilor Liberty clarified that Mr. Forester defined local as the City of Cornelius? Mr. Forester said yes. He added that the cities of Hillsboro and Forest Grove also supported the application. Councilor Liberty asked if Mr. Forester's analysis was based on those three cities or just the city of Cornelius. Mr. Forester responded that he was just focusing on the City of Cornelius' need. The fact was still supported that even within the City of Cornelius need, even if you went to the region, the staff recommendation was denial based on failure to make regional comparisons. The applicant then produced regional analysis based on an OTAK report, which indicated that there was a regional shortage. Councilor Liberty said Metro's Code references the statute ORS 197.299 both in section 30 and 20. That actually talked about amending the UGB generally and how you define need, and has a definition of buildable lands in that section. The OTAK report had a set of conclusions. As he understood it, both, with respect to the unanticipated part of the criteria that there was a need and that it was unanticipated, the Hearings Officer relied on the OTAK memorandum sent to Dennis Yee and Malu Wilkinson. Mr. Forester said he was relying on the availability. Councilor Liberty said in our Urban Growth Report (UGR), which Metro could take notice of because it was adopted by resolution, Metro had a basis for determining land supply for employment lands and it included land that didn't have services and it included land that was land banked. These were all identified. He said it seemed that Metro had an established precedent consistent with the statutory definition of buildable land that Metro didn't discount for land banking and didn't discount for lack of services. How important was it when OTAK said the inventory was low and they took out those two categories even though we included those in developing the inventory in the first place. Mr. Forester said that issue was not presented to him that way so he did not address it. Overall he rested with the notion that there was enough in the record to show that there was a more than 160 acres shortage of the 20-year supply so there was capacity. Councilor Liberty said has he read the law, there wasn't any statutory requirement to maintain a rolling 20-year supply or a pro-rata 20-year supply. There was a requirement at intervals to re-up your supply so why was the evidence from OTAK relevant? Mr. Forester responded by asking why Metro had quasi-judicial proceedings for major amendments? Councilor Liberty said he understood that point. Do we create a null set? There was another legal reasoning question, which was did you have to read into particular authorizations? Councilor Liberty asked, based on his own calculations and legal assumptions, what would be the land supply in the region in 2009. Mr. Forester said he didn't know. He would assume that it would be short by 2000 acres. Councilor Liberty said unless there was a legal requirement to maintain rolling supply it wouldn't make any difference. If there was some left, there would still be an argument that there was some land. Mr. Forester said yes but if that was the purpose of the major amendment to maintain rolling supply, he would agree with Councilor Liberty but the only thing you have to find on the major amendment was that there was still capacity and was there a need and was the need unanticipated. Councilor Liberty asked what was the unanticipated, was that the rezoning or the rapid draw down? Mr. Forester said the unanticipated need was Cornelius's need. He hedged a bit on that. There was a long history. He understood Cornelius had been trying to get

this area into the UGB since 1970. They have been trying to bring industrial land in since 1988. Councilor Liberty asked if there had been a new event? Mr. Forester said no the event was that they were in the UGB, they took steps to secure \$20,000,000 of improvements which in our state was a lot of money to make local improvement which would benefit this land, which would mean that those improvements would be either to urban standards or rural standards. The need was the opportunity. That was why he was calling this an opportunity ordinance. Councilor Liberty said at the bottom of page 16 and the top of page 17 in the report where he was addressing Metro Code 3.0130b, the hearings officer stated, though the petitioner mentioned potential opportunities for economic development, they had not addressed the criterion and demonstrated a need for land. Mr. Forester said he was quoting from the staff report.

Councilor Harrington spoke to page 14 which dealt with Metro Code 3.01.030b. In this whole section there was reference to the OTAK report. She asked him to comment on the information from Metro staff about the context of the OTAK report. Mr. Forester said the report responded that there was capacity to accommodate this need that was presented.

Councilor Liberty said this went back to what Metro could and could not do and what we were authorized to do and what we were limited in doing. We had a buildable land inventory for employment land that we had used as a matter of practice. He asked if Metro had an authority in a quasi-judicial setting within these limits to have more liberal authorization for expansion of the UGB than we have in a legislative setting? Mr. Forester said he did not know. He had not considered that question.

Councilor Park asked about page 6 and suggested a regional land use supply and then brought it to a local need. Mr. Forester said the Metro supply allowed for the capacity.

Councilor Liberty talked about the opportunity provision. How did it link to need? Mr. Forester used the word opportunity because it was unanticipated. Councilor Liberty asked what was the unanticipated opportunity. Mr. Forester said the City received money to develop services.

Council President Bragdon opened a public hearing on Ordinance No. 08-1169 and Resolution No. 08-3902.

Greg Manning, NAIOP, 7238 SW Capitol Hwy, Portland OR 97219 provided his testimony for the record but was not on the list of parties to UGB Case 07-02 so was not allowed to testify.

Bill Bash, Mayor of Cornelius, 1490 S. Alpine, Cornelius, OR 97113 provided his written testimony for the record.

Pat Ribellia, City of Hillsboro, 150 E Main Street, Hillsboro OR 97123 entered into the record Mayor of Hillsboro's testimony and read it into the record.

Richard Meyer, City of Cornelius, Cornelius, OR 97113 passed on his time to testify.

Chris Crean, Beery, Elsner and Hammond, representing City of Cornelius, 1750 SW Harbor Way, Suite 380 Portland OR 97212 provided his testimony for the record. Council President Bragdon asked if the City of Hillsboro or Washington County took a vote in support of bringing Cornelius in. Mr. Crean said he did not know. Councilor Liberty asked if he thought that Metro or LCDC made a legal error in approving the land need analysis as part of the last UGR by including lands that the OTAK report suggested should not be considered in the inventory, specifically, land

banked lands and lands without public services and facilities? Mr. Crean said he was not involved in the last proceedings so he wasn't aware of what LCDC considered. If they considered land banked as part of the inventory and the OTAK also considered land that was land banked that would be consistent. The more important element of the OTAK report was land that had been converted to other uses. Councilor Liberty asked was he talking about rezoned and developed or rezoned. Mr. Crean responded not just rezoned, that was the point of the Sherwood decision. There were other ways to take land out of availability for industrial use without rezoning, for example, doing a PUD modification. If it was subject to a prior PUD, for industrial land, you do a modification for the PUD to allow it to be used for commercial uses. It was not a rezone. It was a PUD modification. There was a bunch of ways you could change the available uses without rezoning the property. Councilor Liberty asked if Metro had a legal requirement to maintain the 20-year supply, year to year? Mr. Crean said, no. Councilor Liberty said, so why was it relevant that there had been a drawn down through the authorization of uses of other industrial lands between the date of the last UGR and the next UGR. Councilor Liberty asked if Mr. Crean was saying that these provisions were discretionary and therefore, Metro could do that if we chose to. Mr. Crean responded that there was an anticipated rate of drawn down. It was only intended to be a 20-year supply of land and it would be used up at a certain rate. The unanticipated event was that the rate that land was being both consumed and diverted was much higher than what was anticipated and under the circumstances, if the current rates were to continue, Metro would run out of land significantly before the end of the 20-year period. Some of that could be put off until the next five-year or in this case seven-year legislative review of the UGB. There were also other unanticipated events that militate in favor of the Council acting now. There was millions of dollars in transportation infrastructure. Councilor Liberty said there was no law that required Metro to refill even if Metro used up all of the land. Mr. Crean said there was no law that required it. There was no law that prevented it. Metro Council had the discretion to do either.

Councilor Liberty spoke of the unanticipated wing of the criterion, which was that Metro did not anticipate the rate of conversion. Mr. Crean said one of the unanticipated events was that the land that Metro thought would be available was being used up or diverted to other things much faster than Metro anticipated last time. Councilor Liberty said that was not necessarily the basis for the designation of the amount of land in the first place? We assumed a rate overall. We did not set a year-to-year rate. We expected 20-year supply. Mr. Crean agreed, he said he understood the theory that there were peaks and valleys in use but if you continued at the rate that was shown in the OTAK report, you will run out way early. Councilor Liberty asked when would we run out? Mr. Crean said he did not know but OTAK had done the math and put it in the report. Councilor Liberty said he did the math and it was after the next UGR. Mr. Crean said that was why they didn't rely solely on the OTAK report. There were other reasons, unanticipated events, which militated in favor of the second prong of test which was that the need couldn't wait an additional two years. They believed that there were unanticipated events and there were also needs that argued in favor of doing it now rather than two years from now.

Councilor Liberty said he looked in the record for information on the cost of developing the property to serve the industrial needs of the type that were described in other parts of the record. He did not see that number. The \$20 million number referred to improvements including Susbauer Road and the bridge over Council Creek. He asked if there was information in the record about the costs of developing the property and the funding availability to service that before 2009? Mr. Crean said he did not know but there were others here better qualified to testify to that question. Councilor Liberty said the reason he asked that again was that it was unanticipated need that couldn't be filled before the next UGR, which under Metro's law would be the end of 2009. We don't even know what the capital improvement were to bring the land on

line or whether there was funding available, then his question was what did they actually get by adding land to the boundary? Mr. Crean said Metro staff exhaustively researched that question as part of the last UGB decision. If you determined that there was a regional need and you begin to consider questions about the efficient extension of public facilities and services, Cornelius, by Metro's staff's own analysis consistently ranked at the top of the list. He didn't know what the numbers were but he found that testimony fairly compelling. Councilor Liberty said he assumed from Mr. Crean's testimony that Cornelius had the funding now to provide the capital facilities and services. Mr. Crean said he did not have the answer to that question. He didn't want to go out on a limb. He had not looked at their budget and didn't know what their bonding capacity was.

Councilor Park said the one thing that Mr. Crean didn't say which Mr. Crean believed under ORS 197.299 was that you could exceed a 20-year supply. He was curious as to whether he had heard Mr. Crean correctly? Mr. Crean responded that Councilor Park had heard him correctly. He said by way of background in a former life he had served with legislative counsel in Salem where he wrote the land use laws for much of the late 1990s and first part of this decade. He sat in many of those meetings with others who said the purpose of the statute was to hold Metro's feet to the fire. Metro needed to keep bringing in land. If we didn't do anything Metro wouldn't bring in land. There was nothing in the intent of that legislation or in the text of the legislation that prohibited Metro from bringing in more land. The legislative intent as well as the text was to require a minimum amount of land of the UGB to accommodate 20 years of growth. If Metro wanted to go beyond that, there was nothing in the statute that prevented that. Councilor Park said he was curious because they had an intense discussion with the LCDC to make sure Metro got it right. If Mr. Crean did believe that, with the economic slow down you could also make the case that we were exceeding what we currently had in the boundary based upon current absorption rate. It depended upon which interpretation you made; you could be taking land in and out on a regular basis. Mr. Crean responded that this got back to Councilor Liberty's comment about peaks and valleys. There will be peaks and valleys in the consumption of industrial land. This was a quasi-judicial proceeding. It was not legislative. You were limited to the evidence in the record. The evidence in the record showed that Metro was going to run out of land early.

Councilor Park said he had a question for Metro staff about the other issue that Mr. Crean brought up about representing an organization.

Mr. Cooper said he had not found in the record if anyone at the hearing raised the issue about whether any of the people who were representing any of the organizations that they claimed to represent had obtained some prior formal approval by that organization before they appeared. He advised Council as the Council listened to testimony today, they could raise that issue.

Councilor Liberty said he wanted to make sure he had heard Mr. Crean correctly. He said under both our Code and ORS 197.299 that this Council had discretion to add as much land, as it wanted regardless of need. Mr. Crean said he did not intend to engage in a discussion about Metro's obligations or authority. He was not prepared for this and he didn't think this was the question before the Council. The question before the Council was whether the application presented to the Council and the evidence in the record was sufficient to meet the criteria in the Metro Code. He didn't see that ORS 197.299 was a criterion for review and approval of this application. On the other hand, ORS 197.298 was a criterion. It was specifically referenced in Metro's Code provision. Council's decision had to be consistent with ORS 197.298 (known as the hierarchy statute). If you were going to amend the UGB to bring in additional lands, Council first obligation was to go to urban reserve lands. Metro did not have urban reserves lands. Second priority was for land designated as exception area. Every acre that Cornelius was seeking to add

to the UGB was zoned exception area. Accordingly, if Council determined there was a need, this land would be Council's first priority under the applicable statute and Metro Code provisions.

Councilor Liberty said Metro's Code wording under "A" said the purpose of the major amendment process was to provide a mechanism to address needs for land that were not anticipated in the last analysis of buildable land supply under ORS 197.299 (1). He asked Mr. Crean if he was saying that this part of the statute was not relevant here. Mr. Crean said they believed that they had adequately explained why there were existing needs that were not anticipated in the last UGB expansion and that can't wait an additional two years. They believed that was responsive to the Code requirement.

Sheila Griffie, City of Cornelius, 3012 N Hollaway Dr Cornelius, OR 97113 said she was a member of the Planning Commission. She provided her testimony for the record.

Rebecca Woods, CREEC, 1020 SE Taylor, Suite 760 Portland OR 97205 read their CREEC's letter into the record. Councilor Liberty asked if she could point to something that would show uses that the City anticipated and need for employment. Ms. Woods could not respond to his question.

Melissa Jacobsen, 1650 NW Susbauer Road, Cornelius, OR 97113 provided her testimony for the record. Councilor Liberty asked if the information regarding the Department of Agriculture was part of the record. Dick Benner, Metro Senior Attorney, said there was mention of the study done by the Department of Agriculture but the report was not in the record.

Joe Strasberg, 1495 NW Hobbs Road, Cornelius, OR 97123 provided his testimony for the record.

Terry Peters, Washington County Farm Bureau, 885 SW Baseline, Hillsboro OR 97123 read his letter into the record.

Shawn Cleve, Washington County Farm Bureau, 34203 NW Mountaindale Road, North Plains, OR 97133 talked about need versus opportunity and that they were very different words. He felt the hearings officer saw opportunities not needs.

Dave Vanasche Washington County Farm Bureau, 34203 NW Mountaindale Road, North Plains, OR 97133 talked about their involvement with Metro. He talked about Council Creek and the impact on development in Cornelius. He shared information on the map. Mr. Benner said no one connected the 65 acres with the aerial photograph. Mr. Vanasche pointed out Forest Grove areas that were not developed. He pointed out that the farmers needed more land too. He shared industrial areas on the map that could be developed.

Larry Duyck, 34203 NW Mountaindale Road, North Plains OR 97133 Washington County Farm Bureau provided his testimony for the record but did not testify.

Jonathan Schlueter, Westside Economic Alliance, 10220 SW Nimbus Avenue, Suite K-12 Portland OR 97223 provided his letter for the record. Council President Bragdon asked about the OTAK memo and how was the land being used? Mr. Schlueter responded to his question. Councilor Harrington asked if the information he provided to the Council today was included in the record. Councilor Liberty asked if there was information in the record that provided cost to

service this area of the region other than roads. Mr. Schlueter said he had seen the estimates from Washington County about the impact if we didn't act on this ordinance.

Sheila Ryan, Cornelius Chamber of Commerce, 2274 N Holloday Street, Cornelius OR 97113 provided her testimony for the record. Councilor Liberty asked about the record.

Harry Kempema, 22484 NW Dogwood Hillsboro, OR 97124 was not on the list of parties to UGB Case 07-02.

Walt Botschat, 18171 NW Schleps Road, Banks OR 97106 was not on the list of parties to UGB Case 07-02.

Tom Evans, Cornelius Chamber of Commerce Board of Directors, 1401 Begowna Avenue, Forest Grove OR 97116 said the City of Cornelius needed jobs. He talked about commute time and the need for more jobs in Cornelius.

Catherine Sidmen, 300 N 26th Avenue, Cornelius, OR 97113 provided her letter for the record and noted the information she provided today was already in the record. She talked about her company, Sheldon Manufacturing and that they had a need to expand in Cornelius. Councilor Harrington said she wanted to understand the need to expand and grow in the City of Cornelius, Ms. Sidmen talked about the urgency in being able to identify that site. Councilor Liberty asked how much land was the company looking for? Ms. Sidmen said they were looking for 15 to 20 acres. Councilor Liberty asked about their timeline. Ms. Sidmen said being able to identify Cornelius land was necessary now.

Walter Duyck, 1640 NE Cornelius-Schefflin Road, Cornelius, OR 97113 provided his letter for the record.

David Armstrong, 1560 NW Cornelius Schefflin Road, Cornelius, OR 97113 provided his letter for the record. Councilor Liberty said his testimony previously indicated that there was opportunity for small businesses. Mr. Armstrong said his plan was to allow for small companies. Councilor Liberty spoke of the criteria that suggested a clear transition from urban versus rural lands using natural features. Mr. Armstrong responded to his question.

Harry Jacobsmuhlen, 1395 NW Susbauer Road, Cornelius, OR 97113 read his letter into the record.

Mary Kyle McCurdy, 1000 Friends of Oregon, 534 SW 3rd Suite 300, Portland OR 97204 summarized her letter for the record. Councilor Liberty asked about the record and the 65 acres added in 2005. Ms. McCurdy said she thought about 20 acres of those 65 acres were suitable for development.

Dave Waffle, City of Cornelius 1355 N, Barlow St. Cornelius OR 97113 responded to issues in the record. The city had recently updated their transportation plan. He also talked about other services that were already available including Clean Water Services and a Fire Department. He spoke to the Washington County letter. If this land came into the UGB, then the Washington County improvements would be designed at urban standards, if not, it would be designed at rural standards. He said the road improvement were to meet current need. It was a question as to what standards the system would be developed at, urban or rural.

Dick Reynolds, City of Cornelius, Planning Manager, 1355 N Barlow, Cornelius, OR 97113 said 1) if the UGB was expanded it would not change zoning standards, 2) the existing land to the north that was brought in 2004 had about 24 acres of buildable land, 3) properties inside the city that were zoned industrial were smaller parcels with the possibility of potential wetland, and 4) services providing water and sanitary sewer cost would be born by the developer and the city. Councilor Liberty asked about the need for Sheldon Manufacturer land. Mr. Reynolds responded to his question.

Richard Meyer, City of Cornelius, 1355 Barlow, Cornelius, OR 97113 said all of the arguments brought at the last minute had been addressed and were on the record in the hearings officer record. He said the County decided to make improvements because it had been planned for over a decade. What was different was the County decided whether to design to urban or rural standards. The County planned to rebuild the road this year. Second, the need for industrial land was doubted by several of the testifiers. All of the vacant land that was available did not take care of the need. There had been too much made of the OTAK report. Everyone acknowledged that they were 90 acres short of the decision two years ago. They were asking for 20 acres more beyond. Finally, this was all exception land.

Mr. Benner said Mr. Walt Botschat was not at the previous hearing. Mr. Benner said there was no exception in our Code. Council President Bragdon told Mr. Botschat he would not be able to testify.

Council President Bragdon closed the public hearing.

Council President Bragdon reminded the Council that the Council must make its decision based on the record. Councilor Park said he understood they had to make their decision based on the Urban Growth Report (UGR). He wanted to know what we could legally rely on concerning need. Mr. Benner said if Metro had done an assessment of need for 20 years, and it was "X" and several years went by and things changed, if you relied on unadopted and informal studies that said things change, then you would have to go back to the UGR and change the UGR. You couldn't have the inconsistency. Councilor Park noted that was an appealable decision as well. Mr. Benner said it would be an additional land use decision. Councilor Park said, in terms of interpreting our own Code, how much could we rely upon our knowledge when we put this Code in place? Mr. Benner said this was Metro Council's language. The Council was entitled to interpret the Code. That interpretation had to be consistent with the Code. Councilor Collette asked about the 90-acre gap. Mr. Benner said this was discussed in Ordinance No. 05-1070A, Council was about 90 acres short. Council reasoned that there was enough uncertainty that they felt they were where they needed to be and it was close enough. This decision was submitted to LCDC and LCDC agreed with Council that it was close enough.

Councilor Harrington asked who would consider the decision? Mr. Benner said it would go to LDCD. Any organization or individual could file a concern with LDCD. Councilor Harrington talked about Metro's next periodic review, she asked Mr. Benner to clarify adoption of the UGR. Mr. Benner said the statute said every 5 years. The statute said that if the analysis said that we didn't have enough capacity, the Council would have to take that under consideration. Councilor Harrington asked about the "not anticipated" needs. The hearings officer cited at least three factors as not anticipated. Mr. Benner said he found it difficult to follow. The hearings officer relied in part on the OTAK information, which talked about regional and local need. He heard the hearings officer think the need should be focused on local need. The hearings officer interpreted need as local need. Mr. Benner said the hearings officer talked about several needs; the regional

need was being drawn down faster than we anticipated. The hearings officer also talked about the local need. Finally, he spoke about the possible opportunity that would be lost through the transportation system. Councilor Harrington said if the evidence wasn't clear to meet the criteria it would effect her conclusions, therefore, she was comfortable in accepting the hearings officers recommendation. She did validate that Cornelius had a need.

Councilor Liberty talked about our Code requirements, he was trying to determine if the OTAK report could be considered. He talked about methodology for the OTAK report and the UGR were not the same. Mr. Benner said this was part of the inconsistency. Councilor Liberty asked if the Council denied the request, was that appealable to Land Use Board of Appeals (LUBA)? Mr. Benner said it was a land use decision and would go to LUBA if appealed.

5.1 **Resolution No. 08-3902**, For the Purpose of Entering an Order Denying The Application of the City of Cornelius to Expand the Urban Growth Boundary by Major Amendment.

Motion:	Councilor Park moved to direct staff to prepare findings to substantiate a denial and approve Resolution No. 08-3902.
Seconded:	Councilor Burkholder seconded the motion.

Councilor Park said they were relying upon a 2002 UGR. That was important in these proceedings. Even though they knew the world had changed, what they were trying to do was to work through something different instead of a perpetual UGB move. We couldn't rely upon other reports such as OTAK. He talked about the "not anticipated" need. He talked about the warehousing issue and the need that had not occurred. He also talked about the regional need. Council had looked at local need in the sub-regional question. He felt we should not use this as a basis to help undo what process we had put in to place. He gave an example of schools and that was more the intent of an unanticipated need. He hadn't anticipated that the need to expand a factory would be considered an unanticipated need.

Councilor Burkholder said he felt that Cornelius made a good case for need. He was concerned about setting a precedent. He felt the hearings officer took some liberties. He said if they asked the hearings officer to go back and produce a more conservative review, he would come up with a different recommendation. He felt the case Cornelius was making was to develop a strong economy. This was why he supported the resolution.

Councilor Liberty explained quasi-judicial. He explained the purpose of the major amendment, which was unanticipated need. The planned need was for industry. Second, it could not wait until the next analysis. He did not find any rationale for why they could not wait. He then talked about null set. He spoke of to need and accommodation within the region versus the city.

Council President Bragdon said he would also be voting yes to deny this application. Where Council was today was in a major amendment process. They wanted to be able to respond to unanticipated need that could not be foreseen. He had not seen anything in the record. He echoed Councilor Burkholder's comments.

Councilor Collette said she would be voting against this resolution. She said it was based on experience as a local official. She felt there was a need to validate the needs of the local jurisdiction. She felt there was enough play in the numbers.

Councilor Harrington said she looked at the criteria and made sure that the case had been made by the city and through the hearings officer analysis to meet the criteria. This was difficult because she felt the city had made a case for its need and given the record to support the hearings officer recommendation to approve, she would not be supporting the resolution.

Councilor Park said these were difficult decisions. He thought that the Council in the past had tried to address the sub-regional issue, which had not been approved by LCDC. He felt they should be looking at the sub-regional issue again. He encouraged people to stay involved. Mr. Benner said there was an error in the resolution. He recommended a postponement until next week.

Vote:

Councilors Park, Burkholder, Liberty and Council President Bragdon voted in support of the motion. The vote was 4 aye, the motion passed with Councilors Collette and Harrington voted no.

Councilor Park clarified why Counsel had recommended Council leave the chamber when an individual was trying to testify.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, was not present.

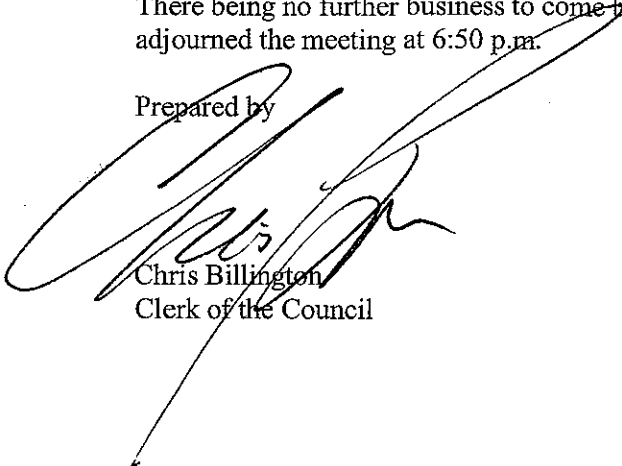
7. COUNCILOR COMMUNICATION

Council President Bragdon spoke of his trip to Condon, Oregon.

8. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 6:50 p.m.

Prepared by



Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
MARCH 27, 2008**

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	3/20/08	Metro Council Meeting Minutes of March 20, 2008	032708c-01
4.1	Letter	3/25/08	To: Metro Council From: Michael Tharp, Chair Commercial Real Estate Economic Coalition (CREEC) Re: Ordinance No. 08-1169 (Cornelius) and Resolution No. 08-3902	032708c-02
4.2	Email	3/24/08	To: Councilor Harrington From: Mike Leichner, Pride Disposal Company Re: Ordinance No. 07-1162A (RSWMP)	032708c-03
4.2	Letter	1/8/08	To: Janet Matthews, Solid Waste and Recycling Department From: Dennis Koellermeier, Public Work Director, City of Tigard Re: Ordinance No. 07-1162A (RSWMP)	032708c-04
4.2	Letter	11/28/07	To: Metro Council From: Commissioners Schrader, Peterson and Kennemer, Clackamas County Commission Re: Ordinance No. 07-1162A (RSWMP)	032708c-05
4.2	Letter	3/20/08	To: Metro Council From: Jean Roy, Co-Director Center for Earth Leadership Re: Ordinance No. 07-1162A (RSWMP)	032708c-06
4.1	Letter	3/7/08	To: Metro Council From: Virgil Hockett and Beth Zetter Re: Ordinance No. 08-1169 (Cornelius) and Resolution No. 08-3902	032708c-07
4.1	Letter	3/23/08	To: Metro Council From: Michael Hewitt Re: Ordinance No. 08-1169 (Cornelius) and Resolution No. 08-3902	032708c-08
4.2	Letter	3/21/08	To: Metro Council From: Mayor Tom Hughes, City of Hillsboro Re: Ordinance No. 07-1162A (RWSMP)	032708c-09

4.2	Letter	3/25/08	To: Metro Council From: JoAnn Herrigel, Community Service Director City of Milwaukie Re: Ordinance No. 07-1162A (RSWMP)	032708c-10
4.1	Letter	3/24/08	To: Metro Council From: Mayor Tom Hughes, City of Hillsboro Re: Ordinance No. 08-1169 (Cornelius) and Resolution No. 08-3902	032708c-11
4.2	Email	3/25/08	To: Janet Matthews, Solid Waste and Recycling Department From: Dennis Koellermeir, City of Tigard Re: Ordinance No. 07-1162A	032708c-12
4.2	Letter	3/25/08	To: Metro Council From: Tom Badrick, Sustainability Coordinator, Legacy Health System Re: Ordinance No. 07-1162A (RSWMP)	032708c-13
4.2	Memo	3/25/08	To: Metro Council From: Mike Hoglund, Regional Solid Waste and Recycling Director Re: Ordinance No. 07-1162A (RSWMP)	032708c-14
4.2	Email	3/26/08	To: Mike Hoglund, Regional Solid Waste and Recycling Director From: Councilor Robert Liberty Re: Ordinance No. 07-1162A (RSWMP)	032708c-15
4.2	Email	3/26/08	To: Metro Council From: Roland Signett, City Manager for City of Durham Re: Ordinance No. 07-1162A and 08-1183	032708c-16
4.2	Letter	3/25/08	To: Metro Council From: Susan Anderson, Director Office of Sustainable Development City of Portland Re: Ordinance No. 07-1162A	032708c-17
4.2	Chart	March 2008	To: Metro Council From: Mike Hoglund Regional Solid Waste and Recycling Director Re: Policy and Regulations Framework/Local Government Compliance Status	032708c-18

4.1	List of Parties	3/27/08	To: Metro Council From: Tim O'Brien, Planning Department Re: List of Parties to UGB Case 07-02; Cornelius UGB Major Amendment	032708c-19
4.2	Letter	3/27/08	To: Metro Council From: Tom Brian, Washington County Board of Commissioners Chairman Re: Ordinance No. 07-1162A	032708c-20
4.1	Letter	3/27/08	To: Metro Council From: Mary Kyle McCurdy, 1000 Friends of Oregon Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-21
4.2	Letter	3/27/08	To: Metro Council From: Janet Malloch, Technical Superintendent for Blue Heron Paper Company Re: Ordinance No. 07-1162A (RSWMP)	032708c-22
4.2	Letter	3/27/08	To: Metro Council From: Ray Phelps, Allied Waste Services Re: Ordinance No. 07-1162A	032708c-23
4.2	Testimony	3/27/08	To: Metro Council From: Dave White, Tri-County Council and Oregon Refuse and Recycling Association Re: Ordinance No. 07-1162A	032708c-24
4.2	Letter	3/25/08	To: Metro Council From: Mike Leichner, Pride Disposal Company Re: Ordinance No. 07-1162A	032708c-25
4.2	Testimony and attachments	3/27/08	To: Metro Council From: Ramsey McPhillips Re: Riverbend Landfill	032708c-26
4.2	Letter	3/27/08	To: Janet Matthews, Solid Waste and Recycling Department From: Audrey O'Brien, Manager NWR Environmental Partnerships DEQ Re: Ordinance No. 07-1162A & 08-1183	032708c-27
6.0	Memo	3/27/08	To: Metro Council From: Bill Stringer, CFO Re: Budget Books	032708c-28
4.2	Email	3/27/08	To: Janet Matthews, Regional Solid Waste and Recycling Department From: Michael Kisor Re: Ordinance No. 07-1162A	032708c-29

4.1	Letter	3/27/08	To: Metro Council From: Sheila Griffie, Cornelius Planning Commissioner, City of Cornelius Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-30
4.1	Testimony	3/27/08	To: Metro Council From: Bill Bash, City of Cornelius Mayor Re: Ordinance No. 08-1169	032708c-31
4.1	Letter	2/15/08	To: Metro Hearings Officer From: Larry Duyck, Washington County Farm Bureau President Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-32
4.1	Letter	3/27/08	To: Metro Council From: Chris Crean, Beery Elsner & Hammond representing City of Cornelius Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-33
4.1	Letter	3/27/08	To: Metro Council From: Tom Hughes, City of Hillsboro Mayor Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-34
4.1	Letter	3/27/08	To: Metro Council From: Paulette & Gene Ray Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-35
4.1	Letter and attachments	3/24/08	To: Metro Council From: Melissa Jacobsen Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-36
4.1	Testimony	3/27/08	To: Metro Council From: Harry & Letha Jacobsmuhlen Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-37
4.1	Testimony	3/27/08	To: Metro Council From: Dave and Alice Armstrong Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-38
4.1	Testimony	3/27/08	To: Metro Council From: Walt Duyck Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-39

4.1	Letter	3/27/08	To: Metro Council From: Catherine Sidmen, Sheldon Manufacturing Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-40
4.1	Testimony	3/27/08	To: Metro Council From: Joe Strasburg Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-41
4.1	Testimony	3/27/08	To: Metro Council From: Sheila Ryan, Cornelius Chamber of Commerce Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-42
4.1	Letter	10/19/07	To: Metro Council From: Jonathan Schleuter, Executive Director Westside Economic Alliance Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-43
4.1	Oversize Aerial Photo	3/27/08	To: Metro Council From: Washington County Farm Bureau Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-44
4.1	Hearings Officer Record	3/27/08	To: Metro Council From: Tim O'Brien, Planning Department Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-45
			<i>The following letters were submitted but were not parties to hearings officer record on Ordinance No. 08-1169 and Resolution No. 08-3902</i>	
4.1	Testimony	3/27/08	To: Metro Council From: Greg Manning, NAIOP Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-46
4.1	Email	3/27/08	To: Metro Council From: Susan Beilke Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-47
4.1	Letter	3/25/08	To: Metro Council From: Ray and Peggy Van De Moortele Re: Ordinance No. 08-1169 and Resolution No. 08-3902	032708c-48