



METRO COUNCIL MEETING

Meeting Summary

Oct. 20, 2011

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Carl Hosticka, Barbara Roberts, Carlotta Collette, Kathryn Harrington, and Shirley Craddick

Councilors Excused: Councilor Rex Burkholder

Council President Hughes convened the regular Council meeting at 2 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Linda Bauer, 6232 SE 15th, Portland: Ms. Bauer addressed the Council on the City of Portland's compliance issues with Title 13. She stated that the City asked for and was granted an extension, until June 30, 2011, to meet compliance with Title 13 requirements. She stated that the City is still out of compliance, not being a good steward of protected natural resources, and is not making findings to meet the Title 13 requirements. (Written testimony included as part of the meeting record.)

Council directed the Chief Operating Officer to have staff look into this issue.

3. CONSENT AGENDA

Motion:	Councilor Kathryn Harrington moved to adopt the Oct. 20 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the Minutes for Oct. 13, 2011• Resolution No. 11-4296, For the Purpose of Appointing a Member to the East Metro Connections Plan Steering Committee.
Second:	Councilor Barbara Roberts seconded the motion.

Vote:

Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

4. RESOLUTIONS

4.1 **Resolution No. 11-4294A**, For the Purpose of Accepting a Green Building Policy for Metro Facilities and Operations and Authorizing the Chief Operating Officer to Implement the Policy.

Motion:	Councilor Shirley Craddick moved to adopt Resolution No. 11-4294A.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Craddick introduced Resolution No. 11-4294A. In 2010, the Metro Council adopted by resolution a sustainability plan for internal and business operations. The plan was developed to help identify and guide the practices and projects needed to improve the sustainability of Metro's operations and to address five environmental sustainability goal areas: greenhouse gas emissions, toxics, waste, water and habitat. One high priority action identified by the plan was to create a green building policy for Metro's facilities and operations.

Ms. Molly Chidsey of Metro, with assistance from Mr. Paul Slyman of Metro, Clark Brockman of SERA Architects, and Mr. Chris Massey of Oregon Zoo, provided a presentation on Metro's Green Building Policy. The proposed policy would address new construction, major renovation and operations, and maintenance of existing facilities owned and operated by Metro. Ms. Chidsey emphasized that Metro's building portfolio is diverse and that the policy was designed to be flexible in terms of building size and type. Their presentation included information on Metro's approach, challenges and opportunities, requirements for each of the 3 building categories (e.g. new construction, major renovation, or maintenance), funding methods and tools, and examples of local and federal partners who have already implemented green building policies. (Handouts included as part of the meeting record.)

Council discussion included the challenges and opportunities (e.g. financial impacts) with LEED building certifications, and GSA's green building policy.

Vote:	Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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5. ORDINANCES

5.1 **Ordinance No. 11-1264A**, For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the Year 2030 and Amending the Metro Code to Conform.

Council President Hughes passed the gavel to Councilor Hosticka to chair the meeting while he carried the ordinance.

The following motion was carried over from the Oct. 13 Council meeting:

Motion:	Council President Hughes moved to adopt Ordinance No. 11-1264A.
Second:	Councilor Harrington seconded the motion.

Mr. Tim O'Brien and Mr. Dick Benner of Metro provided a brief recap of the urban growth boundary process to date and outlined the action before the council as amended at the Oct. 13 meeting. Their presentation included information on the UGB public involvement process including information on the Oct. 6 public hearing, the public hearing noticing process and code requirements, and the COO's recommended three areas for UGB expansion: South Hillsboro, North Hillsboro and South Cooper Mountain. Additionally, on Oct. 13 the Council directed staff to create an "A" version of the legislation to reflect Council's action to amend the ordinance to include two additional tax lots located in the Roy Rogers West urban reserve area. Inclusion of the small area, approximately 52-acres that includes the right-of-way of SW Roy Rogers road, would allow for more efficient services of utilities between areas 63 and 64 – two areas brought into the UGB in 2002. Mr. O'Brien indicated that Exhibit A, *2011 UGB Expansion Areas* map, Exhibit B, *Conditions on Land Added to UGB*, and Exhibit C, *Title 14* map, have been updated to reflect the new expansion area. Additionally, Mr. Benner noted that the Council may receive testimony during the public hearing that would require staff to update Exhibit D, *Findings of Fact and Conclusions of Law*.

Councilor Hosticka opened a public hearing on Ordinance No. 11-1264A:

- Tim Knapp, City of Wilsonville: Mayor Knapp expressed support for including the Wilsonville Advance area in the UGB. He cited the following reasons: (1) a regional jobs/local housing imbalance; (2) the City's strong track record for residential and employment land development; (3) the City's previous and future infrastructure investments to serve the UGB areas; (4) economies of scale for planning and development of both the Advance and Frog Pond areas; and (5) Wilsonville's continued growth. (Written testimony included as part of the meeting record.)
- Pete Truax, City of Forest Grove: Mayor Truax was surprised the Council had not yet included the City of Forest Grove's request for 115-acres for large-lot industrial land in the UGB expansion areas. His testimony highlighted the City's established infrastructure, the region's need for large-lot industrial land, the City's opportunity to add local jobs and reduce its carbon footprint, and the importance of distributing the region's benefits and burdens equitably. He noted that reports presented indicate why South Hillsboro was included in the expansion areas, but do not address the other studied areas. He was concerned that Metro's action would further compound the disparity between benefits and burdens in the community and create further inequities in growth and change. (Written testimony included as part of the meeting record.)
- Richard Meyer, City of Cornelius: Mr. Meyer expressed the City of Cornelius' readiness to annex additional land into the city for residential purposes. He emphasized that the City cannot wait, due to the economic climate, an additional 3 to 5 years for a possible expansion. He encouraged the Metro Council to include all of the recommended areas – including those not recommended by the COO – into the UGB.
- Kelly Ross, NAIOP, Oregon Chapter: Mr. Ross expressed NAIOP's support for the North Hillsboro expansion area for large-lot industrial land. He emphasized that region's need for both large and small-lot industrial land. He expressed NAIOP's commitment to continue to work with Metro to address infill and industrial development inside the existing UGB. (Written testimony included as part of the meeting record.)
- Eric Squires, Washington County CPO#6: Mr. Squires addressed concerns with transportation capacity issues along TV Highway. He stated that Washington County CPO #6 formally voted to support written testimony submitted by Mr. Steve Larrance at the Oct. 6

Metro Council public hearing. He also submitted a DVD on UGB issues. (Written testimony and DVD included as part of the meeting record.)

- Jonathan Schlueter, Westside Economic Alliance: While Mr. Schlueter was in support of the ordinance, he did address some concerns with landing in the lower middle third of the forecasted range. He highlighted the following reasons: (1) Metro's proposed expansion is lower than past historical growth and future projections; (2) inclusion of North Hillsboro is low for the region's indentified need for 200 to 1550-acres of large-lot industrial land; (3) the proposed expansion discounts the threat of global warming and "environmental refugees;" (4) the proposed expansion fences out young people and "economic refugees;" and (5) the proposed expansion ignores the appeal of the region's vibrant communities for people outside the region. Mr. Schlueter also commented on a recent Oregonian article regarding the 2002 UGB expansion and specifically the City of Damascus. (Written testimony included as part of the meeting record.)
- Michael Speer, Cornelius: Mr. Speer addressed the Council on behalf of himself and his brother and sister. A land owner in Area 7D in Cornelius, Mr. Speer was in favor of including his land in the UGB. He stated that he has not planted nursery crops for 3 to 4 years, and that the property is better suited for urban development. He addressed the proximity of the proposed Hillsboro high school site and urban services to his property as reasoning.
- Lainie Smith, ODOT, Region 1: Ms. Smith expressed ODOT, Region 1's support to include North Hillsboro, South Hillsboro, South Cooper Mountain, and a portion of Roy Rogers West areas in the UGB expansion. ODOT is currently working with the City of Hillsboro and Washington County on transportation planning for both South and North Hillsboro areas and has recommended conditions for planning that is currently underway for highway facilities near the sites, as well as recommendations regarding access management. She recommended two formal conditions be added to Ordinance 11-1264A, Exhibit B, *Conditions on Land Added to UGB*. She note the following change to her written testimony regarding conditions for South Hillsboro:

"In coordination with ODOT, the City of Hillsboro and Washington County shall **continue to work toward completion and adoption of the** ~~complete the TV Highway Corridor Plan and Hillsboro TV Highway Focus Area Corridor Plan consistent with the Metro Regional Transportation Plan and the Oregon Highway Plan. The TV Highway Corridor Plan must be completed and adopted – locally, regionally, and by the Oregon Transportation Commission – prior to permitting urban development and Hillsboro TV Highway Focus Area Corridor Plan must be adopted locally and by the Oregon Transportation Commission prior to permitting urban development."~~
- Brian Wegner, Tualatin River Keepers: Mr. Wegner addressed the Council on the potential impacts of urbanization on streams – specifically stromwater runoff. He encouraged Council to adopt, as part of the conditions, regulations that prevent stormwater runoff on site and encourage urban forestry practices that reduce runoff. He used the South Cooper Mountain area as an example and recommended that the City of Beaverton's proposal to maintain zero runoff on for new development be a standard for all new areas. He also discussed Title 13.

- James Crawford: He encouraged the Council to develop the rural residential land already in the UGB before considering additional expansion. (Written testimony included as part of the meeting record.)
- David Meyers, 4458 SW 201st Ave., Beaverton: Mr. Meyers recommended that action on South Hillsboro and South Cooper Mountain areas be removed from the ordinance until completion of the current Aloha-Reedville study. He discussed traffic impacts to the area.
- Cherry Amabisca, Save Helvetia: Ms. Amabisca was concerned that the City of Hillsboro is rushing to plan new roads in both urban and rural reserves and lines on a map lead to expectations about where City would like to urbanize. She used the Sunset area as an example. She emphasized the domino effect maps have on local farmers. She stated that premature planning makes citizens skeptical about the intentions of their governments. Separately, she invited attendees to a viewing of a Helvetia documentary on Nov. 6 titled, "Century Farm." (Written testimony included as part of the meeting record.)
- Robert Bailey, Save Helvetia: Mr. Bailey was opposed to the proposed North Hillsboro expansion area. He stated that the City of Hillsboro and Washington County would like to create a "package" of infrastructure and other amenities to entice businesses to relocate to the region at the cost of local taxpayers. He stated that if the expansion areas were adopted, western Washington County taxpayers would be responsible for an unequal burden of the infrastructure costs. He also note potential impacts to farmland in the area. (Written testimony included as part of the meeting record.)
- Richard Kidd, 3022 Watercrest, Forest Grove: Mr. Kidd stated that in past decisions the Metro Council has taken the recommendation of the Metro Policy Advisory Committee (MPAC) and that approval of the ordinance, as currently proposed, contradicts this past practice. He was in favor of including the City of Forest Grove's 115-acre request. He emphasized the City's established infrastructure and lack of expansion/inclusion in the UGB to date. He asked the Council to consider equality, survivability, the region's needs, and the community's aspirations when making their decision. (Written testimony included as part of the meeting record.)
- Barbara Hadley, 33442 SW TV Highway, east Cornelius: Ms. Hadley expressed support for 6.75-acres of her property east of Cornelius to be added to the UGB for urban development. She discussed existing transit and utility services, traffic congestion, and safety concerns as reasoning.
- Eric Wasik, 5236 N. Williams Ave., Portland: Mr. Wasik expressed his and his future in-laws' support for including the South Hillsboro area in the UGB. He stated that the area's plan preserves the character of the area; he used the local golf course and school as examples. He stated that the plan is well-researched and supported by evidence. (Written comments included as part of the meeting record.)
- Marc DeCoster, 5899 SW Kruse Rd., Wilsonville: Mr. DeCoster was in support of including the Wilsonville Area 4H into the UGB. He stated that despite his land's soil quality, the parcel is too low in acreage to farm for profit. He discussed the traffic congestion in Wilsonville and stated that having a balance of jobs and housing in the area would reduce congestion and help the environment.

- Rick Potestio, 2211 SW Park Place #502, Portland: Mr. Potestio was concerned with the proposed expansion and adding density at the edge of the UGB. He stated that the proposed ordinance inverts historical patterns by placing resources at the boundaries edge versus the center/core of the region. He stated that the region is creating distance between housing, employment, parks, transit, etc. He stated that the region needs to have an open dialog, on par with that of the urban and rural reserves process, on how the region would like to grow in the future.
- Carol Chesarek, 13300 NW Germantown Rd., Portland: Ms. Chesarek was disappointed the ordinance did not require more than 15 units per net buildable acre in South Hillsboro. She questioned why the City of Hillsboro was not required to provide higher density in the proposed areas. She discussed the City's mixed reaction when addressing issues such as Aberglenn and TIGER grant awards versus increased density or more transit.
- Joanne Criscione, 16880 SW Bull Mountain Rd., Tigard: Ms. Criscione addressed the Council on Areas 63 and 64. She emphasized the work local citizens and staff has put in planning the areas for UGB expansion. She felt that the land owners in this area were misrepresented and stated that the entire, planned, area should be brought into the UGB. She discussed difficulties with local access and impacts to farmers.
- Linda Peters, Washington County Citizen Action Network: Ms. Peters encouraged the Council to delay action on the ordinance. She emphasized that area planning should be completed in advance of its development. She was concerned that in the midst of an economic downturn and legal ambiguities, North and South Hillsboro areas would be included in the UGB; especially given statements that Hillsboro plans to build a new arterial road from the heart of its industrial area to Bethany. She stated that the region should use a different economic development paradigm.

Seeing no additional citizens who wished to testify, Councilor Hosticka closed the public hearing.

Mr. Benner indicated that the concerns and/or comments raised during the hearing had been responded to in Exhibit D, *Findings of Fact and Conclusions of Law*. Regarding ODOT, Region 1's comments, Mr. Benner indicated that Title 11 planning would be required for areas brought into the UGB. He indicated that, almost always, if the proposed development has significant impact on the transportation system, ODOT is present and active in discussions. He stated that while the proposed conditions were not necessary, they would provide ODOT with a greater certainty that their concerns would be heard. Mr. Benner indicated that the proposed revisions would not be considered a substantive amendment. Mr. Pat Ribellia of the City of Hillsboro confirmed the proposed additions were consistent with City's work and that the City was in support for the proposed language as amended.

Amendment #1:

Motion:	Councilor Harrington moved to amend Ordinance 11-1264A, Exhibit B, <i>Conditions on Land Added to UGB</i> , to include an additional conditions: <ul style="list-style-type: none">• North Hillsboro: <u>"The City of Hillsboro and Washington County, in partnership with ODOT, shall complete an interchange area management plan for an adequate and safe local transportation network. This plan must be completed and adopted by the Oregon Transportation Commission prior to permitting urban development."</u>• South Hillsboro:
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	<p><u>“In coordination with ODOT, the City of Hillsboro and Washington County shall continue to work toward completion in and adoption of the TV Highway Corridor Plan and Hillsboro TV Highway Focus Area Corridor Plan.”</u></p>
Second:	Councilor Roberts seconded the motion.

Vote: Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

Councilors addressed testimony presented. Discussion topics included, but were not limited to:

- Large-lot industrial land inventory and need
- Equity
- UGB public comment process
- Fiscal and governance responsibility for expansion areas
- Location of proposed expansion areas
- The importance of protecting lands outside the UGB while investing resources inside the existing UGB; and placing priority on already established communities
- The development of South Hillsboro (e.g. industrial versus residential)
- Conservative expansion due to current economic climate.

Councilors expressed their support for the ordinance as amended.

Vote: Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

Staff will prepare a “B” version of the legislation for the formal record that reflects the Council’s action and amendment of Exhibit B.

6. CHIEF OPERATING OFFICER COMMUNICATION

There was none.

7. COUNCILOR COMMUNICATION

Council announced that Oregon Zoo’s elephant Rose-Tu is pregnant again. She is anticipated to deliver in late 2012.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 4:18 p.m. The Metro Council will reconvene the next regular council meeting on Thursday, Oct. 27 at 2 p.m. at the Metro Council Chamber.



Kelsey Newell, Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCT. 20, 2011

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony	N/A	Written testimony submitted by Linda Bauer	102011c-01
3.1	Minutes	10/13/11	Council minutes for Oct. 13, 2011	102011c-02
4.1	Legislation	N/A	Revised Resolution No. 11-429A, Exhibit A and Staff Report	102011c-03
4.1	PowerPoint	10/20/11	Green Building Policy presentation provided by Molly Chidsey	102011c-04
5.1	Exhibit	N/A	Revised Ordinance No. 11-1264A, Exhibit B	102011c-05
5.1	Exhibit	N/A	Revised Ordinance No. 11-1264A, Exhibit D	102011c-06
5.1	Testimony	10/20/11	Written testimony submitted by Tim Knapp	102011c-07
5.1	Testimony	10/20/11	Written testimony submitted by Pete Truax	102011c-08
5.1	Testimony	10/20/11	Written testimony submitted by Kelly Ross	102011c-09
5.1	Testimony	N/A	Written testimony submitted by Eric Squires	102011c-10
5.1	Testimony	10/20/11	Written testimony submitted by Jonathan Schlueter	102011c-11
5.1	Testimony	10/20/11	Written testimony submitted by Lainie Smith	102011c-12
5.1	Testimony	10/20/11	Written testimony submitted by James Crawford	102011c-13
5.1	Testimony	10/20/11	Written testimony submitted by Cherry Amabisca	102011c-14
5.1	Testimony	10/20/11	Written testimony submitted by Robert Bailey	102011c-15
5.1	Testimony	10/20/11	Written testimony submitted by Richard Kidd	102011c-16
5.1	Testimony	10/20/11	Written testimony submitted by Eric Wasik	102011c-17
5.1	Testimony	10/20/11	Written testimony submitted by Marc DeCoster	102011c-18
5.1	Testimony	N/A	Written testimony submitted by Jeff Bachrach	102011c-19
5.1	Testimony	10/20/11	Written testimony submitted by Hilja Davis	102011c-20
5.1	Testimony	10/20/11	Written testimony submitted by John Fregonese	102011c-21

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5.1	Testimony	10/20/11	Written testimony submitted by Drake Butch and Bob LaFeber	102011c-22
5.1	Testimony	10/20/11	Written testimony submitted by City of Hillsboro	102011c-23