

FILED July 6, 1995

MINUTES OF THE METRO COUNCIL WORK SESSION

Council Chamber

December 1, 1994

Councilors Present: Judy Wyers (Presiding Officer), Ed Washington (Deputy Presiding Officer, Roger Buchanan, Richard Devlin, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Susan McLain, Rod Monroe, Terry Moore and George Van Bergen

Councilors Absent: Jim Gardner

Metro Staff Present: Ken Gervais, Mark Turpel, John Fregonese, Andy Cotugno, Stuart Todd, Lisa Creel, Larry Shaw and Sherry Oeser

Presiding Officer Wyers called the Metro Council Work Session meeting to order at 4:10 p.m.

L. Work Session to Consider Resolution No. 94-2040A, For the Purpose of Adopting a Regional Growth Management Strategy

Presiding Officer Wyers explained that the purpose of this work session was to receive and consider amendments per testimony given at Listening Post meetings held throughout the region and at the full Council public hearing on November 28 and to continue the resolution as amended to the full Council for consideration at the December 8, 1994 regular meeting.

Councilor Kvistad gave the Planning Committee's report and recommendations to date.

Main Motion: Councilor Kvistad to place Resolution No. 94-2040A on the table for discussion by the Council as a whole. Councilor Van Bergen seconded the motion.

Larry Shaw, Senior Assistant Counsel, presented his report on the issues and referenced his two memorandums both dated December 1, 1994; (1) regarding Urban Reserve Study Areas, Resolution No. 94-2040A, File 7.2.DD, and, (2) Referral of Proposed RUGGO Amendments to MPAC, File 7.2.DD. These documents have been included in the permanent meeting record.

Mr. Shaw explained that a substantial part of Ordinance No. 94-578 had been included in the resolution, and said the proposed resolution would establish the Growth Management Concept. Mr. Shaw noted significant changes were made to the Recommended Alternative based on testimony received from the local jurisdictions and the public, and said refinements to the process would occur in July 1995, which would be presented to the Council in conjunction with the Concept. Mr. Shaw said no changes to the RUGGOs would be made at this time.

Councilor Van Bergen expressed concern that using the word "establish" had converted the Concept into a plan. Mr. Shaw presented language to modify the Be It Resolved Section 1 as follows: "That the amendments to RUGGO text and the 2040 Growth Concept Map attached and incorporated herein as Exhibit "A" are hereby established as the 2040 Growth Concept proposal which shall be scheduled for adoption and implementation at the first regular Council meeting in July 1995. Any proposed refinements developed by the process herein shall be considered concurrent with the adoption and implementation of this 2040 Growth Concept proposal in July 1995."

Mr. Shaw said Be It Resolved sections 2, 3 and 4 were all part of the proposed refinement process. He said explained subsections (a) through (d). Councilor Van Bergen asked if language in (d), "An

improved modal split for transit, bike and pedestrian travel" included or excluded other forms of transportation such as air, trains and others. Mr. Shaw said the proposed language did not exclude other modes, but said Metro would improve other modes. He said the language was an attempt to take the input given JPACT and TPAC that Metro's model underestimated. Councilor Van Bergen, the Council, Mr. Shaw and Andy Cotugno discussed the language further. Councilor Van Bergen said he had no difficulty with improving those modes of transit, but that he wanted the language to make it clear that other modes had not been eliminated. Councilor Moore said "split" could be changed to "share" to make the language clearer and suggested staff insert "transportation" before "modal." Presiding Officer Wyers said staff could add that language to make the intent clearer.

Mr. Shaw explained Be It Resolved Section 3. Councilor Van Bergen asked if Be It Resolved Section 3 (g) answered his previous question, i.e. "Development of an interim Regional Transportation Plan Update." Mr. Cotugno said Be It Resolved Section 4 listed all the items that the Council would adopt in July 1995. Councilor Van Bergen said more common language should be added to make it clear to citizens what Metro's intent was.

Mr. Shaw explained Be It Resolved Section 4. He noted his memo to Mr. Gervais contained a new Be It Resolved Section 4 to take all proposals that had been received which were beyond the scope of what MPAC considered and refer them back to MPAC for their consideration as part of the refinement process. Mr. Shaw explained proposed renumbering of the sections.

Councilor Van Bergen said he had asked for a new copy of the map. Staff noted the new map was posted on the wall.

Mr. Shaw said the implementation step stated that the 2040 Growth Concept would include: "7 (a) Adoption of 2040 Growth Concept RUGGO text and 2040 Concept Map with designated urban reserve areas in July 1995." He explained those components consisted of the RUGGO amendments which were Exhibit A to the proposed resolution and the map as part of that Exhibit A. He said the two pieces of the map would be an updated map to take the place of the urban reserve study areas. He said "7 (b) Adoption amendments to RUGGO Goal II, Urban Form consistent with the refined 2040 Growth Concept in July 1995" referred to the updates of RUGGO Goal II incorporating suggested changes to the 1991 RUGGO Goal II and was part of the package the Council would refer to MPAC for consideration. Mr. Shaw said "7 (c) Adopt the regional transportation plan by December 1995" referred to the complete plan that would be adopted. He said the interim plan was referenced in Section 3 (g). He said "7 (d) Define and adopt rural reserves protection inside Metro Jurisdictional boundaries as part of the Regional Framework Plan by June 1996" referred to adopted of rural reserve protection areas inside Metro's jurisdictional boundaries as discussed at the Planning Committee and the time line was extended to July 1996. He noted this would serve as a functional plan. Mr. Shaw said 7 (e) Adopt intergovernmental agreements with cooperative neighbor cities, counties and state agencies to protect "green" transportation corridors and rural reserves outside Metro jurisdictional boundaries by June 1996" referred to adopting intergovernmental cities. He said the purpose of such IGAs was to make effectual joint approaches to both the green corridor concept and rural reserves in areas outside of Metro's boundary and outside Metro's planning authority. He said "7 (f) Adoption of transportation, green spaces, water quantity and quality, urban design, urban growth boundary and urban reserve component of the regional framework plan by December 1996" referred to several other pieces of the Regional Framework Plan that could be adopted as components of the same by December 1996. Mr. Shaw said the rest of the Be It Resolved sections were specific and related to accepting the Region 2040 process work product.

Mr. Shaw said Be It Resolved Section 6 referred to urban reserve study areas already on the map in Exhibit A and considered for inclusion in RUGGOs in July 1995. He said new Be It Resolved Section 8 (formerly Be It Resolved Section 7) "8. That the 2040 Growth Concept, including urban reserve study areas, shall be submitted to the Land Conservation Development Commission for technical review and coordination of adopted RUGGO 15.3 on Urban Reserves and LCDC's Urban Reserve Rule prior to

designation or urban reserves" referred to Executive Officer Cusma's recommendation that RUGGO language be adopted now so that it could be officially referred to LCDC for acknowledgment. He said in this way LCDC could tell Metro whether it agreed with Metro's urban reserve study areas or whether they interpreted the urban reserve rule to limit what Metro should be looking at for urban reserves. He said since Metro was doing this via resolution rather than ordinance, Metro was initiating contact with LCDC and LCDC for its assistance in interpretation before Metro completed its process. Mr. Shaw explained the rest of the Be It Resolved Sections as renumbered. He said related to Be It Resolved Section 10, the narrative description for the growth concept and the analysis map - Exhibit C, had not yet been finished yet. Mr. Shaw said with the amendments as listed, the resolution would become Resolution No. 94-2040C.

Councilor Devlin asked when all documents would be in final form. Mr. Shaw said Exhibit B was the technical appendix. John Fregonese, Growth Management Manager, explained that Exhibit C was the analysis itself and said staff would change an error in BMT per capita erroneously listed as 5 percent which should be listed as 11 percent.

Councilor Moore said the question should be made part of the question text because it verified what the Council wanted to do with 2040 plan. Councilor Moore said the Council should update the first 20 pages with what the Council had done. Mr. Fregonese said that would be difficult to do by December 8. He said it was history of the analysis and did not directly bear on the Concept documents directly. The Council and staff discussed the exhibits further. Mr. Shaw said Exhibit E. was the compilation of all the data the Council had received that MPAC had not reviewed but would be sent back to MPAC for review.

Presiding Officer Wyers said the Council should now consider Mr. Fregonese's December 1 memo to the Council, "Proposed New Amendments to the Growth Concept" and then the Planning Committee's recommendations and then the RUGGOs amendments.

Councilor Moore said she had a list of 11 items not discussed by the Planning Committee and four possible amendments that she had already distributed in the Councilors' boxes and asked when it would be appropriate to discuss those items.

Mr. Fregonese explained the December 1 memo. He said with regard to the Planning Committee recommendation of November 23, 1994, a new one would be distributed momentarily to the Council incorporating testimony received at the Council public hearing and the Council would act on that. Mr. Gervais explained that the Council had before them for consideration a blue packet for consideration of testimony/amendments received.

The following is a review of Council action per Mr. Fregonese's December 1, 1994 memorandum, "Proposed New Amendments to the Growth Concept." This document has been made a part of the permanent meeting record.

#### **A. Process**

Staff explained items A1, A2 and A3.

The Council as a whole agreed to accept A1 and A2.

**Motion No. 1:** Councilor Monroe moved to accept staff's recommendations on A1 and A2. Councilor Gates seconded the motion.

**Vote on Motion No. 1:** Councilors Buchanan, Devlin, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gates voted no. Councilor Gardner was absent.

The vote was 11 to 1 in favor and the motion passed.

The Council as a whole discussed A3. Staff gave their assessment of same.

Motion No. 2: Councilor Hansen moved to direct staff to develop a coordination plan to involve educational institutions (pre/K-16) in the development of the Regional Framework Plan and that staff should report on that to the Council in January 1995. Councilor Devlin seconded the motion.

Vote on Motion No. 2: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

#### **B. Land Use Definitions**

Staff explained Items B4, B5, B6, B7, B8, B10, B11, B12, B13, B14, B15, B16 and B17. The Council as a whole discussed the B items.

Motion No. 3: Councilor Gates moved to accept staff's recommendation on B8, B9, B10, B12, B13, B15 and B16. Councilor Moore seconded the motion.

Vote on Motion No. 3: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

Motion No. 4: Councilor Moore moved regarding B4 to incorporate the Coalition's language on urban vitality (pages 562-565) as submitted by the Coalition to the Council on November 28, 1994.

Councilor Moore said the language would be included in Exhibit E and submitted to MPAC for review.

The Council and Staff discussed Motion No. 4.

Vote on Motion No. 4: Councilors Buchanan, Devlin, Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilor Gardner was absent.

The vote was 11 to a in favor and the motion passed.

Motion No. 5: Councilor Kvistad moved to move B5 to Exhibit E. Councilor McLain seconded the motion.

The Council and Staff discussed the motion.

Vote on Motion No. 5: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

Motion No. 6: Councilor Moore moved regarding B6 to amend RUGGO section II.4 Growth Concept, page 37 regarding open space designation. [See item 4) from Councilor Moore's proposed amendments] Councilor Gates seconded the motion.

[Recorder's note: Documents containing Councilor Moore's proposed amendments are contained in the permanent meeting record.]

Vote on Motion No. 6: Councilors Buchanan, Devlin, Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilor Gardner was absent.

The vote was 11 to 1 in favor and the motion passed.

Motion No. 7: Councilor Moore moved regarding B7 to add 4 open stream corridors to the Concept Map in Cedar Mill that were omitted. [See item 2) from Councilor Moore's proposed amendments.] Councilor Washington seconded the motion.

Vote on Motion No. 7: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gardner and Van Bergen were absent.

The vote was 11 to 0 in favor and the motion passed.

Motion No. 8 Councilor Monroe moved regarding B7 to accept Staff's recommendations as amended by Motion No. 7. Councilor Gates seconded the motion.

Vote on Motion No. 8 Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilor Moore voted nay. Councilors Gardner and Van Bergen were absent.

The vote was 10 to 1 in favor and the motion passed.

Motion No. 9 Councilor Kvistad moved to place B11 in Exhibit E for MPAC review with Council consideration to follow. Councilor Washington seconded the motion.

Vote on Motion No. 9: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gardner and Van Bergen were absent.

The vote was 11 to 0 in favor and the motion passed.

Motion No. 10: Councilor Washington moved to place B14 in Exhibit E. Councilor McFarland seconded the motion.

Vote on Motion No. 10: Councilors Buchanan, Devlin, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gardner, Gates and Van Bergen were absent.

The vote was 10 to 0 in favor and the motion passed.

Motions No. 11, 12, and 13: Councilor Kvistad moved to accept all items A and B as amended. Councilor Monroe seconded the motions.

Vote on Motions No. 11, 12, and 13: Councilors Buchanan, Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gardner was absent.

The vote was 12 to 0 in favor and the motion passed.

Presiding Officer Wyers recessed the Work Session at 6:12 p.m.

Presiding Officer Wyers reconvened the Work Session at 6:33 p.m.

Motion No. 14: Councilor Devlin moved to accept staff's recommendations for C18 and C21.

Vote on Motion No. 14: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 15: Councilor Devlin moved to accept staff's recommendation on C19. Councilor Gates seconded the motion.

Vote on Motion No. 16: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 9 and the motion passed.

Motion No. 16: Councilor Moore moved to agree with staff's recommendation on C20 and to add Cornell Road as a Main Street between Saltzman and Barnes. Councilor Hansen seconded the motion.

Vote on Motion No. 16: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 17: Councilor Monroe moved to accept staff's recommendation on C22. Councilor Gates seconded the motion.

Vote on Motion No. 17: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 18: Councilor Kvistad moved to approve all of Section C as amended. Councilor Gates seconded the motion.

Vote on Motion No. 18: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

**D. Urban Reserves**

Motion No. 19: Councilor Gates moved to approve D26, D27, D28, D31, D33, D34, D35, D37 and D39. Councilor Hansen seconded the motion.

Vote on Motion No. 19: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Staff clarified that D23 had been included in the document in error.

Motion No. 20: Councilor Kvistad moved to approve staff's language for D24 and that Councilor Moore would work with staff to be sure this concern is addressed in the work plan. Councilor McFarland seconded the motion.

Vote on Motion No. 20: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 21: Councilor Gates moved regarding D 25 to accept staff's recommendation with not to add "in the Wilsonville area" after boundary in staff recommendation. Councilor Monroe seconded the motion.

Vote on Motion No. 21: Councilors Devlin, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 9 to 1 and the motion passed.

Motion No. 22: Councilor Moore moved to reject staff's recommendation on D30. Councilor Devlin seconded the motion.

Vote on Motion No. 22: Councilors Devlin, Gates, Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 9 to 1 and the motion passed.

Motion No. 23: Councilor Kvistad moved to accept staff's recommendation for D32. Councilor Moore seconded the motion.

Vote on Motion No. 23: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore and Wyers voted aye. Councilors Buchanan, Gardner, Van Bergen and Washington were absent.

The vote was 9 to 0 in favor and the motion passed.

Motion No. 24: Councilor Monroe moved to accept staff's recommendation on D36. Councilor Gates seconded the motion.

Vote on Motion No. 24: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 25: Councilor Devlin moved to approve D38 which adds 20 acres in the vicinity of Coffey Lake. Councilor Gates seconded the motion.

Vote on Motion No. 25: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Mr. Bollam addressed the Council regarding D40 and explained that the way his land had been zoned had created difficulties with regard to the amendment process.

Motion No. 26: Councilor Kvistad moved to place D40, D41, D42, and D43 in the Work Plan for evaluation during Metro's periodic review of the UGB during 1995. Councilor Gates seconded the motion.

Vote on Motion No. 26: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilor Moore voted nay. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 9 to 1 in favor and the motion passed.

Motion No. 27: Councilor Kvistad moved to approve all the D (UGB) items as listed and amended. Councilor Gates seconded the motion.

Vote on Motion No. 27: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

#### E. Miscellaneous

Motion No. 28: Councilor Gates moved to approve all E items as recommended by staff with a note to delete "study" from the recommendation on E47. Councilor Monroe seconded the motion.

Vote on Motion No. 28: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

**E. Transportation**

Motion No. 29: Councilor Kvistad moved to approve staff's recommendations on F51 and F53. Councilor McFarland seconded the motion.

Vote on Motion No. 29: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 30: Councilor Gates moved to approve staff's recommendation on F49. Councilor McFarland seconded the motion.

Vote on Motion No. 30: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 31: Councilor Kvistad moved to move D50 to Exhibit D. Councilor Moore seconded the motion.

Vote on Motion No. 31: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 32: Councilor Moore moved to place F52 in the Work Plan. Councilor Devlin seconded the motion.

[Recorder's note:] A verbatim transcript of Motion No. 32, discussion and action has been included as Attachment A to these minutes.

Vote on Motion No. 32: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 33: Councilor McFarland moved to approve all F items as approved and/or amended. Councilor Hansen seconded the motion.

Vote on Motion No. 33: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 34: Councilor Gates moved to accept all revisions made at this meeting to the Planning Committee's report. Councilor Monroe seconded the motion.

Vote on Motion No. 34: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

**G. New Amendments Proposed by Councilors**

Motion No. 35: Councilor Moore moved to insert Councilor Moore's proposed language on RUGGO Section II.4 Growth Concept, to include proposed language in the Glossary. [See Councilor Moore's proposed amendments, item no. 1]) Councilor Hansen seconded the motion.

A hard copy of Councilor Moore's proposed amendments is contained in the permanent meeting record.

Motion No. 36 to Amend: Councilor Gates moved to amend Motion No. 35 by reversing two phrases in Councilor Moore's proposed language. Councilor McFarland seconded the motion.

Vote on Motion No. 36 to Amend: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Vote on Motion No. 35 as Amended: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 37: Councilor Moore moved per CPO 7's letter to delete the urban reserve study area north of Sunset Highway and east of Cornelius Pass Road. Councilor McLain seconded the motion.

Staff clarified the urban reserve study area in question did not include the floodplain.

Vote on Motion No. 37: Councilors Devlin, Gates, Hansen, McLain and Moore voted aye. Councilors Kvistad, McFarland, Monroe, Washington and Wyers voted nay. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 5 to 5 and the motion failed.

Motion No. 38: Councilor Moore moved to stipulate that staff's urban reserves study analysis take into account the Greenspaces Master Plan and the impact of traffic on Cornelius Pass Road in connection with the Subarea study (the area noted in Motion No. 37). Councilor Gates seconded the motion.

Vote on Motion No. 38: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 39: Councilor Gates moved for acceptance of the Planning Committee's recommendations as a whole. Councilor Kvistad seconded the motion.

Vote on Motion No. 39: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 10 to 0 and the motion passed.

Motion No. 40: Councilor Devlin moved to delete #5 on page 21 of the Planning Committee's report dated November 23, 1994 regarding the Sisters of St. Mary property. Councilor Moore seconded the motion.

Vote on Motion No. 40: Councilors Devlin and Moore voted aye. Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted nay. Councilors Buchanan, Gardner and Van Bergen were absent.

The vote was 8 to 2 opposed and the motion failed.

The Council discussed Springmill Road and the Newell Creek Canyon areas.

Councilor Moore stated for the record that she wanted the record to reflect the commitment of the three jurisdictions to protect the area from development per the agreement of the three jurisdictions.

Mr. Shaw proposed language for a disclaimer on the map, noting his memorandum dated November 30, 1994.

Motion No. 41: Councilor Gates moved to accept Legal Counsel's proposed language for a disclaimer on the map. Councilor Washington seconded the motion.

Motion No. 42 to Amend Motion No. 41: Councilor Moore moved to amend Legal Counsel's proposed language by changing the word "clarification" to "interpretation." Councilor Hansen seconded the motion.

Vote on Motion No. 42 to Amend Motion No. 41: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

Vote on Motion No. 41 as Amended: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

Motion No. 43: Councilor McFarland moved to add the MPAC language to the Planning Committee report as amended at this meeting. Councilor Devlin seconded the motion.

Vote on Motion No. 43: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

Motion No. 44: Councilor Moore moved to amend Resolution No. 94-2040B to add to the newly numbered BIR#8. "and that any land designated EFU within the established urban reserve study areas shall be considered potential urban reserve lands only as they might be critical to the coherent extension of urban services to exception lands also within the established urban reserve study areas." Councilor Devlin seconded the motion.

Vote on Motion No. 44: Councilors Devlin and Moore voted aye. Councilors Gates, Hansen, Kvistad, McFarland, McLain, Washington and Wyers voted nay. Councilors Buchanan, Gardner, Monroe and Van Bergen were absent.

The motion was 7 to 2 opposed and the motion failed.

Motion No. 45: Councilor Kvistad moved to forward the Planning Committee report, all documents as revised and Resolution No. 94-2040B as amended at this meeting to the full Council for consideration at the December 8, 1994 Council meeting. Councilor Gates seconded the motion.

Vote on Motion No. 45: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

Motion No. 46: Councilor Hansen moved to amend Motion No. 43 to add a list of Council members from the 1994 Council. Councilor Gates seconded the motion.

Vote on Motion No. 46: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner, Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

Motion No. 47: Councilor Washington moved to direct staff to draft a letter from the 1994 Council per Mr. Fregonese's suggestion. Councilor Gates seconded the motion.

Vote on Motion No. 47: Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner, Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

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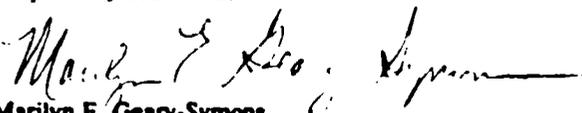
**Motion No. 48:** Councilor Kvistad moved to forward all Planning Committee materials as amended and the Resolution No. 94-2040B as amended as a complete packet to the December 8, 1994 Council meeting for final action. Councilor Hansen seconded the motion.

**Vote on Motion No. 48:** Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner Monroe and Van Bergen were absent.

The vote was 9 to 0 and the motion passed.

There being no further business, the meeting adjourned at 8:46 p.m.

Respectfully submitted,

  
Marilyn E. Geary-Symons  
Council Assistant

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Metro Council Work Session  
December 1, 1994

**ATTACHMENT A**

**VERBATIM TRANSCRIPT FOR MOTION NO. 32 REGARDING F52.**

Presiding Officer Wyers: OK. No. 52. Terry.

Councilor Moore: That's mine. And again, I understand that these street links are in the Technical Appendix that we're adopting as an exhibit.

Andy Cotugno: As an analysis.

Councilor Moore: As an analysis. And I understand we can't change that, however, there is massive concern in my district about this being an assumed road link. And I would like to somehow footnote or whatever that Technical Appendix somehow that says this is an impractical road link for further analysis.

Anonymous comment: I agree.

Councilor Moore: How can we do that? Can we put a little asterisk by it or something? An errata sheet inside the Technical Appendix?

Councilor McFarland: I got several calls on this one.

John Fregonese: One of our biggest problems in Washington County is we don't even have an hypothesis on how to fix the congestion problem. It's clear to even develop that hypothesis, we're going to have provide more arterials. The reason we don't even have an hypothesis is we could never put any through streets on even to think about....

[tape break]

Presiding Officer Wyers: Would you suggest a notation, or do you want us to move it out?

Councilor Devlin: Just a notation that would says that this is a technical analysis based on these premises...minor...whatever this is...minor collectors...collectors are not necessarily....I don't know how you can say it. Give the example of Vermont...

John Fregonese: Right.

Councilor Devlin: As an example in your notation.

Councilor Moore: What I would like to do is more than that. I would like to somehow call this out as...

John Fregonese: An unacceptable connection.

Councilor Moore: An unacceptable connection...

Presiding Officer Wyers: Move to delete it.

Councilor Moore: Well, I can't delete it from their analysis. I mean, I understand that. You can't delete it. Their analysis is in the Technical Appendix and it's part of the analysis.

**Andy Cotugno:** You could make an amendment to the Work Plan that includes language where we're including the Work Plan for the Regional Transportation Plan say...whatever you want to say about ....

**[Inaudible]**

**Presiding Officer Wyers:** Does everybody understand the concept?

**Councilor McLain:** Yes.

**Presiding Officer Wyers:** If Terry moves it, is there a second?

**Councilor Kvistad:** Second.

**Presiding Officer Wyers:** OK. Is there any discussion? All in favor say aye.

**Councilors Devlin, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Buchanan, Gardner and Van Bergen were absent.**

**The vote was 10 to 0 and the motion passed.**

**Verbatim Transcript prepared by:  
Marilyn Geary-Symons, Council Assistant**