

Metro

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Metro

Minutes

Thursday, August 10, 2017

2:00 PM

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the Metro Council meeting to order at 2:01 p.m.

Present: 7 - Council President Tom Hughes, Councilor Sam Chase, Councilor Carlotta Collette, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Kathryn Harrington, and Councilor Bob Stacey

2. Citizen Communication

There was none.

3. Consent Agenda**3.1 Consideration of the Council Meeting Minutes for July 27, 2017**

Councilor Harrington requested that the July 27 minutes be amended to include a more accurate version of her comments on page four, i.e. "Councilor Harrington asked if the characteristics of the map ensured that sufficient right of way to allow for proposed sidewalks and bike lanes on both sides of the road would be preserved if the area outside of the UGB was brought into it in the future."

A motion was made by Councilor Harrington, seconded by Councilor Collette, that this item be approved as amended. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

Approval of the Consent Agenda

A motion was made by Councilor Harrington, seconded by Councilor Collette, to adopt items on the consent agenda. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

3.2 Resolution No. 17-4819, For the Purpose of Amending the 2015-18 Metropolitan

Transportation Improvement Program (MTIP) to Modify and/or Add New Projects as Part of the June 2017 Formal MTIP Amendment (JN17-06-June) Involving a Total of Four Projects Affecting Clean Water Services, Gresham, Portland, and ODOT

4. Ordinances (First Reading and Public Hearing)

- 4.1 Ordinance No. 17-1406, For the Purpose of Amending the Urban Growth Boundary in the Vicinity of the City of Sherwood Upon Application by the Sherwood School District

Metro Attorney Alison Kean and Council President Hughes read the requirements on holding a quasi-judicial hearing and Council President Hughes introduced Mr. Tim O'Brien, Metro staff, to provide a brief staff report. Mr. O'Brien explained that if approved, Ordinance No. 17-1406 would amend the urban growth boundary (UGB) and add approximately 82 acres located within unincorporated Washington County, immediately west of the City of Sherwood, per the Sherwood School District's request for a new high school campus and associated sports fields. Mr. O'Brien provided a background of the annexation process thus far, noting that Metro staff recommended approval of the request as they found that the application met the major amendment criteria in Title 14 of the Functional Plan. Mr. O'Brien informed the Metro Council that the Hearings Officer submitted a recommended approval of the application, based upon findings and conclusions in his report. He added that the recommendation included two conditions for approval: the property must be used for a public high school, associated accessory uses, and public transportation improvements, consistent with the application; and the applicant must comply with the state transportation planning rule at the time zoning was established on the property. Mr. O'Brien explained that Metro staff proposed an additional condition that the City of

Sherwood complete the requirements for the UGB Functional Plan Title 11. Mr. O'Brien provided an overview of the Metro Council's different approval options and summarized the Hearings Officer's report, highlighting how the report found that the request met the criteria for a UGB expansion and the site best met the comparative location factors for accommodating identified land need.

Council Discussion

Councilor Harrington asked about the Hearings Officer's recommendations and how they related to addressing the conditions of the transportation planning rule. Mr. Roger Alfred, Metro counsel, noted that the transportation planning rule was the state rule that required that transportation facilities were commensurate with land use development and explained that part of the recommendation was meant to ensure that the transportation facilities in the area would adequately serve the new development by the time the new high school was operating. Councilor Craddick asked about the history of school district UGB expansions in the region and how approving the school district's request might affect the Metro Council's discussions regarding future UGB expansions, particularly in the City of Sherwood. Mr. O'Brien noted that he felt the annexation would be compatible with the city's existing land use plans, as the city had completed a preliminary Concept Plan for West Sherwood that identified potential school sites, including the proposed location. Councilors discussed the demonstration of need requirements for annexation requests.

Mr. O'Brien then introduced representatives of the applicant, the Sherwood School District, to provide an

overview of why the annexation was needed. Ms. Karina Ruiz summarized the process the district used to identify the site and the bond planning that started considerations of a new high school. Mr. Keith Jones, the district's land use planning consultant, shared a map of the city, the existing school facilities, and the proposed site. Mr. Jones explained that the school faced serious capacity issues and noted that a capacity analysis' ten-year projections showed that the school would operate at 141% capacity if new facilities were not created. Ms. Ruiz noted that to address these issues, the district began developing a long-range plan to meet students current and future needs. She informed the Metro Council that the current site was incredibly constrained, which meant that the ability to expand it and its capacity was compromised. She explained that because of this, the school district began its bond planning, which eventually led to the idea of creating a new high school and converting the existing high school into a middle school for the district. Ms. Ruiz noted that there was significant community support for the annexation request. She also highlighted that the plan was compatible with the Sherwood West Concept Plan and emphasized that it would meet the growing city's school needs.

Council Discussion

Councilor Collette asked why this site was chosen, when it appeared that there was available land within the current UGB. Ms. Ruiz noted that the sites available within the UGB were determined not to be suitable as they were either not large enough, constrained, and/or included topographical challenges and/or stream corridors. Councilor Chase asked the applicant to elaborate on the need for a site of that size and how the request planned for population growth.

4.1.1 Public Hearing for Ordinance No. 17-1406

Council President Hughes opened up a public hearing on Ordinance No. 17-1406 and requested that those wishing to testify come forward to speak.

Shauryavat Gauer, City of Sherwood: Mr. Gauer, a student at Sherwood High School, spoke in support of Ordinance No. 17-1406 and shared how a new high school would benefit students. He noted that at its current size, the high school was overcrowded which made it difficult for students to study, eat, and do recreational activities comfortably.

Elizabeth Barrett, City of Sherwood: Ms. Barrett testified on behalf of Mr. Ken Bell, the principal of Sherwood High School, in support of the UGB expansion. She read a letter from Mr. Bell that outlined how the school was overcapacity and highlighted that the building of a new high school on the site proposed would allow the school to adequately serve the needs of its current and future students. (Mr. Ken Ball also provided written testimony; please see the August 10 meeting packet.)

Karina Ruiz, City of Portland: Ms. Ruiz testified on behalf of Ms. Jessica Adamson, Sherwood School District Board Chair, in support of Ordinance No. 17-1406. She explained that the expansion was urgently needed in order to accommodate the facility needs of the Sherwood School District. She noted that there was strong community support for the new high school and no appropriate land within the current UGB for a new facility. She urged the Metro Council to approve the school district's request.

Ms. Alexa Byers, City of Sherwood: Ms. Byers testified on

behalf of her attorney, Ms. Jennifer Brager, against Ordinance No. 17-1406. She noted that her attorney was unable to attend the hearing but had provided written testimony that outlined their concerns regarding the ordinance. (Please see the August 10 meeting packet.) Ms. Byers explained that her family owned a parcel of the property to be annexed into the UGB if the ordinance was approved.

Councilors discussed the property and how it would be affected if the ordinance was approved. Councilor Craddick asked about Ms. Brager's written testimony and her concerns that land availability analysis standards and coordination requirements were not met. Mr. Roger Alfred, Metro counsel, proposed that Metro staff review the documents and provide the Metro Council with formal responses and additional findings before the second read on August 17 if necessary.

Council President Hughes then called on the applicant for a rebuttal. Ms. Kelly Hossaini, the attorney for the Sherwood School District, noted that many of the arguments made in the written testimony from Ms. Brager had already been addressed by the hearings officer. She also shared concerns about new evidence and/or arguments included that were not raised earlier in the hearings process. Ms. Hossaini stated that page 58 of the Hearing Officer's Recommendation included a paragraph noting that the coordination requirements were met.

Councilor Craddick asked about park construction requirements. Councilor Chase asked about the size of the existing school and the site proposed. He also asked what

would become of the existing school; Ms. Ruiz noted that it would become the middle school for the school district. Councilor Dirksen asked about the City of Sherwood's position on the proposed expansion. Ms. Ruiz explained that the city had expressed support for the UGB amendment. Councilor Harrington asked about the Hearings Officer's Recommendation, included as Exhibit B. She noted that the document included a list of eight attachments but the attachments were not in the meeting packet. Mr. O'Brien replied that the ordinance would be revised to include the attachments.

Council President Hughes gaveled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance No. 17-1406 would take place on Thursday, August 17.

Council Discussion

Councilor Harrington noted that she was not aware of the preliminary Sherwood West Concept Plan previously. She explained that during the urban and rural reserve process, the Metro Council had encouraged all communities to ensure that they had done community visioning so that there was adequate opportunity for job expansion as well as residential expansion. Separate from the UGB expansion request at hand, she expressed concerns that the Sherwood plan might not allow for enough job opportunity growth in its current state. Councilor Chase asked how the expansion might affect the region's industrial and residential goals in the area.

5. Ordinances (Second Reading)

- 5.1 Ordinance No. 17-1407, For the Purpose of Amending the Title 14 Map of the Urban Growth Management Functional Plan to Conform with Changes Enacted

by the Oregon Legislature in House Bill 2047

Council President Hughes stated that the first reading and public hearing for Ordinance No. 17-1407 took place on Thursday, July 27. He informed the Metro Council that Mr. Tim O'Brien, Metro staff, was available for questions.

Council Discussion

There was none.

A motion was made by Councilor Harrington, seconded by Councilor Stacey, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

6. Chief Operating Officer Communication

Ms. Martha Bennett provided an update on the following events or items: the final closure of the Oregon Convention Center hotel project, Twilight Thursday at Smith and Bybee Wetlands on August 10, and Norah the polar bear's last day at the Oregon Zoo on September 10. She also introduced two new members of Metro staff: Ms. Jes Larson, Government Affairs Specialist, and Mr. Jonathan Blasher, Parks and Nature Director. Ms. Bennett thanked Mr. Don Robertson for his great help during his time as Interim Parks and Nature Director.

7. Councilor Communication

Councilors provided updates on the following meetings or events: the Metro Policy Advisory Committee (MPAC). Council President Hughes noted that Governor Brown would host a two-day signing event of House Bill 2017 on August 28 and 29. Ahead of the event, he asked for the Council's support to sign a letter on their behalf thanking the state

legislature for supporting state transportation funding. The Council expressed unanimous support.

8. Adjourn

There being no further business, Council President Hughes adjourned the Metro Council meeting at 3:44 p.m. He announced that the Metro Council would convene in the Council Annex for an executive session pursuant to ORS 192.660(2)(i). The Metro Council will convene the next regular council meeting on August 17 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator