



**METRO COUNCIL MEETING**

Meeting Minutes

October 1, 2015

Metro Regional Center, Room 370 A&B

Councilors Present: Council President Tom Hughes, and Councilors Sam Chase, Shirley Craddick, and Kathryn Harrington

Councilors Excused: Councilors Carlotta Collette, Craig Dirksen, and Bob Stacey

Council President Tom Hughes called the regular council meeting to order at 2:05 p.m.

**1. CITIZEN COMMUNICATIONS**

Charles "Skip" Ormsby, Portland: Mr. Ormsby addressed the Metro Council on accessibility issues at an intersection in his neighborhood (Birdhill) in the Portland/Lake Oswego area. Specifically, he noted issues for bikes, handicapped access, and elder access between his neighborhood and the east side of Lake Oswego, discussing the complex situation regarding jurisdictions involved (including Union Pacific/Portland Western Railroad).

Ron Swaren, Portland: Mr. Swaren addressed the Metro Council on new/best technological advances relating to road vehicles, providing photo handouts of new lightweight engines, and discussed connections to the Southwest Corridor project. He also provided information about electric and hybrid bus systems that could work in SW Portland.

Courtney Scott, Portland: Ms. Scott congratulated Councilor Chase for his committee work on affordable housing and diversity in the Portland-area. She also addressed the Metro Council on the housing for the Oregon Zoo elephants, specifically Packy, requesting that Packy be retired and sent to a sanctuary.

Sandy Miller, Portland: Ms. Miller shared a few quotes from a recent book, Elephants on the Edge: What Animals Teach Us About Humanity, by G.A. Bradshaw, and addressed the Metro Council on closing the elephant exhibit at the Oregon Zoo.

**2. CONSIDERATION OF CONSENT AGENDA**

Motion:	Councilor Shirley Craddick moved to adopt items on the consent agenda.
Second:	Councilor Sam Chase seconded the motion.

Vote: 

Council President Hughes, and Councilors Chase, Craddick, and Harrington voted in support of the motion. The vote was 4 ayes, the motion <u>passed</u> .
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**3. RESOLUTIONS**

**3.1 Resolution No. 15-4645, For the Purpose of Authorizing an Exemption to the Competitive Bidding Procedures for a Public Improvement Contract**

Motion:	Councilor Kathryn Harrington moved to approve Resolution 15-4645.
Second:	Councilor Shirley Craddick seconded the motion.

Council President Hughes introduced Ms. Kathleen Brennan-Hunter, Metro Parks and Nature Director, to provide a brief staff report. Ms. Brennan-Hunter explained that the resolution would approve a real estate transaction, which would take Metro one step closer to realizing the vision of closing all remaining gaps in the Springwater Corridor trail. She noted that this is a project that Metro has been working to complete since 1995 and this particular transaction required assistance from the Oregon Pacific Railroad, who is the owner/operator of the rail line in this area. She explained that the railroad line needed to move to the south (of the current location), so that the Springwater trail could be built along the northern part of the right of way, and that the agreement (in the resolution) includes a legally binding agreement to ensure that the trail corridor would be preserved in perpetuity. Ms. Brennan-Hunter stated that the rail operators are not obligated to move or adjust their track to permit trail development and that they need to have incentives to do this and be compensated for the cost of time and resources.

***Council discussion***

In response to councilor inquiry, Ms. Brennan-Hunter clarified that the length of the rail that is being moved is 1520 feet or approximately four blocks. Councilor Chase asked if the trail is one of the highest volume trails in the region, and Ms. Brennan-Hunter responded that it is definitely the highest and the number of users steadily increases each year. Councilor Craddick noted that this resolution is a momentous one in that Metro was finally able to complete the gap, thanking the owner of the Oregon Pacific Railroad for his partnership and willingness to work with Metro and the jurisdictions to move this forward. Ms. Brennan-Hunter also thanked the negotiator team and legal staff for the great work they had done with this and other related transactions.

Vote:	Council President Hughes, and Councilors Chase, Craddick, and Harrington voted in support of the motion. The vote was 4 ayes, the motion <u>passed</u> .
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**4. ORDINANCES (FIRST READ)**

**4.1 Ordinance No. 15-1365, For the Purpose of Annexing to the Metro District Boundary Approximately 91.67 Acres Located Adjacent to SW Roy Rogers Road and SW Scholls Ferry Road in the River Terrace Area of Tigard**

Metro Attorney Alison Kean and Council President Hughes read the requirements on holding a quasi-judicial hearing and Council President Hughes then asked if any Council members had any ex parte contracts or conflicts of interest to disclose. There were none.

Council President Hughes introduced Mr. Tim O'Brien, Metro staff, to provide a brief staff report. Mr. O'Brien provided a brief report regarding the annexation request, explained the criteria required and explained that the request does meet the required criteria for annexation into the

Metro District Boundary. In response to councilor inquiry, Mr. O'Brien explained that the map did indeed show that the annexation would create an island, which is ok under State law. He added that the property is owned by Portland General Electric and at some point, it may come as a future annexation pending how development occurs around it. Councilor Harrington thanked staff for the really good, clear maps so that Council could really understand these annexation requests and map changes.

Council President Hughes opened up a public hearing on Ordinance No. 15-1365. Jerry Offer, of OTAK, addressed the Metro Council, noting that he represented West Hills Development in this application. He noted that his clients may have approached Portland General Electric about the parcel being included in their application, but he wasn't sure and any other surrounding property owners who were not included had indicated that they were not interested in participating at this point. Council President Hughes closed the public hearing and noted that the second reading, Council consideration, and vote were scheduled for October 8, 2015.

4.2 **Ordinance No. 15-1357, For the Purpose of Completing Housekeeping Amendments to the Urban Growth Functional Plan in Order to Address Code Section Inconsistencies and Update Notification Requirements**

Council President Hughes called on Metro staff, Mr. Tim O'Brien, to present a brief presentation on the ordinance. Mr. O'Brien explained that this was a plan adopted by the Council in 1996, codified in Metro Code in 1997, and that the plan provides tools and guidance for local jurisdictions to implement regional policies and achieve the goals. He added that the original functional plan contained 10 titles, 3 of which have been repealed since then, and four titles have been added since 1999; in addition, he noted that over time, titles have been amended, added to or removed parts of sections, but some of the cross references haven't been updated as they needed to be when any of these changes had occurred. Mr. O'Brien stated that one of the most recent inconsistencies is Metro's notification requirements, which is that comprehensive plan amendments by jurisdictions require a proposed amendment to be filed with Metro 45 days prior for a hearing. He added that at the time, this requirement was consistent with the Department of Land Conservation and Development (DLCD), but that has since changed to only 35 days, so Metro would like to change their requirement to 35 days as well in order to align with DLCD. Mr. O'Brien indicated that the proposed changes in this ordinance were presented to MTAC (Metro Technical Advisory Committee) for feedback, which was also incorporated into the ordinance before the Council.

***Council discussion***

There was none.

Council President Hughes opened up a public hearing on Ordinance No. 15-1357 and seeing no public testimony, he closed the public hearing. Council President Hughes noted that the second reading, Council consideration, and vote were scheduled for October 8, 2015.

**5. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett first introduced Metro Attorney, Ms. Alison Kean, to provide a few updates. Ms. Kean announced the hiring of a new attorney, who comes highly recommended from both public and private sectors and will work on Metro's solid waste work, and also announced that the Federal Court has dismissed the Federal Reserves case. Ms. Martha Bennett provided an update on the following events or items: Dan Moeller's promotion to Conservation Program Director in the Parks and Nature Department, upcoming volunteer opportunity for councilors at the Tour of Untimely

Departures at the Lone Fir Cemetery on Halloween, and a reminder to log trips for the Bike Commute Challenge.

6. **COUNCILOR COMMUNICATION**

There were none.

7. **ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 3:00 p.m. The Metro Council will convene the next regular council meeting on Thursday, October 8<sup>th</sup> in the Metro Regional Center, council chamber.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alexandra Eldridge".

Alexandra Eldridge, Regional Engagement & Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCT. 1, 2015**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
1.0	Testimony	10/01/2015	Ron Swaren testimony handouts	100115c-01
2.2	Minutes	09/24/2015	Council Meeting Minutes from September 24, 2015	100115c-02