



METRO COUNCIL MEETING
Meeting Minutes
May 29, 2014
Metro, Council Chamber

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

Councilors Excused: Kathryn Harrington

Council President Hughes noted a quorum was present and called the council meeting to order at 2:00 p.m.

1. INTRODUCTIONS

There were no introductions.

2. CITIZEN COMMUNICATIONS

There were no citizen communications.

3. CONSENT AGENDA

Council President Hughes noted there were two items on the consent agenda: (1) consideration of Council Minutes for May 15, and (2) Resolution No. 14-4529.

Council President Hughes asked for a motion. Councilor Collette moved the Consent Agenda. Councilor Craddick seconded. The motion passed unanimously 6-0-0 (Councilor Harrington excused).

4. ORDINANCES –SECOND READ

4.1 Ordinance No. 14-1330, For the Purpose of Annexing to the Metro District Boundary Approximately 24.55 Acres Located along NW Brugger Road and NW Kaiser Road in the North Bethany Area of Washington County.

Council President Hughes noted the intent and/or purpose of Ordinance No. 14-1330 and called the Metro Council into a quasi-judicial hearing and outlined the

process. He called on Metro Attorney Alison Kean to explain the procedural requirements for a quasi-judicial hearing.

Council President Hughes called on Metro staff Tim O'Brien to provide a brief staff report after the quasi-judicial hearing requirements were explained and completed. Mr. O'Brien provided his staff report, including such points as at the request of the property owner, acreage, location, consistency with the 11 area requirements associated with the Urban Growth Boundary, purpose, relationship to Metro Code and Oregon Revised Statute Chapter 195, and staff recommendation.

Council President Hughes then called on Council for questions and/or comments. Seeing none, he gaveled into a public hearing and asked if there was anyone in the audience who wished to come forward and testify on Ordinance No. 14-1330. Seeing no one, he closed the public hearing and called for a motion.

Councilor Chase moved Ordinance No. 14-1330. Councilor Collette seconded. Council President Hughes asked the Council Administrator to call roll. The motion passed unanimously, 6-0-0 (Councilor Harrington excused)

4.2 **Ordinance No. 14-1329A (Continued from May 8, 2014)**

Council President Hughes noted the Ordinance was carried over from May 8 and asked the Council Administrator to read the ordinance into the record by title only. The Council Administrator read the ordinance title into the record. Council President Hughes called on Metro legal counsel Roger Alfred to provide an updated staff report including outlining the process.

Mr. Alfred explained the working "B" version of the ordinance as a result of amendments agreed to with interested parties, primarily Kelly Ross with the National Association of Industrial and Office Properties (NAIOP) / Commercial Real Estate Development Association. Legal Counsel then explained the corresponding attachments and letters received regarding the ordinance. He then called on Robert Spurlock with Metro. Mr. Spurlock spoke to the Marine Drive Trail and the Columbia River Slough Trail. He outlined the trails' locations, history, design features, and conflict points. It was noted that one of the points the Metro Council will eventually need to determine is whether or not trails and industrial uses are compatible.

Council President Hughes called on his colleagues for questions and/or comments after Mr. Alfred and Mr. Spurlock's staff report. Council raised such points as other facilities associated trails such as parks, informational kiosks, bathrooms, and other recreational facilities. Staff noted role of Metro under Title 4 and local governments' best efforts under the directive received.

Council President Hughes then called on Mr. Alfred to explain the process moving forward. Legal Council advised Council to close the public hearing after today's

proceeding, the public record remain open until June 5 to accept written testimony, and continue to June 12.

Hearing no further questions, comments, or concerns, Council President Hughes opened a public hearing on Ordinance No. 14-1329 and asked if there was anyone in the audience who wished to testify. Testifiers included Kelly Ross, Dorothy Cofield, and Mark Brown.

Mr. Ross spoke to his work with Metro legal counsel Roger Alfred and his general support of the ordinance due to that work. Ms. Cofield noted that she was subbing for Wendie Kellington and her groups' continued opposition to the ordinance. Mr. Brown spoke to his concern regarding the continual, gradual erosion of property owner rights and opposition to Ordinance No. 14-1329B. Council President Hughes explained the willing seller's role in relation to bond language and how associated moneys can be utilized or spent.

Seeing no one else come forward to testify, Council President Hughes closed the public hearing and, again, asked the process forward be noted. Mr. Alfred reiterated the process forward and Council President Hughes confirmed.

Council President Hughes asked for a motion and second. Councilor Dirksen moved Ordinance No. 14-1329A. Councilor Chase seconded. Motion passed unanimously 6-0-0 (Councilor Harrington Excused)

5. CHIEF OPERATING OFFICER COMMUNICATION

Chief Operating Officer Martha Bennett briefed the Council on two issues:

- A reminder of the Council's full meeting agenda on June 12, including meeting with the Tax Supervising and Conservation Commission and budget passage.
- A thank you to staff from Parks and Environmental Services regarding a water main break at Blue Lake Park.

6. COUNCILOR COMMUNICATIONS

Council President Hughes called on his colleagues. Councilor Dirksen noted that next week is Rose Festival and he will have obligations that will require him to excuse himself early on June 5.

ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:50 p.m. The Metro Council will convene in next regular council meeting on Thursday, June 5 at 2 p.m. at Metro's Council Chamber.

Respectfully submitted,

A handwritten signature in blue ink that reads "Troy Rayburn". The signature is written in a cursive style with a large, sweeping initial "T".

Troy Rayburn
Council Administrator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 29, 2014

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Handout	5/15/2014	Council Meeting Minutes	52914c-01
4.2	Handout	5/29/2014	Ordinance No. 14-1329AB	52914c-02
4.2	Handout	5/29/2014	Supplemental Staff Report	52914c-03
4.2	Handout	5/8/2014	E-mail from Lise Glancy to Metro Council and senior staff re: Metro Ordinance 14-1329 – Title 4 RSIA – Council Action	52914-04
4.2	Handout	5/27/2014	Letter to Wendie L. Kellington RE: Short Load Concrete signed by Christopher M. Clemow, PE, PTOE	52914-05
4.2	Handout	5/27/2014	Letter to Metro Council signed by Sarah Angell, Director, Swan Island TMA	52914-06
4.2	Handout	5/29/2014	Letter (with attachments) to Metro Council signed by Nick Storie RE: Today's Agenda Item Ordinance No. 1329B, Trails in RSIA Lands	52914-07
4.2	Handout	6/3/2014	E-mail from Roger Geller to Roger Alfred and Robert Spurlock RE: Crash data for Springwater	52914-08
4.2	Handout	No date	Swan Island Fact Sheet / Informational (with attachments 1 - 13)	52914-09