

December 10, 2015

16-052

RESOLUTION AUTHORIZING CONCORDIA
UNIVERSITY AND WESTON TO APPLY IN THE NAME
OF PORTLAND COMMUNITY COLLEGE TO SITE A
PUBLIC SAFETY TRAINING FACILITY ON LAND
LOCATED ADJACENT TO SCAPPOOSE AIRPORT

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REPORT: Concordia University ("Concordia") and property owner ("Weston"), with the support of Senator Betsy Johnson, have requested that the College Board of Directors authorize them to file a land use application in PCC's name to construct a public safety training facility on land adjacent to the Scappoose Airport. Concordia and/or Weston would conduct and pay all the costs of the application and any appeals, and, if approved, would construct the facility. Concordia would operate the facility as part of its educational program, but would make it available, subject to future agreement with PCC, for PCC emergency services training programs. Concordia and Weston need the Board's approval to apply in PCC's name because of a unique statutory authorization that will expire on December 31, 2015.

Background: For a number of years, PCC studied the possibility of constructing and operating a regional public safety training facility in conjunction with its planned Columbia County Education Center. The College identified a potential site to the east of the Scappoose Airport owned by Weston, which consisted of a 20-acre parcel of land that the City of Scappoose added to its urban growth boundary ("UGB") in 2011, and an adjacent 300-acre parcel zoned for exclusive farm use ("EFU"). The tentative plan was to use the 20-acre parcel for the Center and the 300-acre parcel for the emergency simulation training facilities, including a driving course, firefighter training, and other emergency response activities.

An opponent appealed the Scappoose UGB expansion to the Court of Appeals, effectively putting any potential acquisition of the 20-acre parcel on hold.

In 2013, Senator Johnson sponsored and obtained enactment of HB 2898, which authorized Portland Community College to establish a public safety training facility on lands zoned for exclusive farm use (otherwise prohibited by state law and LCDC rule) in Columbia County. HB 2898 requires PCC to apply for land use approval for the facility on or before December 31, 2015.

The PCC Board of Directors ultimately decided not to proceed with the training facility component of the Columbia County Center. Although the Board recognized the need for and benefit of such a facility, the projected costs exceeded the College's available resources in the absence of a partner or partners who would share the costs.

On October 28, 2015, the Oregon Court of Appeals affirmed the Scappoose UGB amendment. The appeal period for that decision has expired, and so the UGB amendment is final.

In the wake of the Court of Appeals' decision and the impending HB 2898 filing deadline, Concordia and Weston have requested authority to file an application in the name of PCC in order to preserve the opportunity to site a training facility on the adjacent EFU property. Such an application may never come to fruition, but it would provide Concordia and Weston with the necessary time to determine its viability and develop a business plan for the facility. Concordia has represented to the College that it believes that a facility focused at least on a driving course is viable. If no application is filed by December 31, 2015, the opportunity will be lost.

Analysis: There are many details that would have to be worked out, but staff recommends approval for the following reasons: (1) to preserve the opportunity to site a public safety training facility in Scappoose; (2) to support a sister institution of higher education; and (3) because establishment of the facility could benefit PCC public safety education programs and the Columbia County Center even if PCC does not directly own or operate the training facility.

Staff's recommendation is contingent upon Concordia and Weston paying all costs for filing, completing, and defending the application and for constructing and operating the facility.

Should the project not move forward or result in unforeseen costs to the College, PCC can withdraw the application at time.

RECOMMENDATION: That the Board of Directors authorize Concordia University and Weston to file a land use application to site a public safety training facility on the above-noted property in PCC's name under the conditions outlined in this Resolution, and further authorize the District President to execute all necessary documents and agreements necessary to effect the application, consistent with this Resolution.