



METRO COUNCIL MEETING

Dec. 16, 2010

Metro Council Chambers

Councilors Present: Council President Carlotta Collette and Councilors Rod Park, Kathryn Harrington, Robert Liberty, Rex Burkholder, and Carl Hosticka

Councilors Excused: None

Council President Carlotta Collette convened the regular Council meeting at 2 p.m. President Collette thanked Councilor Rod Park for his service on the Metro Council.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. COMMUNICATION PROJECT PRESENTATION: GREEN HOLIDAYS PROMOTION

Ms. Pam Peck and Ms. Shareefah Hoover provided a presentation on the green holidays communication initiative's goals, strategies and actions, and next steps. Their presentation included a demonstration that showcased a few of their many sustainable gift-giving ideas. For more information and/or green holiday ideas, visit the Metro web site at: www.oregonmetro.gov/holidaytips.

Council discussion included advertising recycled paper and recycling Christmas trees.

4. CONSENT AGENDA

Councilor Rod Park requested that Resolution No. 10-4217 be removed from the consent agenda.

Motion:	Councilor Robert Liberty moved to adopt the consent agenda: <ul style="list-style-type: none">• The regular Council meeting minutes for December 9, 2010• Resolution No. 10-4219, For the Purpose of Approving Contract Amendments for the MRC Third Floor Conference Room Project• Resolution No. 10-4220, For the Purpose of Approving a Contract Amendment for the Veterinary Medical Center Project at the Oregon Zoo
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Vote:	Council President Collette and Councilors Burkholder, Harrington, Park, Liberty and Hosticka voted in support of the motion. The vote was 6 aye, the motion <u>passed</u> .
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Motion:	Councilor Park moved to adopt Resolution No. 10-4217.
Second:	Councilor Kathryn Harrington seconded the motion.

Mr. Chris Erickson thanked the Council for their consideration of his reappointment to the Metropolitan Exposition Recreation Commission.

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

5. **ORDINANCES – SECOND READING**

5.1 **Ordinance No. 10-1244**, For the Purpose of Making the Greatest Place and Providing Capacity for Housing and Employment to the Year 2030; Amending the Regional Framework Plan and the Metro Code; and Declaring an Emergency.

The below motion was carried over from the December 9, 2010 Metro Council meeting:

Motion:	Councilor Carl Hosticka moved to adopt Ordinance No. 10-1244A.
Second:	Councilor Kathryn Harrington seconded the motion.

Mr. Ted Reid, with assistance from Dick Benner of Metro, provided a brief overview of Ordinance No. 10-1244A which addresses five main components:

- Recommendations for residential capacity;
- Recommendations for employment capacity;
- Recommendations for the Regional Framework Plan;
- Recommendations for the Urban Growth Management Functional Plan; and
- Recommendations for a series of maps including the 2040 Growth Concept, Title 4: *Industrial and Other Employment Areas*, and Title 6: *Centers, Corridors, Station Communities, and Main Streets, Adopted Boundaries*.

Council President Collette opened a public hearing for Ordinance No. 10-1244a:

- Darise Weller, 9259 NW Gremantown Rd., Portland: Ms. Weller believed that environmental justice and health risks are a large component and should be added to the ordinance; especially as it pertains to establishing industrial sites and freight corridors in residential areas. She was concerned with the health risks – physical and mental – associated with pollution caused by industrial areas, and the impacts to local residents.

Council discussion included the importance of sharing the benefits and burdens equitably across the region and continued discussions on environmental justice.

- Mara Gross, Coalition for a Livable Future: Ms. Gross addressed potential criteria for the designation of regional centers; she used the Tanasbourne/AmberGlenn redesignation request as an example. Ms. Gross recommended that cities provide a 6 month update on their progress on addressing strategies – such as housing choices. In addition she spoke to CLF’s outreach to member organizations regarding refining Metro’s 6 desired outcomes and

the potential for increased community participation. She recommended an MPAC subcommittee be established to address this issue.

Council discussion included presentations of cities' aspirations for centers and corridors, and housing requirements for centers, corridors, station communities, and main streets.

- Dave Nielsen, Home Builders Association of Metropolitan Portland: Mr. Nielsen expressed HBA's support for affordable housing and his appreciation for work done to revise Title 11 language so that its intentions show the region's aspirations and encourage housing for a wide range of incomes are better stated. However, he was concerned that while the new language softens the "mandate" feel of earlier proposed drafts, the new language has not received input from the private housing market and that the ramifications of this policy are huge – especially related to financial investments needed to provide some of the housing ranges suggested. He encouraged the Council to delay voting on Title 11 changes. (Written testimony included as part of the meeting record.)
- Jane Leo, Portland Metropolitan Association of Realtors: Ms. Leo encouraged the Council to delay action on the proposed Title 11 changes. She was concerned that the use of the word "shall" in Title 11 – specifically related to concept planning – denoted an involuntary action on the part of the municipality and therefore violated Oregon State Law which prohibits a city, county of metropolitan service district from establishing housing sale prices or designating the class of buyer. She also stated that the language in Title 11 contradicts with Exhibit A, Regional Framework Plan. (Written testimony included as part of the meeting record.)
- Elizabeth Graser-Lindsey, 21341 S. Ferguson Rd., Beavercreek: Ms. Lindsey questioned that if stated in the COO report (referenced Volume I, Page 15) a need for large lot industrial land, why the Council would reduce the amount of large lot land in this decision. (Written testimony included as part of the meeting record.)

Seeing no further public comments, Council President Collette closed the public hearing.

AMENDMENT #1:

Motion:	<p>Councilor Hosticka moved to amend Ordinance No. 10-1244A to:</p> <ul style="list-style-type: none">• Amend the "METRO COUNCIL ORDAINS AS FOLLOWS" #13 to read: The urban growth boundary (UGB), as shown on the attached Exhibit M, is hereby adopted by this ordinance as the official depiction of the UGB and part of Title 14 of the Urban Growth Management Functional Plan (UGMFP). The Council intends to amend the UGB in 2011 to add approximately 310 acres of land suitable for industrial development in order to accommodate the demand identified in the 2009 UGR for large sites, <u>and to add land to accommodate any remaining need for residential capacity not provided by the actions taken by the ordinance.</u>• Amend the "METRO COUNCIL ORDAINS AS FOLLOWS" #16 to read: <i>The Urban Growth Report 2009-2030 and the 20 and 50 Year Regional Population and Employment Range Forecasts, approved by the Metro Council by Resolution No. 09-4094 on December 17, 2009, and the Staff Report dated November 19, 2010, are adopted to support the decisions made by this ordinance. The Council determines that, for the reasons set forth in the 2010 Growth Management Assessment, August 2010, it will</i>
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	<p>direct its capacity decisions to a point between the low end and the high end of the middle third of the forecast range.</p> <ul style="list-style-type: none"> To add a new “METRO COUNCIL ORDAINS AS FOLLOWS” as #17 that reads: <u>The Council adopts the Community Investment Strategy recommended by the Chief Operating Officer in the 2010 Growth Management Assessment, August 10, 2010, including the investments set forth at pages 8-21 of the Introduction to Volume 1; Assessment, pages 18-20; Appendix 1 of the Assessment, page 32-22; and Appendix 3 fo the Assessment, as a component of its overall strategy to increase the capacity of land inside the UGB by using land more efficiently.</u>
Second:	Councilor Park seconded the motion.

Council briefly recessed to review the proposed amendments – especially those related to the COO’s CIS recommendation, *2010 Growth Management Assessment*. Council discussion included possible budget impacts, an updated report on the Exhibit P, *Findings*, and Metro tagline.

Vote: Council President Collette and Councilors Burkholder, Harrington, Park, Liberty and Hosticka voted in support of the motion. The vote was 6 aye, the motion (Amendment #1) passed.

AMENDMENT #2:

Motion:	Councilor Harrington moved to amend Ordinance No. 1244A to return the language of Exhibit J, Title 11, to current law, with revisions to conform current Title 11 to amendments being made to other titles by the ordinance, thereby removing the affordable housing language from Exhibit J, to be addressed in a separate ordinance at a later date.
Second:	Councilor Park seconded the motion.

Councilor Harrington expressed her concern with the lack of transparency and access for the public on Ordinance No. 10-1244A –specifically Exhibit J, Title 11 amendments proposed by Councilor Liberty and amended into the draft ordinance by the Council on the December 9. The revised legislation was not included as part of the online December 16 meeting packet. The purpose of her amendment was to provide Metro stakeholders (including the MPAC) and public sufficient time to review and show support for the Title 11 changes.

Councilor Liberty was not in support of the amendment; stating that he spoke with each subcommittee member and all had expressed their full support for the Title 11 changes. Additionally he noted that all subcommittee meetings were open to the public. Councilor Liberty addressed specific concerns raised by the PMAR and HBA testimonies – specifically the use of the word “shall,” the 80, 50, 30 median family income percentages as mandates, and the general approach to the concept planning phase.

Vote: Council President Collette and Councilors Burkholder, Harrington and Hosticka voted in support of the motion. Councilors Liberty and Park voted in opposition. The vote was 4 aye, 2 nay, the motion (Amendment #2) passed.

Council expressed their support for the ordinance. Discussion included large lot industrial site aggregation, importance of a united region on issues such as brownfields or incentives, distributing

the benefits and burdens of growth and change equitably, public and private innovation to address regional issues (i.e. housing), Community Investment Strategy, and the ordinance's primary focus on investments that will be made within the existing UGB to meet the region's need for the next 20 years. Council thanked staff for their work.

Vote:

Council President Collette and Councilors Burkholder, Harrington, Park, Liberty and Hosticka voted in support of the motion. The vote was 6 aye, the motion <u>passed</u> .

5.2 **Ordinance No. 10-1250**, For the Purpose of Amending the FY 2010-11 Budget and Appropriations Schedule to Establish a Joint Limited Duration Associate Planner Position Within the Research Center and Sustainability Center to Assist on Key Metro Climate Change Initiatives and Declaring an Emergency.

Motion:	Councilor Rex Burkholder moved to adopt Ordinance No. 10-1250.
Second:	Councilor Park seconded the motion.

Council Burkholder introduced Ordinance No. 10-1250. If approved, the ordinance would authorize a full-time limited duration Associate Planner position through June 30, 2011 to assist programmatic efforts related to the Climate Smart Communities Scenarios project and Resource Conservation and Recycling Division materials and food waste performance measures. Funds for the position are contained within the FY 2010-11 budget as part of the House Bill 2001 Oregon Department of Transportation and Metro intergovernmental agreement and within the RCRD budget.

Council President Collette opened a public hearing on Ordinance No. 10-1250. Seeing no citizen comment, the hearing was closed.

Vote:

Council President Collette and Councilors Burkholder, Harrington, Park, Liberty and Hosticka voted in support of the motion. The vote was 6 aye, the motion <u>passed</u> .

7. **CHIEF OPERATING OFFICER COMMUNICATION**

Chief Operating Officer Michael Jordan announced that Metro was awarded \$2 million from the USDOT to proceed with the SW Corridor alternatives analysis. Additional announcements included a brief update on the Jan. 4 Council inauguration and the two-part council retreat scheduled for Jan. 5 and 12.

8. **COUNCILOR COMMUNICATION**

Council discussion included the Greenlight Greater Portland and Portland Vancouver Regional Partners merger, First Stop Portland, and scheduling a MPAC Housing Planning Subcommittee meeting prior to Jan. 12 to review the propose Title 11 amendments.

Councilor Park thanked Council and staff and provided closing comments on his final term.

9. **ADJOURN**

There being no further business, Council President Collette adjourned the meeting at 4:23 p.m. The Metro Council will reconvene for the next regular council meeting is scheduled on Thursday, Jan. 6, 2011 at 2 p.m. at the Metro Council Chambers.

Prepared by,

A handwritten signature in black ink, appearing to read 'K. Newell', written in a cursive style.

Kelsey Newell, Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF DECEMBER 16, 2010

Item	Topic	Doc. Date	Document Description	Doc. Number
4.1	Minutes	12/9/10	Council minutes for December 9, 2010	121610c-01
5.1	Exhibit	N/A	Revised Ordinance No. 1244A, Exhibit P	121610c-02
5.1	Exhibit	N/A	Ordinance No. 10-1244A, Exhibit J (Redline)	121610c-03
5.1	Exhibit	N/A	Ordinance No. 10-1244B, Exhibit J (Clean)	121610c-04
5.1	Testimony	12/16/10	Written testimony submitted by David Nielsen	121610c-05
5.1	Testimony	12/16/10	Written testimony submitted by Jane Leo	121610c-06
5.1	Testimony	9/15/10	Written testimony submitted by Elizabeth Graser-Lindsey	121610c-07
5.1	Testimony	12/16/10	Written testimony provided by Jim Emmerson	121610c-08