

# MINUTES OF THE METRO COUNCIL MEETING

Thursday, April 29, 2004  
Washington County Public Service Building Chamber

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

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 5:04 p.m.

## 1. INTRODUCTIONS

There were none.

## 2. CITIZEN COMMUNICATIONS

There were none.

## 3. CONSENT AGENDA

3.1 Consideration of minutes of the April 22, 2004 Regular Council Meetings.

3.2 **Resolution No. 04-3448**, For the Purpose of Granting an Easement to Miramonte Pointe for Non-Park Use through Property Owned by Metro and the North Clackamas Parks and Recreation District on Mt. Talbert.

Motion:

Councilor Newman moved to adopt the meeting minutes of the April 22, 2004, Regular Metro Council and Resolution No. 04-3448.

Vote:

Councilors McLain, Park, Newman and Council President Bragdon voted in support of the motion. The vote was 4 aye, the motion passed with Councilors Hosticka, Monroe and Burkholder absent from the vote.

## 4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 04-1051**, For the Purpose of Transferring \$175,000 from Contingency to Capital Outlay in the Regional Parks Fund to Recognize a Capital Donation and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 04-1051 to Council.

## 5. ORDINANCES - SECOND READING

5.1 **Ordinance No. 04-1044A**, For the Purpose of Adopting the Annual Budget For Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency.

Council President Bragdon opened a public hearing on Ordinance No. 04-1044A

Wayne Moore, Laborer's Local 483, 1125 SE Madison St Suite 206 Portland OR 97214 summarized his written remarks (a copy of which is included in the meeting record).

Council President Bragdon closed the public hearing.

5.2 **Ordinance No. 04-1040**, For the Purpose of Amending the Metro Urban Growth Boundary, The Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment.

5.3 **Ordinance No. 04-1041**, For the Purpose of Amending Metro's Regional Framework Plan to Better Protect the Region's Farm and Forest Land Industries and Land Base; and Declaring an Emergency.

Council President Bragdon opened a public hearing on Ordinance No. 04-1040 and 04-1041.

Mayor Rob Drake, City of Beaverton, 4755 SW Griffith Drive Beaverton OR 97076 said he was also talking as a Metro Policy Advisory Committee (MPAC) member. He had chaired a subcommittee that looked at recommendation for Title 4. The subcommittee had sent forward a recommended package on Title 4. He noted a letter that he sent on April 26<sup>th</sup> which he summarized for the Council tonight. He indicated that industry was changing so he urged flexibility. He also thanked Council for coming to Washington County and holding an evening public hearing. Councilor Hosticka asked Mayor Drake to suggest amendments so that MPAC and Council moved side by side. Mayor Drake said he thought he had provided those amendments. Council President Bragdon acknowledged the receipt of his letter.

Amy Scheckla-Cox, City Councilor, City of Cornelius, 1355 N. Barlow St. Cornelius, OR 97113 said she was here presenting City of Cornelius. She read the Mayor's Heinrich's letter (a copy which may be found in the public record).

Stewart Whipple, Attorney at Law, Representing the Irving-Lees and Dozzi, 6501 SW Macadam Ave, Portland, OR 97239 provided written testimony. He represented owners of 125 acres near I-205 and I-5. This property was near the area being considered for industrial area. The property was very poor farm land and could be brought in as industrial land. The property had many criteria that would lend itself to industrial development such as access to transportation. There were no schools or churches near by. The residential area was minimal. There were no commercial or retail activities on the property. There was very little commercial activity that would interfere with industrial use. The slope requirements were met and it was near an employment area. If not now it would provide industrial property in the future. Councilor McLain asked if the property was in the study areas. Mr. Whipple said it was just south of I-205. It was not in the study area. It was between study areas.

Jim Maron, President of Wilsonville Chamber of Commerce, 4433 SW Homesteader, Wilsonville, OR 97070 read his testimony into the record.

Warren Easley, 24710 SW Nodaway Ln., Wilsonville, OR 97070 said he live in the Stafford area. He provided written testimony for the record.

Phil Lane, 6557 SW Knollwood Ct., Tualatin, OR 97062 said he and his family live on Knollwood Court. He provided written testimony.

Richard Lamb, 6830 SW Knollwod Ct, Gemstone Systems, NW Waterhouse, Beaverton OR provided written testimony and summarized it for the record.

Tom Juza, 6985 SW Ellingsen Rd., Tualatin, OR 97062 said he was a resident of the east Stafford area. He spoke to problems with traffic and poor infrastructure. He felt this area was not a good area for industrial development.

Greg Leo, Coalition to Save the Valley, 3 Monroe Parkway Suite P-426, Lake Oswego, OR 97035 provided written testimony. He urged consideration of the Hosticka ordinance.

Becky Chamseddine, 22900 SW Erio Place Tualatin OR 97062 provided written testimony. Councilor Newman asked what specific area was she talking about. Ms. Chamseddine said she felt Tualatin had its share of industrial land and didn't need any additional industrial land. Councilor Hosticka asked about industrial areas in Tualatin. Ms. Chamseddine said she felt that they didn't need any additional industrial land in the Tualatin.

Dave Volz, 22930 SW Erio Place, Tualatin OR 97062 provided written testimony. He provided a petition to the Metro Council with over a 1000 signatures on it (he provided this petition for the record). The 1000 people voiced their opinion to the Council. It was a grass roots effort to gather these petitions. They urged reconsideration of the recommendation. He spoke to Metro's charge to protect residential areas that currently exist. Councilor Newman said last week there were residents in this area that were suggested as a compromise. He wondered if that recommendation had been discussed? Mr. Volz said the City of Tualatin had taken a position. He did think there might be an area by the prison that made sense to consider for industrial purposes, the area where the person was burying the buses.

Blythe Mercer, 10703 SW Clear St Tualatin OR 97062 read her testimony into the record. She provided a petition that had been put together by the children in her area (a copy of which is included in the meeting record). Councilor Monroe said staff came up with a recommendation. This did not mean that the Council accepted that recommendation cart blanche. That was why they were listening to citizens. They would work to accommodate as many as possible. Council decision wouldn't be made until June.

Jeff MacLean 10688 SW Clear St., Tualatin OR 97062 summarized his testimony (a copy of which is included in the meeting record). He spoke to the South Tualatin area and opposed its inclusion in the Urban Growth Boundary (UGB) as industrial land. There was need for balance, protection of existing neighborhoods and buffers.

Stan Biles, 2215 Oregon St. Sherwood OR 97140 provided written testimony (a copy of which is included in the meeting record). He concurred with Metro's recommendation. The quarry area in Tualatin should be brought in as industrial area. His property was immediately adjacent to other industrial areas and to the Urban Growth Boundary. Councilor McLain thanked Mr. Biles for his testimony. She was happy to hear that there was some land that fit all of the criteria.

Gary Gentemann speaking for Maxine Erdman, 25550 NW Meek Rd Hillsboro OR provided written testimony and summarized it for the record. He noted the map identifying the Evergreen Study Area. He spoke to the surrounding property owners who had endorsed the recommendation. He noted that the parcels of these property owners were appropriate for industrial development. These properties were a logical choice for industrial use. He detailed some of the reasons why they were a logical choice. The eight property owners urged consideration.

Alden Eld, P.O. Box 1490, North Plains, OR 97133 thanked Council for the opportunity to speak with them. He was located within a distinct residential area near Mr. Gentemann's property. His property was west of Soul. He spoke to reasons why his property should not be included specifically because it was residential. There were wetlands and creeks. He felt this residential pocket should be taken out of the consideration for industrial and be left as residential.

Robert Bailey, 7455 NW Helvetia Road, Hillsboro, OR 97124 spoke in opposition to the recommended Helvetia area being brought in as industrial land. Council President Bragdon asked where the property was. Mr. Bailey said the pictures that he provided for the record represented the 1996 flood area. It was major drainage area. He summarized his written testimony. He suggested a sociological analysis of the area. He felt that the Helvetia properties weren't appropriate for industrial development because of prime farmland and drainage issues. The hard edge was too close.

David Noren, Tuality Healthcare P.O. Box 586 Hillsboro OR 97123 provided written testimony. He supported the Chief Operating Officer's recommendation.

Delilah Ahrendt, CRASH, 5186 NE Molly St Hillsboro OR 97124 said she lived close to the airport. She spoke to the Evergreen industrial area consideration. She said the airport was considering helicopter training over the industrial area that the Council was considering. She suggested risk assessment should be considered. Also in the same area there was a sterile area. People were asked to evacuate their homes when the air show occurred. She questioned if industry would be asked to evacuate their industries during the air show. She felt that the helicopter training needed to be considered in Metro's decision.

Don Jones, 4595 NW Neskowin Ave Portland OR 97229 said he lived in the Rock Creek area. He was addressing the area north of West Union. He was opposed to this area being considered as industrial. The neighborhood to the south was in opposition to industrial uses. This area was primarily residential with no buffer zone to the proposed industrial area. He didn't think the land to the north of West Union was practical either. It was farmland, had habitat, had slope, and was naturally scenic. He urged taking this area out of the recommendation.

Michael Bickle, 5285 NW 253<sup>rd</sup> Hillsboro OR 97124 spoke to his farm which would be appropriate to bring in as industrial. There was a stream that ran through the property, it was a ditch. There was a natural buffer, the Sunset Hwy and Jackson School Road. He said it was an excellent area to be brought in and detailed some of the specific of the property included transportation access, poor farming opportunity, no slope, etc. He knew of no property owners that didn't support the area being brought in.

Michael Feves, Citizens for Farmland Preservation 26300 SW McConnell Sherwood OR 97140 provided written testimony.

Holly Ibury 16701 SE McGilvary Vancouver WA 98683 read her letter into the record. She offered an alternative, the St. Mary's site. The concept plan reflected an employment area. She suggested further concept planning could be done to create a truly mixed-use area. Councilor Hosticka asked if she was suggesting including the whole site. Ms. Ibury said they would be requesting a portion of the site. Councilor Hosticka said they would need acreage amounts.

Mark Van Hoomissen Rock Creek Neighborhood, 19190 NW Athena Portland OR 97229 provided written testimony and summarized his testimony about the West Union parcel. He said there was no buffer and there were transportation problems. There was also concern about noise.

There were also many schools located near the site. He felt there were other areas that were better suited for industrial purposes. He stressed livability for their neighborhoods.

Betty Atteberry Westside Economic Alliance, 10200 SW Nimbus Portland OR 97223 said in collaboration with its partners, the Alliance had taken up the charge to study industrial areas on the westside (a copy of her testimony is included in the record). Councilor Newman asked if the Alliance had taken a position on the Helvetia site, Evergreen, West Union and South Hillsboro sites. Ms. Atteberry said they had not looked at specific areas. Councilor Burkholder asked about the desire to protect industrial land and the request to open up the industrial area to commercial use. Ms. Atteberry said in today's market you were looking at different kinds of industry. It was necessary to provide commercial uses in close proximity to industrial uses. She said there was a mix of service providers in the big industrial parks. Councilor Burkholder asked if the Alliance supported acreage limitations. Ms. Atteberry said they needed to look at this more thoroughly.

Tom McConnell, Alpha Engineering Inc 9600 SW Oak Suite 230, Portland OR 97223 read his testimony into the record concerning the Helvetia site. He spoke to the letter from Mark Greenfield about the 190 acres in the Helvetia area. They thought the 190 acres would better address the regional needs for industry because of proximity to the Hwy 26 interchange, industrial uses like to be near other industrial uses, and the availability of services to the site. He noted that there needed to be a drainage fix. He said that the 190 acres were in only 8 ownerships; most were in only 3 ownerships. Council President Bragdon asked if he was in support of the parcel that had been recommended. Mr. McConnell said he was in support of the 190 acres only. Councilor Hosticka asked about the area. Mr. McConnell said it had a manufactured home park on it currently.

Jim Standring, 12670 SW 68<sup>th</sup> #400 Tigard OR 97223, said he was the owner of 70 acres of the 190 acres that Mr. McConnell had just spoken about. He spoke to services and transportation access. He wasn't speaking about the rest of the recommendation, only the 190 acres. He felt that all of the property fit the industrial criteria. There was no need for assemblage. They were ready to go.

Lars Webber, 19635 NW Rock Creek Way, Portland, OR 97229, said he was close to south of West Union Road. He was concerned about the site based on traffic and noise. He noted that West Union Road between Cornelius Pass Road was a two-lane road. There were repeated references that this road was more than adequate for industrial uses. He spoke to the traffic issues at 5 o'clock rush hour. If they were going to creating this area for industrial use he urged upgrading the road and creating a buffer for noise. He spoke to growing congestion in the area. There wasn't a lot of opportunity for expansion because of access. He said much of the areas studied were based on a 1999 study. He was concerned that we were overestimating the need.

Council President Bragdon closed the public hearing.

## 6. RESOLUTIONS

6.1 **Resolution No. 04-3446**, For the Purpose of Approving the FY 2004-05 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission (TSCC).

Motion:	Councilor Newman moved to adopt Resolution No. 04-3446.
Seconded:	Councilor Burkholder seconded the motion

Councilor Newman said this resolution was a housekeeping issue to submit the budget to TSCC. The budget would be back before Council on June 17<sup>th</sup>. Councilor McLain talked about the amendments that had been dealt with on Tuesday. She was still interested in dealing with maintenance issues at the zoo. She wanted to work with other Councilors to ensure that we had maintenance. She asked about substantial amendments and what they did with TSCC if there were these types of amendments. Councilor Monroe asked if the vote that they were considering now approved the additional \$2.00. Council President Bragdon said this budget contemplated those increases but these would be considered next week.

Vote:

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

There were none.

**8. COUNCILOR COMMUNICATION**

Councilor Newman asked Councilor Burkholder about new infrastructure associated with his district. Councilor Burkholder said this weekend; May 1<sup>st</sup> was the opening of the Interstate Max line. Metro had played a key role in the transportation system.

Councilor Hosticka said before the next hearing, there would be a tour of the industrial areas being proposed. The tour would be May 5<sup>th</sup> with a number of local government officials.

Council President Bragdon spoke to the Public Hearing next Tuesday on Goal 5. He acknowledged Councilors McLain's and Hosticka's work on this issue. Councilor McLain talked about some of the interest groups she had been working with on Goal 5. Councilor Hosticka said the Tualatin Basin group had approved their analysis. They were now working on their program recommendations.

**9. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 7:24 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 29, 2004**

Item	Topic	Doc Date	Document Description	Doc. Number
3.1	Minutes	4/22/04	Minutes of the April 22, 2004 Council meeting	042904c-01
5.1 & 6.1	Memo	4/29/04	To: Metro Council From: Kathy Rutkowski, Budget Coordinator Re: 04-05 Summary of amendments and proposed budget	042904c-02
5.1	Testimony and Letter	4/29/04	To: Metro Council From: Wayne Moore, Laborer's Local 483 Re: 04-05 Budget and attached letter from Mike Watson	042904c-03
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: Stan Biles Re: recommending quarry property in Tualatin as industrial	042904c-04
5.2 & 5.3	Biles Property study	4/29/04	To: Metro Council From: Stan Biles Re: 2215 NE Oregon Street Quarry Study Area Perfect for Industry prepared by Davis Wright and Tremaine	042904c-05
5.2 & 5.3	Notes and Testimony	4/29/04	To: Metro Council From: Jeff MacLean Re: opposed to South Tualatin as industrial land	042904c-06
5.2 & 5.3	Letter	4/28/04	To: Metro Council From: Robert and Patti Bailey Re: Opposing inclusion of Helvetia area as industrial land	042904c-07
5.2 & 5.3	Letter and concept plan	4/29/04	To: Metro Council From: Holly Iburg, Newland Communities Re: urging inclusion of the northeastern portion of Hillsboro south and concept plan for the area	042904c-08
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Betty Attebury, Westside Economic Alliance Re: Input concerning Hosticka's ordinance, MPAC recommendations, Title 4 and sub regional industrial needs	042904c-09
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Tom McConnell, Planning Manager for Alpha Engineering Re: 250 acres Helvetia Road and the recommendation of 190 acres	042904c-10
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Gary Gentemann for Maxine Erdman Re: Evergreen study area supporting inclusion	042904c-11
5.2 & 5.3	Pictures and Parcel information	4/29/04	To: Metro Council From: Stewart Whipple Re: including 120 acres near the Junction of I-5 and I-205 referred to as the Irving-Lee Property	042904c-12
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Warren	042904c-13

			Easley Re: opposing inclusion of the Frog Pond area in East Wilsonville	
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Greg Leo, Coalition to Save the Valley Re: recommending not going south of the Willamette River	042904c-14
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Michael Feves, Citizens for Farmland Preservation Re: opposes urbanization of prime farmland	042904c-15
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: Steve Heinrich, Mayor of Cornelius Re: industrial land north of City of Cornelius and medical facility issues	042904c-16
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: Mark and Jacqueline Van Hoomissen Re: opposes inclusion of West Union parcel	042904c-17
5.2 & 5.3	Memo	4/29/04	To: Metro Council From: Richard Lamb Re: opposing the inclusion of Wilsonville East (Frog Pond) area	042904c-18
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: Ruth Van De Moortele, Phyllis Kohlmeyer, Ruth Anne Dean Re: urged inclusion of her property	042904c-19
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: Phil Lane Re: opposes the Frog Pond area as industrial land	042904c-20
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Jim Marohn, President of the Wilsonville Chamber of Commerce Re: opposes inclusion of Wilsonville East	042904c-21
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: David Noren Re: Title 4 provisions for medical offices and related issues	042904c-22
5.2 & 5.3	Letter	4/29/04	To: Metro Council From: John Junkin Re: amendments to Title 4	042904c-23
5.2 & 5.3	Petition	4/29/04	To: Metro Council Submitted by: Dave Volz Re: 1000 signature petition opposing land south of Tualatin (Study Area Tualatin)	042904c-24
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Blythe Mercer Re: opposes industrial expansion south of Tualatin	042904c-25
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Linda and Rob Richter Re: opposes industrial developmen6 south of Tualatin	042904c-26
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Becky Chamseddine Re: opposes industrial land south of Tualatin	042904c-27
5.2 & 5.3	Testimony	4/29/04	To: Metro Council From: Dave Volz	042904c-28



			Re: opposes industrial land south of Tualatin	
5.2 & 5.3	Petition	4/29/04	To: Metro Council Submitted by: Blythe Mercer Re: Large petition with signatures of children from the Tualatin area opposing industrialization of the area	042904c-29