



METRO COUNCIL MEETING

Meeting Summary
August 2, 2012
Metro, Council Chamber

Councilors Present: Deputy Council President Rex Burkholder and Councilors Barbara Roberts, Carl Hosticka, Kathryn Harrington, Carlotta Collette and Shirley Craddick

Councilors Excused: Council President Tom Hughes

Deputy Council President Rex Burkholder convened the regular council meeting at 2 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Steve Bobosky, 21393 NW West Union Rd., Hillsboro: Mr. Bobosky addressed the Council on Metro Code 3.09.090 which addresses the extension of water services outside the urban growth boundary. Mr. Bobosky owns 10-acres and is interested in dividing his property into two 5-acre lots and having both lots serviced by city or Tualatin Valley water. He stated that the quality of his well water has significantly deteriorated. He encouraged the council to consider rephrasing Metro Code.

Mr. Dick Benner of Metro provided legal counsel's response. He stated that the code provision states, "neither a city nor district may extend water or sewer service from inside the UGB to territory that lies outside the UGB" and clarified that Mr. Bobosky's situation is that he would like to access water from a line already outside the UGB. He recommended, and the Metro Council agreed, to send a letter to Washington County clarifying Metro's interpretation of the code provision. He stated that there may be other reasons the County or water district might decide not to extend services to Mr. Bobosky's property. Council indicated that if the letter does not assist Mr. Bobosky, that he should return and the Council will have a discussion about other possible next steps.

3. CONSIDERATION OF THE MINUTES FOR JULY 12, 2012

Motion:	Councilor Kathryn Harrington moved to adopt the August 2 consent agenda: <ul style="list-style-type: none">• Consideration of the minutes for July 19, 2012• Resolution No. 12-4361, For the Purpose Confirming the Appointment of Judie Hammerstad to the Metro Audit Committee.
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Vote:	Deputy Council President Burkholder, Roberts, Hosticka, Craddick, Collette and Harrington voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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4. ORDINANCES – FIRST READ

- 4.1 **Ordinance No. 12-1282**, For the Purpose of Annexing to the Metro District Boundary Approximately 78 Acres in the North Bethany Area of Washington County.

Second read, public hearing, and Council consideration and vote are scheduled for August 9, 2012. Councilor Harrington was assigned carrier for the legislation.

5. ORDINANCES – SECOND READ

- 5.1 **Ordinance No. 12-1281**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule Recognizing New Grants and Appropriation for the Removal of a Derelict Barge.

Deputy Council President Burkholder passed the gavel to Councilor Harrington while he carried Ordinance No. 12-1281.

Motion:	Deputy Council President Burkholder moved to approve Ordinance No. 12-1281.
Second:	Councilor Carlotta Collette seconded the motion.

Deputy Council President Burkholder introduced Ordinance No. 12-1281. A barge, formally known as the Vancouver Yacht Club, was found drifting after a storm and high water on the Columbia River in March 2012. The U.S. Coast Guard, in order to prevent navigational hazard, had the barge towed and tied to the nearest available location Metro’s Gleason Boat Ramp. The barge has remained at the boat ramp since March and has become a challenge and threat to the integrity of the facility. Councilor Burkholder stated that the barge is accommodating space that could be used by customers. Unfortunately the owner of the barge, a private individual, does not have the means to remove or dispose of the barge. Consequently, Metro and the State of Oregon Marine Board are expected to fund the removal and disposal of the barge. Metro anticipates receiving approximately \$54,000 of the total \$80,000 disposal costs through reimbursement from the Marine Board’s Derelict Vessel Fund. Councilor Burkholder emphasized the frustration of having to use Metro’s limited dollars on the removal of an individual’s garbage.

Council Questions

Staff confirmed that the private owner of the vessel has no real assets and ultimately staff requested the owner sign over ownership to Metro in order to allow for removal of the barge. Additionally, staff confirmed that they have not been able to identify any other entities – for example there is no registered Vancouver Yacht Club in the Pacific Northwest – responsible for the vessel. Additional questions addressed Metro’s relationship with the Multnomah County Sheriff’s Department regarding the Gleason boat ramp, the roles and responsibilities of the U.S. Coast Guard and Army Corps of Engineers, and current condition of the ramp and facility.

Councilors emphasized that their approval of the ordinance did not mean the Council assumed responsibility, authority or liability for any future projects, and that the U.S. Coast Guard should not assume that this action sets the precedent that Metro will take care of these issues in the future. Additionally, approval of the ordinance does not waive any of Metro’s future rights to recover costs. Legal counsel confirmed for the Metro Council that adoption of the ordinance would not waive any rights to pursue any action against any liable parties. Staff indicated that they have sent letters to the U.S. Coast Guard stating that Metro will vigorously pursue private parties that are involved in tying derelict or abandoned vessels to Metro’s three boat ramps in the Columbia and Willamette

rivers. Staff also stated that Metro would increase signage at boat ramps and participate more in the maritime community in order to increase awareness of this issue.

Public Hearing

Councilor Harrington opened a public hearing on Ordinance No. 12-1281. Seeing no citizens who wished to testify, the public hearing was closed.

Discussion

Councilor Hosticka stated that he would support the ordinance for the purpose of removing an imminent danger, but that his support did not mean Metro would waive its rights to any kind of recovery later. Councilors thanked staff for all of their hard work.

Vote:

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

Councilor Harrington passed the gavel back to Deputy Council President Burkholder to chair the remainder of the meeting.

6. RESOLUTIONS

6.1 **Resolution No. 12-4360**, For the Purpose of Authorizing the Chief Operating Officer to Grant an Easement and Dedicate Right of Way, and Enter into an Intergovernmental Agreement with the City of Troutdale for Trail Construction and Long Term Management of Property to be Known as College Nature Park at Beaver Creek.

Motion:	Councilor Shirley Craddick moved to approve Resolution No. 12-4360.
Second:	Councilor Hosticka seconded the motion.

Councilor Craddick introduced Resolution No. 12-4360. The resolution, if adopted, would approve an intergovernmental agreement that formalizes the City of Troutdale as the responsible party for the ongoing development, construction, management, maintenance, security and operation of a new nature park, named College Nature Park at Beavercreek.

Metro’s 62-acre natural area in Troutdale, known as the Mt. Hood Community College property, was acquired with funds from the region’s first voter-approved natural areas bond measure. Councilor Craddick stated that one of the primary features of the property is Beaver Creek, a high-quality riparian habitat that supports a variety of fish and wildlife. The new park will help to connect local trails, including an important section of the 40-mile loop, and will provide recreational opportunities for the surrounding community. Councilor Craddick stated that the project was a wonderful example of two governments working collaboratively.

Council discussion included the development of the large park and its connectivity to the region through the 40-mile loop. Councilors recommended the City of Troutdale join, if the city is not already a member, The Intertwine and recommended that The Intertwine’s signage be added to the park facility. Additionally members recommended the Council have a broader discussion at an upcoming work session regarding the possibility of adding signage requirements to all future agreements of this nature. Council also briefly discussed the location of the Mt. Hood Community College campus and its beautiful natural surroundings.

Vote:

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

7. CHIEF OPERATING OFFICER COMMUNICATION

Ms. Martha Bennett of Metro provided an update on Metro and the City of Tigard's joint acquisition of the Fields property, a 26-acre property that includes the City's library, Fanno Creek Trail, and existing nature park. The City recently committed to contributing \$2 million to the \$5 million acquisition.

Additional updates included current Metro Finance and Regulatory Services Director Margo Norton's recent announcement that she will retire effective Oct. 31.

8. COUNCILOR COMMUNICATION

Councilor updates and discussion topics included the recent Oregon Zoo Foundation's director's meeting, and upcoming Aug. 2 Glendoveer Citizen Review committee meeting. Councilor Craddick also invited the full Council to a reception following the Aug. 9 council meeting for the East Metro Connections project. The reception will be held at the Metro Regional Center.

9. ADJOURN

There being no further business, Deputy Council President Burkholder adjourned the regular meeting at 2:50 p.m. The Council will reconvene the next regular council meeting on Thursday, August 9 at 3 p.m. at the Metro Council Chamber. Council will hold an executive session prior to the regular meeting at 2 p.m. in the Council Chamber.



Kelsey Newell, Regional Engagement and Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 2, 2012

Item	Topic	Doc. Date	Document Description	Doc. Number
	Agenda	8/2/12	Revised 80212 Council agenda	80212c-01
2.0	Testimony	N/A	Map distributed by Steve Bobosky	80212c-02
3.1	Minutes	7/19/12	Council minutes for 7/19/12	80212c-03
3.2	Legislation	N/A	Resolution No. 12-4361, exhibits and staff report	80212c-04
5.1	Photos	N/A	Photos of the derelict barge	80212c-05