

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 6, 2003
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Brian Newman, Rod Monroe, Rex Burkholder, Carl Hosticka, Rod Park

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. GFOA AWARD FOR EXCELLENCE IN FINANCIAL REPORTING

Bill Stringer, Chief Financial Officer, recognized Don Cox and Karla Lenox for receiving an award for outstanding financial reporting. The Accounting Department has won that award eleven times since 1992. He thanked all of the Accounting staff for presenting such a fine report. (Council and staff gathered for a picture) Council President Bragdon congratulated the staff.

4. REGIONAL COMMERCIAL OUTREACH CAMPAIGN UPDATE

Jan O'Dell and Robin Hawley, Solid Waste and Recycling Department, talked about their outreach efforts for the Regional Commercial Outreach Campaign. They presented a power point presentation on the campaign (a copy of which is found in the meeting record). Council President Bragdon urged the audience and those watching at home to call the request phone number.

5. CONSENT AGENDA

5.1 Consideration of minutes of the October 30, 2003 Regular Council Meetings.

Motion:

Councilor Park moved to adopt the meeting minutes of the October 30, 2003, Regular Metro Council meeting.

Vote:

Councilors Burkholder, McLain, Monroe, Park, Hosticka, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

6. ORDINANCES – FIRST READING

6.1 **Ordinance No. 03-1028**, For the Purpose of Transferring \$67,959 from the Planning Fund Contingency to Personal Services to Add .5 FTE Associate Public Affairs Specialist and Provide for Temporary Assistance in the Planning Fund; and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 03-1028 to Council.

7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 03-1021**, For the purpose of amending Title 4 of the Urban Growth Management Functional Plan to improve its protection of industrial land and to make corrections.

Motion:	Councilor McLain moved to adopt Ordinance No. 03-1021.
Seconded:	Councilor Park seconded the motion

Councilor McLain introduced the ordinance. She spoke to the need for specific kinds of industrial lands for the local jurisdictions. She felt this Title 4 was improved and more responsive. She noted there would be additional public hearings.

Mary Weber, Planning Department, briefed the Council on this ordinance (a copy of her summary is included in the meeting record). She spoke to changes in the Code, non-conforming uses, refinements, clarification and definitions of industrial uses, and evaluating the effectiveness of the Code.

Council President Bragdon opened a public hearing on Ordinance No. 03-1021. Council President Bragdon closed the public hearing.

7.2 **Ordinance No. 02-1022**, For the purpose of Amending the Employment and Industrial Areas Map to Add Regionally Significant Industrial Areas in compliance with Subsection J of Section 3.07.420 of Title 4 (Industrial and other employments areas) of the Urban Growth Management Functional Plan.

Motion:	Councilor Park moved to adopt Ordinance No. 03-1022.
Seconded:	Councilor Newman seconded the motion

Councilor Park asked Andy Cotugno, Planning Director, to go over the map and talked about the characteristics of large sites. Mr. Cotugno said this was a draft map of current and proposed Regionally Significant Industrial Areas (RSIAs). All of the areas collectively were proposed as RSIAs. They were the areas that had essential qualities for successful industries. He spoke to the attributes of the RSIAs.

Council President Bragdon opened a public hearing on Ordinance No. 03-1022.

David Fuller, Mayor of Wood Village, 2055 NE 238th Wood Village, OR, 97060 summarized his written comments (a copy of which is found in the meeting record).

Chuck Becker, Mayor of Gresham, 1333 NW Eastman Pkwy, Gresham, OR 97030 read his letter into the record (a copy of which is included in the meeting record). Councilor Park said he would have clarifying question for Dick Benner, Planning Department, after the public hearing. He asked Mayor Becker about the Springwater area and its designation as an RSIA. Mayor Becker said they would like this area to have opportunities for a variety of businesses. They were asking that the Brick company to be taken off the RSIA designation. Councilor Newman spoke to his concerns about investing resources in downtown Gresham if they wanted to build commercial in

these areas. Mayor Becker said they would like the flexibility to benefit both the region and the city. Councilor McLain talked about the 50-acre issue. She asked Mayor Becker to speak to this issue. Mayor Becker responded that the aggregation of land was an issue. Mayor Fuller asked where the 50-acre minimum designation came from. Councilor McLain said there had been several economic studies concerning this issue. Mayor Fuller said typically sites that were redeveloped were in the 1 to 10 acre parcels.

Michael Weatherby, Mayor of Fairview, 1300 NE Village St, Fairview, OR, 97024 summarized his written remarks (a copy of which is found in the meeting record). He said they stand in support of the other cities in calling out a RSIA. Small cities normally don't have large lots of land. He felt that all parts of the region had to be healthy. He spoke to their combined vision statement. They needed flexibility to attract business. He didn't see the RSIA designation being helpful. They stood in support of their other partners.

Paul Thalhofer, Mayor of Troutdale, 104 SE Kibling Ave., Troutdale, OR, 97060 read his written comments (a copy of which is found in the meeting record). He spoke to the beauty in their area. He added that Troutdale had been the dumping ground for negative uses. He talked about the demise of the aluminum plant. It was a blight in their area. They had plans for that area. He felt that the RSIA designation was setting them up for was in inner model railroad for the Port of Portland. He felt some of this area should be set aside to promote tourism. Councilor Park asked Mayor Weatherby about a 100-acre parcel. Mayor Weatherby said he thought they were dividing the area up into smaller parcels so they could market for best use. Councilor Park asked Mayor Thalhofer about the aluminum plant zoning, which he understood was zoned industrial. He asked if they were planning to have that area rezoned. Mayor Thalhofer said yes, they had planned to request rezoning. Council President Bragdon asked about the railroad yard and was it currently zoned industrial. Mayor Thalhofer said they wanted to change the zoning but Alcoa would have to sell the land first. They wanted a mixed use in that area. He spoke to the natural beauty of the area and that the area lent itself to tourism. They didn't want it to be limited to industrial only. Mayor Weatherby said they needed all the flexibility they could get.

Mayor Emmeritus Roger Vonderharr was representing West Columbia Gorge Chamber of Commerce, 180 2nd Street., Fairview, OR 97024. He wanted to respond to Councilor Park's question about locating a large industry in a small city. He talked about the history of a one-company small city. If the company went belly up, so did the city. He opposed mandating this requirement on small cities. He felt RSIA's eliminated opportunities in small cities. He then shared a letter from the West Columbia Gorge Chamber of Commerce (a copy of which is found in the meeting record). This chamber took in the cities of Corbett, Cascade Locks, Troutdale, Fairview, and Wood Village, Multnomah Falls. They supported mixed use on the Alcoa property as a gateway and a destination.

Beverly Bookin, Commercial Real Estate Economic Coalition (CREEC), 1020 SW Taylor #760 Portland OR, 97205 said they were a major participant in the RSIA study. RSIA's were established to ensure preserving land for industrial use. She talked about the new suburban districts. She understood that Metro was obligated to adopt the RSIA. They wanted to make sure that the goal of the RSIA did not create barriers. RSIA regulations may have some unintended consequences. CREEC wished to be part of the solution. They would be submitting information and recommendations on RSIA's (a copy of her remarks are included in the meeting record).

Council President Bragdon closed the public hearing and announced that there would be two additional public hearings on these ordinances, November 13th and December 4th with final consideration on December 4th.

Councilor Park suggested that the Mayors stay for the responses from Mr. Benner. He wanted Mr. Benner to address research, development, transit and non-conforming use issue, 1000 employee limits, and the rail yard issue. Mr. Benner responded that there was a lot of misunderstanding about the 50-acre issue. There was no aggregation or consolidation. He spoke to the Code about larger parcels. He said if you had a 60-acre piece, you must keep a large parcel but could divide the rest into smaller parcels. There weren't a lot of 50-acre parcels. On research and development, it was part and parcel of industrial use. It was subject to a transit requirement. The issue was should there be a transit requirement. Title 4 addressed non-conforming uses as adopted in December 2002. He spoke to the revisions that had been drafted. He talked about allowed uses. Councilor McLain asked if non-conforming uses included insurance and offices. Mr. Benner said yes. He clarified that office use was okay in a RSIA. He talked about headquarters on industrial parcels and the confusion concerning this issue. You could have headquarters in an RSIA. He further clarified what this meant. Councilor Burkholder suggested making the language clearer in Subsection B. Council President Bragdon asked about railroad yards and were they treated different from an RSIA. Mr. Benner said he didn't think the designation would change. Councilor Newman suggested a one-page summary addressing some of these concerns. Councilor McLain thanked the Mayors for their input. The Council agreed that there was value to RSIA's. She spoke to regional prosperity and the need for economic vitality. She talked about the Shute/Evergreen Road RSIA and the use of land around the RSIA. The State acknowledged Council's 2002 decision. Council had made a commitment to identify these sites. Councilor Park also thanked the Mayors for coming. Any changes in the industrial land designations meant a further expansion of the Urban Growth Boundary (UGB). There will be a cause and effect.

7.3 **Ordinance No. 03-1023**, For the Purpose of Amending Provisions of Metro Code Chapter 6.01 Relating to the Metropolitan Exposition-Recreation Commission.

Council President Bragdon announced that this ordinance had been removed from the agenda.

8. RESOLUTIONS

8.1 **Resolution No. 03-3378**, For the Purpose of Selecting a Center to serve as the pilot for the development of strategies to enhance regional and town centers in the region.

Motion:	Councilor Newman moved to adopt Resolution No. 03-3378.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman gave background about Title 6 of the Functional Plan. He spoke to need for center development and detailed some of the development issues. Council had appropriated \$100,000 for a pilot project. He spoke to the application process, the factors, and the selection process. He noted why Beaverton was selected. He added that City of Milwaukie followed closely behind Beaverton and staff had recommended that Milwaukie be the next city to be considered for center development He talked about the next steps. He had reviewed all of the applications and was very impressed with the work that had gone into the applications (detailed remarks are included in the meeting record).

Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed with Councilor Park absent from the vote.

8.2 **Resolution No. 03-3383**, For the Purpose of Responding to the Metro Auditor's Request for suggestions to Metro for Future Potential Performance Audit Topics.

Motion:	Councilor Hosticka moved to adopt Resolution No. 03-3383.
Seconded:	Councilor McLain seconded the motion

Councilor Hosticka talked about the relationship history with the auditor. Exhibit A provided possible topics for the auditor to consider. He wanted to make sure that these were just suggestions. He recognized her role as an independent elected official and as an auditor. He felt this would further the dialogue with the auditor. Council President Bragdon echoed Councilor Hosticka's remarks. He felt the past several months dialogue with the auditor had been productive. Alexis Dow, Metro Auditor, expressed her appreciation for the suggested topics. She was glad that the Council was responsive to her request. She spoke to her charge to do continuous auditing. It was an exhaustive list. She was asking Council to indicate the top 2 or 3 on the list of 23 suggested audits. She encouraged that Council fill these forms out.

Vote:

Councilors Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed with Councilor Park absent from the vote.

Council President Bragdon announced that Ms. Dow would be providing a Pay for Performance audit on November 20, 2003.

9. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, Chief Operating Officer, said senior staff would be at a retreat next Wednesday in response to some of the Council's work.

10. COUNCILOR COMMUNICATION

Councilor Hosticka announced that tomorrow there would be a symposium in Beaverton on economic development. He urged attendance.

Councilor McLain commented on Ordinance No. 03-1023 that was removed from the agenda today. She thanked Council for their efforts ensuring that processes were in place. She spoke to management and budget issues. She wanted to make sure that industry and the public was well served. Council President Bragdon echoed Councilor McLain's comments.

Council President Bragdon spoke to a report from Metro Committee on Citizen Involvement (MCCI) concerning outreach in the UGB process. He felt this report might be helpful in how future outreach was shaped.

Metro Council Meeting

11/06/03

Page 6

11. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:08 p.m.

Prepared by

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER
6, 2003**

Item	Topic	Doc Date	Document Description	Doc. Number
5.1	Minutes	10/30/03	To: Metro Council From: Chris Billington, Clerk of the Council Re: Minutes of October 30, 2003 Council meeting	110603c-01
7.1 & 7.2	Letter	10/21/03	To: Council President Bragdon From: Timothy Ramis, Ramis Crew Corrigan and Bachrach Re: Ordinance No. 03-1021, Regionally Significant Industrial Areas	110603c-02
7.3	Letter	11/6/03	To: Metro Council From: Judy Rice, MERC Commissioner Re: Ordinance No. 03-1023	110603c-03
7.3	Fax	11/6/03	To: Metro Council From: Chris Rasmussen Re: Ordinance No. 03-1023	110603c-04
7.1 & 7.2	Letter	11/3/03	To: Metro Council From: Mayor Fuller, Wood Village Re: Ordinance No. 03-1021 & 1022, Title 4.	110603c-05
7.1 & 7.2	Letter	11/6/03	To: Metro Council From: Mayor Becker, Gresham Re: Ordinance No. 03-1021 & 1022, Title 4	110603c-06
7.1 & 7.2	Letter	11/3/03	To: Metro Council From: Paul Thalsofer, Troutdale, Re: Ordinance No. 03-1021 & 1022, Title 4	110603c-07
7.1 & 7.2	Letter	10/31/03	To: Metro Council From: Michael Weatherby, Fairview Re: Ordinance No. 03-1021 & 1022, Title 4	110603c-08
7.1 & 7.2	Letter	11/6/03	To: Metro Council From: Mayors Weatherby, Thalsofer, Becker and Fuller Re: Regionally Significant Industrial Areas Designation	110603c-09
7.1 & 7.2	Letter	11/4/03	To: Metro Council From: West Columbia Gorge Chamber of Commerce Re: objecting to RSIA designation	110603c-10
7.1 & 7.2	Written Testimony	11/6/03	To: Metro Council From: Beverly Bookin, Commercial Real Estate Economic Coalition Re: RSIA's, Ordinance No. 03-1021 & 1022	110603c-11
8.1	Draft Comments	11/6/03	To: Metro Council From: Councilor Newman Re: Remarks concerning Centers Resolution 03-3378	110603c-12
4	Power Point Presentation	11/6/03	To: Metro Council From: Jan O'Dell and Robin Hawley, Solid Waste and Recycling Dept., Re: Regional Commercial Outreach Campaign	110603c-13
7.1 & 7.2	Summary	11/6/03	To: Metro Council From: Mary Weber,	110603c-14

Metro Council Meeting

11/06/03

Page 8

			Planning Dept., Re: Overview of Ordinance No. 03-1021 & 1022	
7.3	Email	11/6/03	To Metro Council From: Chris Rasmussen Re: Ordinance No. 03-1023	110603c-15