



METRO COUNCIL MEETING

Meeting Summary

Oct. 18, 2012

Metro, Council Chamber

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

Councilors Excused: Councilor Barbara Roberts

Council President Tom Hughes convened the regular council meeting at 2:03 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Jeff Goodman, 4088 Orchard Way, Lake Oswego: Mr. Goodman, a Lake Oswego City Councilor, spoke on behalf of himself not the City. He addressed the Council on Ordinance No. 12-1292 regarding the household and employment distribution forecasts for the Portland metropolitan area through 2035. He was concerned that the household projections for the city have decreased 40 percent in the past two years. He stated that this decrease is important for two policy reasons: (1) jurisdictions rely on the projections when making public infrastructure funding or timing decisions; and (2) if multiplied across the region, it could have a significant impact. He asked the Council to have some humility when formally considering the forecast findings.

Council clarified that the projections are based on numbers provided by Lake Oswego staff and confirmed that the City Council recently adopted the report.

Mark Sherman, Portland: Mr. Sherman addressed the Council on the Oregon Convention Center Hotel project. He referenced a recent article, titled "What's going on with convention center and headquarters hotel," in which the author discusses cities that are trying to upgrade and develop a headquarters hotel to attract more convention business. He also cited a recent *Wall Street Journal* article that stated that while convention surpluses have grown, convention attendees have stayed relatively flat for the last 10 years. Lastly, he questioned a report published by Crossroads Consulting Services that states if a convention center hotel is built it will attract conventions. He stated that the Council should reevaluate its decisions regarding the hotel and did not believe that it would increase convention business.

3. OREGON ZOO BOND CONSTRUCTION PROJECTS UPDATE

Mr. Craig Stroud of the Oregon Zoo provided an update on the Oregon Zoo bond construction projects. In 2008, the region's voters passed a \$125 million bond measure to build a set of capital improvements at the zoo. Mr. Stroud highlighted bond projects that have been completed to date such as the new veterinarian medical center and penguin filtration project. He focused his presentation on two additional bond projects, the new elephant and condor exhibits. Mr. Stroud

shared renderings of the proposed condor and elephant habitats, Forest Hall, and information on the geotechnical conditions of Washington Park. Staff anticipates the groundbreaking for the new condor facility will take place in early 2013 with the full exhibit completed in the summer of 2013. Groundbreaking for the elephant exhibit is anticipated for the next couple months with it fully constructed in late 2014 to early 2015.

Council asked specifics on the design of each of the new habitats such as interpretive signage, rain catchment systems, and the flexibility of the new elephant habitat. Additional discussion included the geotechnical conditions of Washington Park.

4. CONSIDERATION OF THE MINUTES FOR OCT. 11, 2012

Motion:	Councilor Shirley Craddick moved to approve the October 11, 2012 council summary.
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Vote:	Council President Hughes and Councilors Hosticka, Craddick, Burkholder, Collette and Harrington voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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5. ORDINANCES – FIRST READ

- 5.1 **Ordinance No. 12-1292**, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2035 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 11-1264B in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036.

Second read, public hearing and Council consideration and vote are scheduled for Nov. 29. Councilor Kathryn Harrington was assigned carrier for the legislation.

- 5.2 **Ordinance No. 12-1293**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule for Creation of an Agency Equity Strategy.

Second read, public hearing and Council consideration and vote are scheduled for Nov. 1. Councilor Harrington was assigned carrier for the legislation.

6. ORDINANCES – SECOND READ

- 6.1 **Ordinance No. 12-1287**, For the Purpose of Amending Metro Code Section 4.01.050(a) Relating to Zoo Admission Fees, Effective February 1, 2013.

Motion:	Councilor Craddick moved to approve Ordinance No. 12-1287.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Craddick introduced Ordinance No. 12-1287, which if adopted would approve at \$1 increase in Zoo ticket prices beginning in Feb. 1, 2013. The increase would help cover rising costs and balance the Zoo's operating budget. Councilor Craddick stated that the Council already approved the proposed increase as part of the FY 2012-13 budget. She stated that even with the proposed increase Zoo admission prices are still competitive and less expensive than other Pacific Northwest attractions. She also stated that the Zoo is sensitive to the economic challenges faced by

many patrons and that the zoo offers a variety of publicized discount options for people looking for a more affordable opportunity. (The last Oregon Zoo ticket price increase was in 2009.)

Council clarified that, with the proposed increase, an adult ticket would cost \$11.50. Additionally, staff clarified that the Oregon Zoo Foundation manages the annual zoo memberships on behalf of the zoo and that changes to daily admission fees do not directly change membership costs. However, staff noted that the OZF is currently considering a membership price increase concurrent with the daily admission increase. Staff anticipates the OZF will also implement the change in February 2013.

Council President Hughes opened a public hearing on Ordinance No. 12-1287:

- Ellen Ino, 5769 N. Vancouver Ave., Portland: Ms. Ino, a temporary seasonal zoo employee, was in support of the \$1 ticket price increase. She believed that the daily increase may increase membership sales. Also, Ms. Ino stated that in addition to helping balance the Zoo's budget the proposed increase would help with the cost of living. She was concerned that the public would hear "cost of living" or "operating costs" as an impact to payroll. She encouraged the Zoo to consider a better public relations strategy when announcing the ticket increase. (Written testimony included as part of the meeting record.)

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

Vote:

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

6.2 **Ordinance No. 12-1284**, For the Purpose of Amending the Employment and Industrial Areas Map of Title 4 of the Urban Growth Management Functional Plan to Reflect Existing Uses and Zoning and Public Purchases.

Motion:	Councilor Craddick moved to approve Ordinance No. 12-1284.
Second:	Councilor Harrington seconded the motion.

Councilor Craddick introduced Ordinance No. 12-1284 and welcomed Mr. Ted Reid of Metro for staff's presentation. Mr. Reid stated that Ordinance No. 12-1284 was a housekeeping measure to amend the Title 4, the employment and industrial areas map, to conform to local zoning designations. He stated that the proposed map changes fall into four broad categories:

- Proposed map changes that recognize existing zoning that were made before Title 4 contained criteria for requesting Title 4 changes.
- Proposed map changes that reflect public purchases of natural areas and parks that are no longer available for use as an employment or industrial area.
- Proposed additions to the Title 4, employment and industrial areas map.
- Proposed map amendments to correct cartographic errors.

Mr. Reid stated that per Metro Code, Section 3.07.450(g), the Council may make amendments to the Title 4 map to better achieve the policies of the Regional Framework Plan. He stated that staff believed the proposed amendments would improve the function of the RFP policies and encouraged

the Council to support the motion. Councilor Craddick also confirmed that the proposed amendments would have no effect on the region's estimated employment capacity.

Council President Hughes opened a public hearing on Ordinance No. 12-1284. Seeing no citizens who wished to testify, the public hearing was closed.

Vote:

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

6.3 Ordinance No. 12-1290, For the Purpose of Amending the Employment and Industrial Areas Map of Title 4 of the Urban Growth Management Functional Plan Upon Application by City of Troutdale.

Council President Hughes stated that Ordinance No. 12-1290 and Ordinance No. 12-1288 required quasi-judicial hearings. As part of the hearing process, Councilors were required to declare a conflict of interest, bias or ex parte contact prior to the staff presentation. No Councilors declared conflicts of interest, biases or ex parte contacts for Ordinance No. 12-1290.

Metro Attorney Alison Kean Campbell read the procedural requirements for the quasi-judicial hearings for both Ordinance No. 12-1290 and Ordinance No. 12-1288.

Mr. Brian Harper of Metro provided staff's presentation on Ordinance No. 12-1290 which if approved would amend the Title 4 map upon application by the City of Troutdale. The city requested to remove the industrial land designation for 73 acres north of Halsey Street, generally referred to as the Edgefield North property. The city requested the property, primarily owned by Multnomah County, be designated commercial. Staff stated, however, that due to the wetlands, floodplain, and vegetative protections only 32 of the 73 acres are currently developable. The developable acreage is divided between eight locations of varying sizes. Mr. Harper stated Title 4 requires the applicant to provide proof that the requested change will meet six standards prior to the Council approving the change. He overviewed each of the six standards and how staff believes the City of Troutdale has met or exceeded the standards, or where the criterion did not apply to the application. The standards are as follows:

1. The proposed amendment would not reduce the employment capacity of the City.
2. The proposed amendment would not allow uses that would reduce off-peak performance on main roadway routes and roadway connections shown on the Regional Freight Network map in the Regional Transportation Plan below volume-to-capacity standards.
3. The proposed amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principle locations of retail, cultural and services in their market area.
4. The proposed amendment would not reduce the integrity or viability of a traded sector cluster of industries.
5. The proposed amendment would not create or worsen a significant imbalance between jobs and housing in regional market area.
6. If the subject property is designated Regionally Significant Industrial Area, the proposed amendment would not remove from that designation land that is especially suited for industrial use due to availability of specialized services, such as redundant electrical power

or industrial gases, or due to proximity to freight transport facilities, such as transportation shipment facilities.

(Applicant responses and staff analysis for each requirement is detailed in the staff report to Ordinance No. 12-1290.)

Council President Hughes opened a public hearing on Ordinance No. 12-1290:

- Rich Faith, City of Troutdale: Mr. Faith presented the City’s application. He supported Mr. Harper’s report. He also stated that Multnomah County has been actively marketing the property, but that the major obstacle in selling the property has been the light industrial zoning. The county has received several inquiries about commercial type uses on the property, which – unfortunately – are not compatible with the current zoning. He stated that general commercial zoning would support the location and the nature of the property given its constraints (e.g. wetlands, flood plain). He stated that pending the Council’s approval of the ordinance, the City would have the opportunity to amend its comprehensive plan and zoning maps with the general commercial zoning desired. He stated that it would help make the property more marketable and help finally realize job creation in the area.

Council asked Mr. Faith to describe the environmental protection policies the City currently has in place to limit the possibility of development beyond the 32 acres. Councilor Hosticka questioned if the full acreage was not developable or if the property was developable with extreme difficulty. Legal counsel indicated the Council could consider the present facts and that perhaps the full property is not impossible to develop, but may be economically impractical.

Additional Council questions included potential impacts to adjacent property in Wood Village. Mr. Faith indicated that notification had been provided to Wood Village regarding the zone change and no comment or objections to date have been made by the city. Additionally, Mr. Faith noted that the city clearly stated it would pursue a zone change on this property during the East Metro Connections Plan process, and that the change from industrial to general commercial should have been factored into the analysis.

Seeing no citizens – either in support or opposition to the application – who wished to testify, the public hearing was closed.

Motion:	Councilor Craddick moved to approve Ordinance No. 12-1290.
Second:	Councilor Harrington seconded the motion.

Councilor Craddick moved to approve the ordinance and encouraged the Council to support the application by the City of Troutdale.

Council complimented and thanked the city for their positive working relationships with Metro staff. Councilor Hosticka stated that he would abstain from the vote. He struggled with the application, stating that while the property was not a single parcel, it did have one owner and could be consolidated into a single large lot industrial parcel. He questioned if it was realistic or not for the property to be a large lot industrial site.

Council President Hughes expressed his support for the ordinance and stated that he believed the case had been made that the site could not be developed practically. Councilors expressed their support for the ordinance stating that the designation change could increase jobs, that the

application was consistent with the East Metro Connections Plan, and the property had the potential to become an extension of the city's downtown. Additionally, councilors highlighted Metro's work to ensure the region has adequate industrial lands.

Vote:

Council President Hughes and Councilors Craddick, Burkholder, Collette and Harrington voted in support of the motion. Councilor Hosticka abstained from the motion. The vote was 5 ayes and 1 abstained, the motion <u>passed</u> .

6.4 **Ordinance No. 12-1288**, For the Purpose of Amending the Employment and Industrial Areas Map of Title 4 of the Urban Growth Management Functional Plan to Upon Application by City of Happy Valley.

No Councilors declared conflicts of interest, biases or ex parte contacts for Ordinance No. 12-1288.

Mr. Ray Valone of Metro provided staff's presentation on Ordinance No. 12-1288. The City of Happy Valley requested designation changes for two properties – totaling 136.2 acres – in its Rock Creek Employment Center located northwest of Highway 212 and southeast of 172nd Avenue. Site #1, composed of six parcels, is 76 acres and owned in part by the North Clackamas School District and in part by the North Clackamas Park District. Site #2, also composed of six parcels, is 60 acres and is currently under private ownership. The city requested that the Regionally Significant Industrial Areas (RSIA) designation be removed from site #1, and that site #2 be changed from RSIA to Employment Area. Mr. Valone stated that the city took action in July 2012 to amend its comprehensive plan and zoning code for the two sites. Site #1 was changed from industrial campus to institutional public use, and site #2 was changed from industrial campus to mixed used employment. The city's plan and code changes were conditioned on Metro Council's approval of the this ordinance.

Similar to Mr. Harper, Mr. Valone outlined how the city's application to amend the Title 4 map satisfied each of the six criteria. Mr. Valone stated that based on the city's responses to the criteria and supplemental information provided, Metro staff concluded that all criteria had been met. In addition, he noted that the city requested that site #1 RSIA designation be removed, but did not specify which 2040 Growth Concept design type designation should be applied. Mr. Valone indicated that agency staff and legal counsel recommend that the Metro Neighborhood design type would best reflect the public institutional uses of two public schools and a public regional park.

Councilors asked for clarification on if there were any restrictions or provisions on the neighborhood designation and asked for the pros and cons of designating the area a neighborhood versus leaving the designation blank. For example, Councilor Hosticka stated that leaving the designation blank would provide future councils the opportunity to consider the issue and decide if the council would like to add a regional design type that addresses institutional uses. Mr. Valone stated that the Residential design type does not have restrictions associated with it

Council President Hughes opened a public hearing on Ordinance No. 12-1288:

- Michael Walter, City of Happy Valley and Todd Chase, FCS Group: Mr. Walter distributed photos and an aerial rendering of Happy Valley and the sites to illustrate the constraints for uses under the RSIA designation, such as topography, natural resources and the existing schools and park. To help with the future servicing of these sites, Mr. Walter encouraged Metro to put the Sunrise Corridor transportation project back onto the Regional Transportation Plan's financially constrained list. (Handout included as part of the meeting record.)

Council asked if the designation for site #2 allowed for residential development. Staff and Mr. Walter clarified that the designation would allow for multifamily residential or mixed-used employment development and stated that the Rock Creek area (the east Happy Valley area) is envisioned to be a major job center for the city, county and the east metro region. Mr. Walter also stated that the northern portion of site #2 – which has already been developed with schools and a park – is unlikely to have industrial uses.

Seeing no citizens – either in support or opposition to the application – who wished to testify, the public hearing was closed.

Motion:	Councilor Craddick moved to approve Ordinance No. 12-1288.
Second:	Councilor Harrington seconded the motion.

Councilor Craddick introduced Ordinance No. 12-1288. She stated that while the region needs to have adequate industrial land available – especially in the east metro region – she understood the challenges the city faced with the sites. She stated that the city did a good job to ensure they have adequate employment.

Councilor Burkholder provided a brief historical overview of the lands brought into the area in 2002. He stated that the area was designated industrial to help local justifications resist pressure from commercial market developers. However, he stated that shortly after the land was brought into the UGB, Clackamas County allowed the property to be purchased for nonindustrial uses (i.e. schools and a park). Councilor Burkholder emphasized that building key civic resources in almost inaccessible places was bad land use planning and decision-making. He stated that while he was sympathetic to the City of Happy Valley and understood the city was trying to make the best out of a bad situation, he was still frustrated with the North Clackamas Park District and the County. Councilor Burkholder stated he would abstain from the motion, but did not oppose the application going forward.

Councilor Hosticka supported Councilor Burkholder’s comments and added that since this time the region has tried to make it harder to change designations by implementing protections for RSIA’s. He also noted that school districts continue to purchase property far from neighborhoods because, at the time, it is more economically acceptable. He questioned whether the long-term transportation costs were considered in these decisions. Additional discussion included job creation and the potential to have a future Council discussion on how the Council can help schools ensure land is available in the future without compromising the industrial land supply.

Vote:	Council President Hughes and Councilors Craddick, Hosticka, Collette and Harrington voted in support of the motion. Councilor Burkholder abstained from the motion. The vote was 5 ayes and 1 abstained, the motion <u>passed</u> .
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6.5 **Ordinance No. 12-1291**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule to Provide Funding for Land Use Application Planning and Design Steps Needed for a Publically Accessible Tualatin River Canoe Launch at the River Road Natural Area Location.

Motion:	Councilor Carl Hosticka moved to approve Ordinance No. 12-1291.
Second:	Councilor Burkholder seconded the motion.

Councilor Hosticka introduced Ordinance No. 12-1291. In 2011 Councilor Hosticka proposed, and the full Council approved, a \$100,000 budget amendment to begin planning and site selection for a non-motorized water craft site. He stated that all of the tasks outlined in the original budget amendment have been completed. Councilor Hosticka stated that Ordinance No. 12-1291, if approved, would appropriate an additional \$60,000 to allow Metro to complete the analysis and requirements need to secure the land use approvals from Washington County in order to develop the site.

Council President Hughes opened a public hearing on Ordinance No. 12-1291:

- Brian Wegener, Tualatin Riverkeepers: Mr. Wegener was in support of the ordinance. He viewed access to natural areas a conservation tool. He shared images of active supporters of Metro's green spaces including Riverkeeper members doing local cleanups. He stated that access to natural areas builds values for people, builds a volunteer base, and builds voters who would support the protection and maintenance of natural areas. He also discussed outreach opportunities and equity issues. He thanked the Council for their partnership. (Photos included as part of the meeting record.
- Sue Marshall, Tualatin Riverkeepers: Ms. Marshall was in support of the ordinance. She stated that the Riverkeepers have always seen the Tualatin River as a gateway to restoration. She stated that with so few access points, the Riverkeepers need to reconnect people to the river in order to create a sense of ownership and stewardship. She provided a brief historical background of the 1995 natural areas bond measure and stated that the Tualatin River Water Trail was listed as a specific goal. She emphasized the strong partnership between Metro and the Riverkeepers and stated that approval of the amendment would unleash the Riverkeepers to fully collaborate and partner with Metro. She also stated that while the river may be low profile for the region, it is an important Westside water source and economic engine.
- Eric Lindstrom, Portland: Mr. Lindstrom was in support of the ordinance. He stated that he viewed wetlands as water quality infrastructure. He stated that while he normally did not support trails in wetlands, this project provided a unique opportunity. He believed that a major issue in upcoming years will be water and water quality, and stated that the Tualatin River will play a major factor in how the region will survive.

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

Council asked clarifying questions on how the site was selected. Councilors discussed possible local match and collaboration with local groups to secure grant funding to develop the property. Councilor Harrington complimented staff for their work and for completing the comprehensive portfolio of Metro's natural areas. She stated that this report allows Metro to move forward with an understanding of the benefits, responsibilities and liabilities of maintaining and operating these

facilities. Additional discussion included the strong, engaged Tualatin River supporters and their continued partnership with Metro, and outreach completed during the site selection process.

Vote:

Council President Hughes and Councilor Hosticka, Craddick, Burkholder, 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 provided an update on the following:

- Metro received a closing letter from the IRS regarding the examination of 2007 natural areas bond program. The letter stated that no change in the tax exempt status of the bonds was required.
- No citizens appealed the Glendoveer contract award.
- Metro's Senior Leadership Team will be at an offsite retreat Friday, Oct. 19.

8. COUNCILOR COMMUNICATION

Councilor updates included the recent Rail~Volution conference in Los Angeles, California, Coalition for a Livable Future's annual summit, and the Aloha Reedville Community Plan meeting. Highlighted upcoming events included the Oct. 19 Virginia Garcia Wellness Center ribbon cutting ceremony, Oct. 20 Walk for Wellness, Oct. 20 Forest Grove sustainability summit, and Nov. 5 Central de Cultural annual dinner.

Councilors read a resolution honoring Ms. Margo Norton. Ms. Norton, Metro's Finance and Regulatory Services director, will retire Oct. 31. Council thanked Ms. Norton for her service to Metro.

9. ADIJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 4:50 p.m. Council will convene the next regular council meeting on Thursday, Nov. 1 at 2:30 p.m. at the Metro Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement and Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCT. 18, 2012

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony	N/A	Handout distributed by Jeff Goodman	101812c-01
3.0	PowerPoint	10/18/12	New Elephant and Condor Habitats Update	101812c-02
4.0	Minutes	10/11/12	Council summary for Oct. 11, 2012	101812c-03
6.1	Testimony	N/A	Written testimony submitted by Ellen Ino	101812c-04
6.3	Map	N/A	Map, Attachment 1 to Ordinance No. 12-1290	101812c-05
6.4	Map	N/A	Map, Attachments 1 and 3 to Ordinance No. 12-1288	101812c-06
6.4	Photos	N/A	Misc. photos of property in Happy Valley	101812c-07
6.4	Rendering	N/A	Aerial rendering of the City of Happy Valley	101812c-08
6.5	PowerPoint	N/A	Presentation provided by Brian Wegener	101812c-09
6.5	Misc. Correspondence	N/A	Collated comments on Ordinance No. 12-1291	101812c-10