 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, March 14, 2013
Time: 2 p.m.
Place: Metro, Council Chamber

CALL TO ORDER AND ROLL CALL

- 1. INTRODUCTIONS**
 - 2. CITIZEN COMMUNICATION**
 - 3. CONSIDERATION OF THE MINUTES FOR FEB. 28, 2013**
 - 4. ORDINANCES – SECOND READ**
 - 4.1 **Ordinance No. 13-1298**, For the Purpose of Annexing to the Metro District Boundary Approximately 59 Acres in the North Bethany Area of Washington County. **O'Brien**
- Quasi-Judicial Hearing*
- 5. CHIEF OPERATING OFFICER COMMUNICATION**
 - 6. METRO ATTORNEY COMMUNICATION**
 - 7. COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for March 14, 2013 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, March 14</p>	<p>Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, March 17, 7:30 p.m. <i>Date:</i> Monday, March 18, 9 a.m.</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, March 18, 2 p.m.</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, March 16, 11 p.m. <i>Date:</i> Sunday, March 17, 11 p.m. <i>Date:</i> Tuesday, March 19, 6 a.m. <i>Date:</i> Wednesday, March 20, 4 p.m.</p>
<p>Oregon City, Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>	<p>West Linn Channel 30 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

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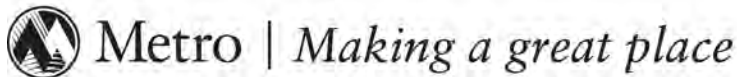
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Agenda Item No. 3.0

Consideration of the Minutes for Feb. 28, 2013

Metro Council Meeting
Thursday, March 14, 2013
Metro, Council Chamber



METRO COUNCIL MEETING

Meeting Summary

Feb. 28, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Shirley Craddick, Craig Dirksen, Carlotta Collette, Kathryn Harrington, Sam Chase, and Bob Stacey

Councilors Excused:

Council President Tom Hughes called the regular council meeting to order at 2 p.m.

1. INTRODUCTIONS

Council President Hughes welcomed Deputy Chief Operating Officer Mr. Scott Robinson.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

Motion:	Councilor Carlotta Collette moved to approve the Feb. 28 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the minutes for Feb. 21, 2013; and• Resolution No. 13-4414, For the Purpose of Authorizing the Chief Operating Officer to Issue a Non-System License to Recology Portland, Inc. for Delivery of Residential Yard Debris Mixed with Food Waste From the Suttle Road Recovery Facility to Dirt Hugger, LLC Composting Facility Located in The Dalles, Oregon.
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Vote: Council President Hughes, and Councilors Craddick, Collette, Stacey, Chase, Dirksen, and Harrington voted in support of the motion. The vote was 7 ayes, the motion passed.

4. ORDINANCES – SECOND READ

4.1 **Ordinance No. 13-1297**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule, Recognizing New Donations and Amending the FY 2012-13 through 2016-17 Capital Improvement Plan.

Motion:	Councilor Kathryn Harrington moved to approve Ordinance No. 13-1297.
Second:	Councilor Collette seconded the motion.

Mr. Tim Collier of Metro introduced Ordinance No. 13-1297. He stated that the legislation was the second of four consolidated budget actions for FY 2012-13. The ordinance, if approved, would:

- Recognize \$2.262 million in capital donations from the Oregon Zoo Foundation;
- Transfer \$1.2 million from the general fund to contingency to implement the terms of the new Glendoveer operator contract; and
- Request authorization to modify the Conservation Discovery Zone’s five-year capital improvement project plan.

Mr. Collier briefly overviewed each of the proposed amendments.

Council President Hughes opened a public hearing on Ordinance No. 13-1297. Seeing no members of the public who wished to testify, the public hearing was closed.

Council discussion

Councilors thanked the OZF for its continued partnership and generous donation. Councilors asked clarifying questions about Metro’s contract with Glendoveer’s new operator; specifically in regards to changing the operator’s contract to be consistent with Metro’s other concession-style agreements where Metro receives the gross revenues and then remits payments for approved expenses to the operator. Councilors looked forward to understanding Glendoveer’s true expenditures and true revenues moving forward.

Vote:	Council President Hughes, and Councilors Craddick, Collette, Stacey, Chase, Dirksen, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5. RESOLUTIONS

5.1 **Resolution No. 13-4415**, For the Purpose of Approving the Ice Age Tonquin Trail Master Plan.

Motion:	Councilor Craig Dirksen moved to approve Resolution No. 13-4415.
Second:	Councilor Harrington seconded the motion.

Councilor Dirksen introduced Resolution No. 13-4415 which if adopted would approve the Ice Age Tonquin Trail Master Plan. He stated that the legislation represented Metro at its best and emphasized Metro and local jurisdictions’ collaboration on the project. He stated that the 20-year master plan is a blueprint for how to implement a project of this magnitude. He also stated that

pending Council's approval of the master plan, staff would begin the acquisition process to purchase properties for the trail.

Councilor Dirksen welcomed Metro staff Ms. Jane Hart for a presentation. Ms. Hart's presentation included information on the trail's vision, planning process, design and implementation. The 22-mile trail will connect the Willamette and Tualatin Rivers and the cities of Wilsonville, Sherwood and Tualatin through parts of Clackamas and Washington counties over landscape formed by the Ice Age floods over 15,000 years ago. The trail was identified as an acquisition priority in the 2006 natural areas bond measure. Staff anticipates that the \$120 million trail will have a phased implementation and will likely take 20-years to complete. (Presentation included as part of the meeting record.)

Ms. Hart welcomed project partners Mr. Chris Neamtzu of Wilsonville, Ms. Michelle Miller of Sherwood, and Mr. Carl Switzer of Tualatin to express their support for the project and address how the trail would be significant for each of their respective jurisdictions. To date, the cities of Sherwood and Tualatin, and Washington County have unanimously approved the trail master plan. The City of Wilsonville is expected to adopt the plan as part of its larger transportation system plan update in spring 2013.

Council discussion

Council thanked the local jurisdictions for their collaboration and continued work on the trail, and asked that they relay the Metro Council's thanks to the staff, volunteers, etc. who have participated in the process. Councilors were anxious to build the trail, citing recreation and tourism opportunities, health and economic benefits. Councilors emphasized the need to take a more aggressive approach to get the trail funded and built, especially given the decline in state and federal transportation funds for bicycle and pedestrian projects.

Additionally, councilors inquired about the number of people currently using the existing trail sections. Metro staff did not have the number of trail users on hand, but stated that staff would follow up after the meeting with the requested information. Additional discussion included a status update on the French Prairie Bridge in Wilsonville and the Regional Active Transportation Plan.

Vote:

Council President Hughes, and Councilors Craddick, Collette, Stacey, Chase, Dirksen, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .

Council thanked Ms. Hart for her service at Metro. Ms. Hart will retire in spring 2013.

6. CHIEF OPERATING OFFICER COMMUNICATION

Mr. Robinson provided updates on the following two items:

- The 2012 Compliance Report was released on Feb. 28. Copies have been provided to the Metro Council and will be available online shortly. (Report included as part of the meeting record.)
- Metro has reached an agreement with the state's Historical Preservation Office regarding the 1959 mosaic piece, created by artist Willard Martin, which sits at the Oregon Zoo's old front entrance. The mosaic will be removed and treated carefully during construction of the Conservation Discovery Zone building. Staff is in the process of developing a restoration and reinstallation plan that will occur within a seven-year period.

7. COUNCILOR COMMUNICATION

Councilor updates included the recent Community Investment Initiative Regional Infrastructure Enterprise work group meeting, Metro Policy Advisory Committee meeting, Cemetery Advisory Committee meeting, tour of Glendoveer Golf Course, Forest Grove's State of the City address, the House's Committee on Transportation meeting, Oregon City's State of the City address, Westside Economic Alliance meeting, and Travel Portland's State of the Industry address. Highlighted upcoming meetings included the Nature in Neighborhood Capital Grants tours, and March 9-10 Stumptown Sloss Disc Golf at Blue Lake Park.

Additionally, councilors provided updates on the 2013 Legislature, ODOT Region 1's final 150 percent list for State Transportation Improvement Program funds, and applications for the Zoo Art program – the *1% for the Arts* funded by the 2008 Oregon Zoo bond measure. Council President Hughes and Councilors Craddick and Collette will be in Washington, DC the week of March 4 for the Community Action Board conference, and Annual Joint Policy Advisory Committee on Transportation trip respectively.

8. ADJOURN

There being no further business, Deputy Council President Craddick adjourned the regular meeting at 3:26 p.m. The Metro Council will convene the next regular council meeting on Thursday, March 14 at 2 p.m. at the Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement and Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEB. 28, 2013

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	2/21/13	Council minutes for 2/21/13	22813c-01
5.1	PowerPoint	2/2013	Ice Age Tonquin Trail Master Plan	22813c-02
5.1	Letter & Attachments	2/27/13	To: Metro Council From: Wendie Kellington on behalf of the Tonquin Industrial Group RE: Objections to the Ice Age Tonquin Trail Master Plan	22813c0-03
6.0	Report	3/2013	2012 Compliance Report	22813c-04

Agenda Item No. 4.1

Ordinance No. 13-1298, For the Purpose of Annexing to the Metro District Boundary Approximately 59 Acres in the North Bethany Area of Washington County.

Ordinances – Second Read

Metro Council Meeting
Thursday, March 14, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 59 ACRES IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY) Ordinance No. 13-1298) Introduced by Chief Operating Officer Martha Bennett with the Concurrence of Council President Tom Hughes

WHEREAS, K & R Holdings LLC, has submitted a complete application for annexation of 59 acres ("the territory") in the North Bethany area to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-987A on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of all the land in the territory; and

WHEREAS, the proposed annexation complies with the requirements of Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on March 14, 2013; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated February 12, 2012, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of March, 2013.

Tom Hughes, Council President

Attest:

Approved as to form:

Kelsey Newell, Recording Secretary

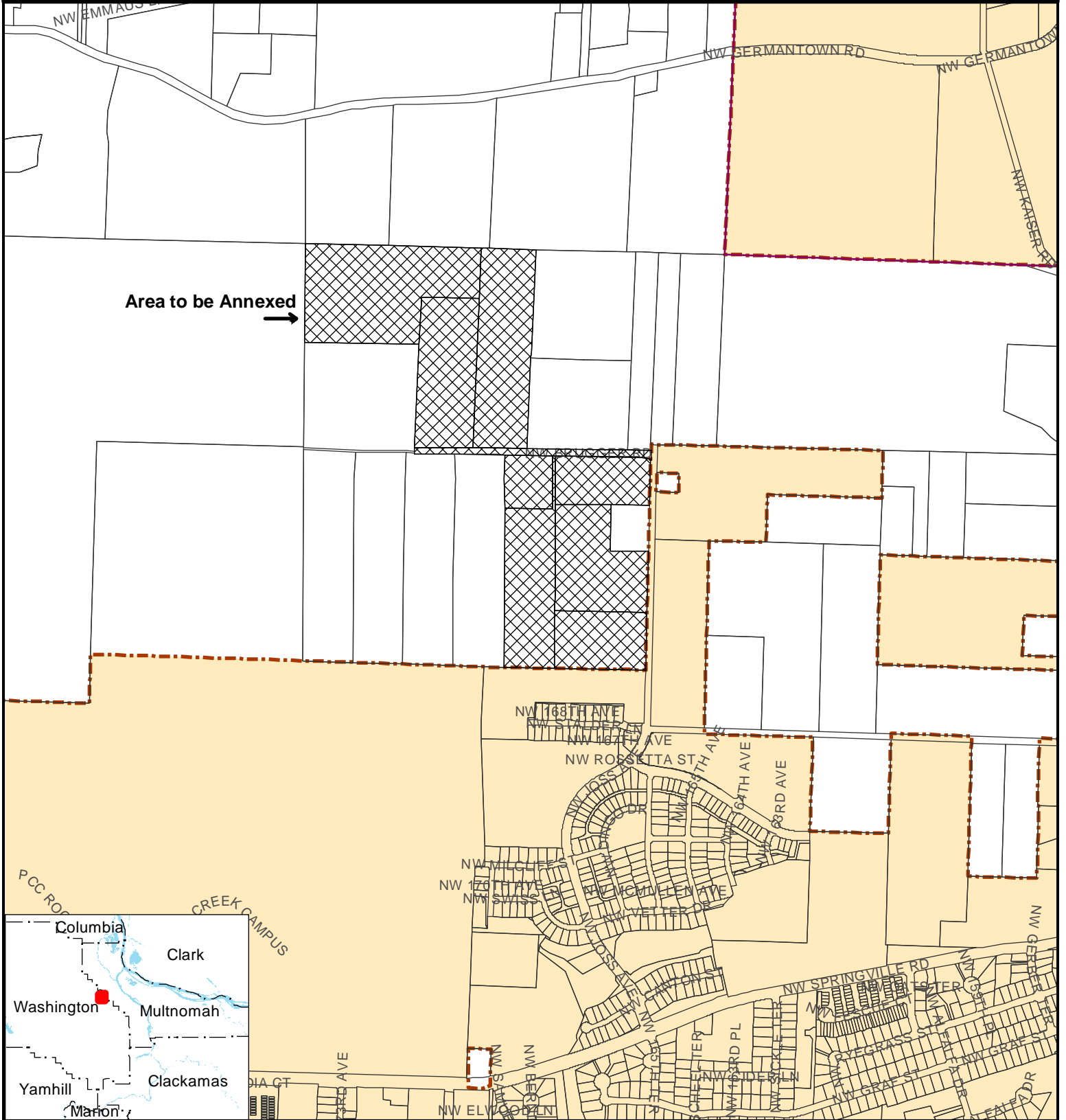
Alison Kean Campbell, Metro Attorney

Proposal No. AN-0212

1N1W18

Annexation to the Metro District Boundary

Washington County

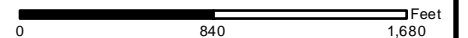


Proposal No. AN-0212 Metro District Boundary

1:10,000

Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

- Area to be annexed
- Taxlots
- Metro District Boundary



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 13-1298, FOR THE PURPOSE OF ANNEXING INTO THE METRO BOUNDARY APPROXIMATELY 59 ACRES IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: February 12, 2013

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0212, Annexation to Metro District Boundary

PETITIONER: K & R Holdings, LLC
17933 NW Evergreen Parkway
Beaverton, OR 97006

PROPOSAL: The petitioner requests annexation of eight properties to the Metro District boundary following the Metro Council's addition of the property to the Urban Growth Boundary (UGB) in 2002. The applicant is currently in the process of annexing the subject properties to the necessary service districts in Washington County.

LOCATION: The eight properties are located in the North Bethany Area of Washington County, in the vicinity of NW Brugger Road and total approximately 59 acres. A map of the area can be seen in Attachment 1.

ZONING: The properties are zoned for residential use (R6 NB, R9 NB, R15 NB, and R24 NB), commercial (NCCB) and institutional (INST NB) by Washington County.

The proposal consists of eight tax lots. The land was added to the UGB in 2002 and is part of the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-987A include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County also requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring. The applicant is currently moving forward with the necessary annexation requirements with Washington County. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The properties proposed for annexation are part of Washington County's North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with that agreement and is required by Washington County as part of a land use application. The inclusion of these properties within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 59 acres to the Metro District. The land is currently within the UGB in unincorporated Washington County. Approval of this request will allow for the urbanization of these parcels to occur consistent with the North Bethany Subarea Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

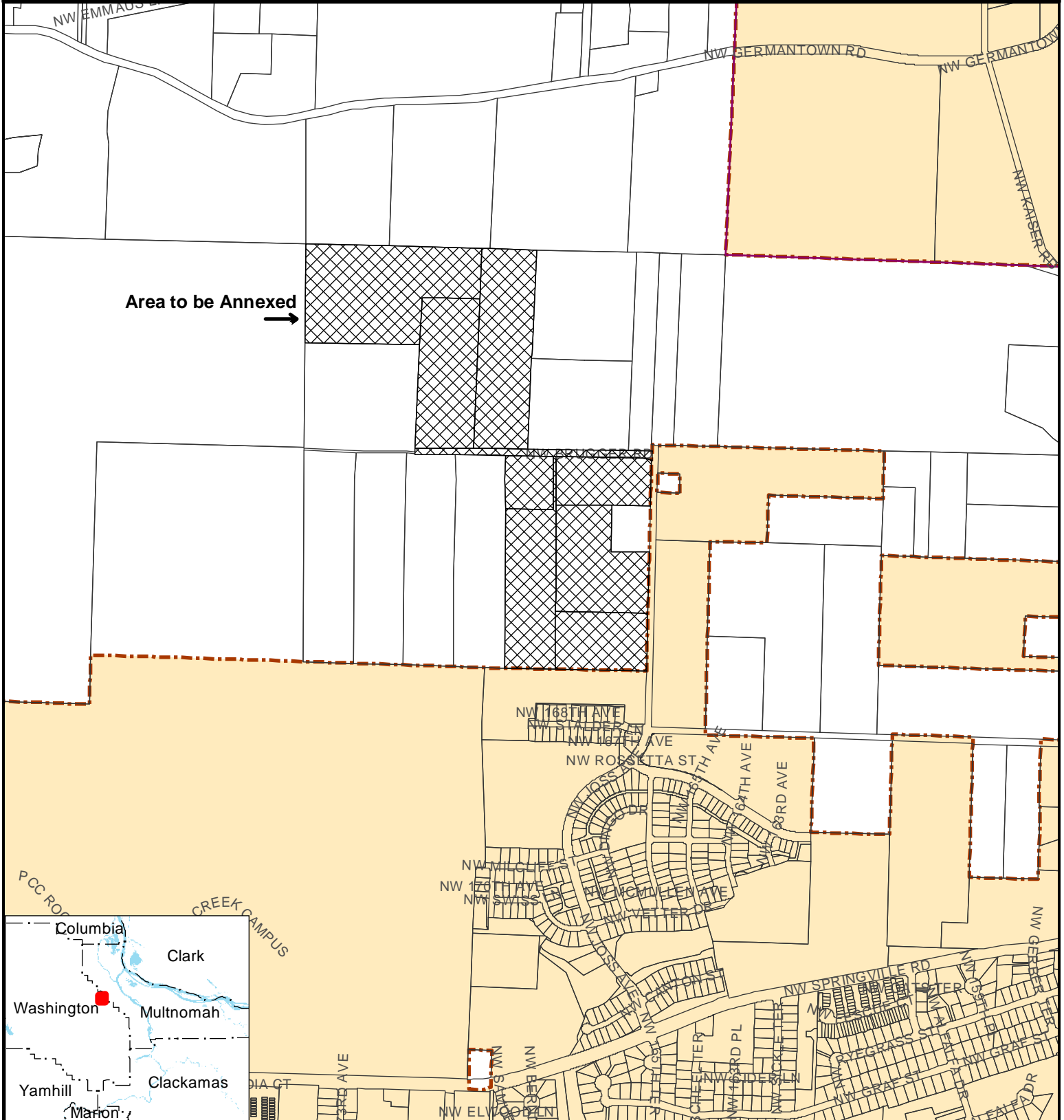
Staff recommends adoption of Ordinance No. 13-1298.

Proposal No. AN-0212

1N1W18

Annexation to the Metro District Boundary

Washington County



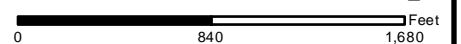
Area to be Annexed



Proposal No. AN-0212 Metro District Boundary

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