

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: December 2, 1999
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. EXECUTIVE OFFICER COMMUNICATIONS
4. AUDITOR COMMUNICATIONS
5. MPAC COMMUNICATIONS
6. METRO RETENTION SCHEDULE AND RECORD INVENTORY PROJECT
7. CONSENT AGENDA
- 7.1 Consideration of Minutes for the November 18, 1999 Metro Council Regular Meeting.
8. REGIONAL TRANSPORTATION PLAN PUBLIC HEARING
9. ORDINANCES – FIRST READING
- 9.1 **Ordinance No. 99-831**, For the Purpose of Repealing Metro Ordinance No. 99-824A and Declaring an Emergency.
- 9.2 **Ordinance No. 99-832**, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Transferring \$510,000 from Contingency to Capital Outlay in the Convention Center Project Capital Fund, Authorizing an Interfund Loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund to Provide for Cash Flow; and Declaring an Emergency.

9.3 **Ordinance No. 99-834**, For the Purpose of Amending the Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance No. 95-625A in Urban Reserve Area 39 and 41 in Washington County.

10. ORDINANCES - SECOND READING

10.1 **Ordinance No. 99-820**, For the Purpose of Granting a New Yard Debris Composting Facility License to Clackamas Compost Products, LLC to Operate a Yard Debris Composting Facility, and Rescinding License Number YD-0197, and Declaring an Emergency. Park

11. RESOLUTIONS

11.1 **Resolution No. 99-2805**, For the Purpose of Confirming Nathalie Darcy as a Citizen Member Alternate to the Metro Policy Advisory Committee. Kvistad

11.2 **Resolution No. 99-2856**, For the Purpose of Approving a FY 1999-2000 Organic Waste Management Work Plan, and Authorizing Release of Budgeted Funds. McLain

11.3 **Resolution No. 99-2860**, For the Purpose of Appointing Jennifer Allen, Ron Hernandez, and Juliet Hyams to the Metro Central Station Community Enhancement Committee. Washington

11.4 **Resolution No. 99-2861**, For the Purpose of Appointing Members to MCCI: Bill Kirby and Leanne MacColl. Washington

11.5 **Resolution No. 99-2864**, For the Purpose of Selection and Funding Allocation of \$1 Million to Transportation Management Associations for FY 2000 to FY 2003. Kvistad

11.6 **Resolution No. 99-2865**, For the Purpose of Approving the Smith and Bybee Lakes Wildlife Area Recreation Facility Plan. Washington

12. CONTRACT REVIEW BOARD

12.1 **Resolution No. 99-2870**, For the Purpose of Authorizing Release of RFB #99-40-REM for the Construction of an Expansion to the Public Unloading Area at the Metro Central Transfer Station. McLain

13. URBAN GROWTH BOUNDARY PUBLIC HEARING

Continued from November 18, 1999 Regular Council Meeting, Public testimony could be directed to:

- Metro request for time extension from DLCD, as per Resolution No. 99-2855C
- Urban Reserve Areas that could potentially come into the UGB:
URAs 39,41,45, 65 and others
- Subregional need; jobs/housing balance

14. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

14.1 **Resolution No. 99-2866**, For the Purpose of Authorizing the Executive Officer to Purchase Properties in the Forest Park Target Area. Washington

15. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for December 2, 1999 Metro Council Meeting

	Sunday (12/5)	Monday (12/6)	Tuesday (12/7)	Wednesday (12/8)	Thursday (12/2)	Friday (12/3)	Saturday (12/4)
CHANNEL 11 (Community Access Network) (most of Portland area)						2:00 P.M. *	
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)	7:00 P.M. *	1:00 A.M. *		7:00 P.M. *			
CHANNEL 30 (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)	7:00 P.M. *			7:00 P.M.*			
CHANNEL 30 (CityNet 30) (most of Portland area)		POSSIBLE 2:00 P.M. (previous meeting)					
CHANNEL 30 (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)		10:00 A.M. (previous meeting)	7:00 P.M. (previous meeting)			8:00 P.M. (previous meeting)	
CHANNEL 33 (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

* These meetings may be preceded by a 30-minute public affairs program, *The Regional Report*, produced by Metro.

PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES.

PUBLIC HEARINGS: Public Hearings are held on all Ordinances second read and on Resolutions upon request of the public. Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 7.1

Consideration of the November 18, 1999 Regular Metro Council Meeting minutes.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

MINUTES OF THE METRO COUNCIL MEETING

November 18, 1999

Metro Council Chamber

Councilors Present: Rod Monroe (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, David Bragdon, Jon Kvistad

Councilors Absent: None

Presiding Officer Monroe convened the Regular Council Meeting at 2:06 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

Jerry Rust, 3417 N Russet St., Portland, OR, St. Vincent DePaul of Lane County, spoke about repealing the excise tax on garbage. He recommended the Council apply the money to the solid waste program, and achieve compliance with the Council's solid waste plan and state law regarding the waste recovery rate. He said the Council and the region were badly out of compliance with their own solid waste plan and with state law that required a 50 percent waste recovery rate by 2000. He read his letter into the record. (A copy of his letter can be found in the permanent record of this meeting.)

James Peterson, 2502 SW Multnomah, Portland, OR, Multnomah Neighborhood Association, spoke about the Regional Transportation Plan (RTP). He expressed concern about the insufficient number of copies Metro had made available to the public. He said the Metro Charter gave citizens the right to access to all parts of the planning process. He said copies of the RTP would not be available if the RTP was adopted at that time, unless the document was produced in a greater quantity and distributed to the public. In the rewrite of Title 8 it was required that jurisdictions give 14 days notice to citizens of the region when they pass an ordinance. The shortage of copies of the RTP available to the public was inconsistent with Title 8. He recommended the Council postpone the hearing or adoption of the RTP, or increase funding so the document can be printed in sufficient quantity and distributed to the region.

Richard Malinowski, 13130 NW Springville Road, Portland, OR 97229, Malinowski Farm, spoke about the Malinowski Farm. He read his letter into the record. (A copy of his letter can be found in the permanent record of this meeting.)

Presiding Officer Monroe said the chair of the Growth Management Committee had Mr. Malinowski's petition. He said the Council would send a copy to Ms. Wilkerson and ensure that it received appropriate consideration.

Councilor Park asked if the matter required action of the Council or if it was something that Mr. Copper was currently handling.

Presiding Officer Monroe said Mr. Cooper could speak to the issue, but amending the urban growth boundary (UGB) by removing land would require Council action.

Mr. Dan Cooper said he had not been handling the issue but said he could.

Councilor Park said he assumed Dan Cooper was working, not necessarily on the movement of the issue through the Council, but on the process. He said he approved that Dan Cooper planned on beginning work on the processing of this issue.

Councilor McLain clarified the information just given to the Council. She indicated that on October 23, 1999, there was a new state statute. That was what Mr. Cooper would be working on. He would be reviewing that statute. She asked Dan Cooper if that was correct.

Mr. Cooper said that was correct. He said he would now review the request and the new statute and advise the Council as to how to process the request.

3. EXECUTIVE OFFICER COMMUNICATIONS

Mike Burton said he wanted to talk about two matters. First, the Council would soon be making some decisions on a request for extension on Metro's requirements to meet state law regarding movement of the urban growth boundary. He wanted to say that the technical work required to do that, while it might be completed within 6 months, there was obviously a public outreach and hearing process that had to go on at Metro and in the local jurisdictions. The date requested was for 10 months extension. Obviously, some work might be done earlier depending on Metro's ability to do that - the technical aspects. There was an article or editorial in The Oregonian that affirmed his statement that he thought the Council could get most of the technical work done. But he said there were other processes that needed to be completed that were under the Council's control. He said the council shouldn't rush to judgement in completing those processes.

Secondly, he said he was certain by now that the Council was aware of the fact that the apparent arrangement that PFE made with the city of Portland, the possibility of bringing a Calgary baseball team to the Civic Stadium was off. He brought this to the Council's attention because Metro had a considerable amount of interest in the stadium issue. The concern that he and Mr. Williams, the general manager at EU, have expressed to Council, today and in the past, has been the fact that changeover in management of the facility has affect, and would continue to affect, Metro's ability to market the facility. Therefore, it would also affect Metro's revenues from it and Metro's ability to maintain operation of it. He and the Presiding Officer met with a member of the Mayor's staff just two days ago and were assured at that time the deal was still going on. It was pretty evident that this was a surprise to them. The mayor of Portland has indicated she will ask to have the stadium committee renew its work to go back. He urged the Council to send a letter to the Mayor and ask that a member of the Metro Council, a member of the MERC Commission and a member of the Multnomah County Commission be appointed to that committee. He said all those parties had an interest in the issue now, particularly with the larger issue that Metro had of dealing with the convention center. He said it was pretty clear Metro could be pleased the Civic Stadium issue would not affect the convention center operation because it was separate. But he said it would affect the Council's ongoing operations as a continuing manager of that stadium. He urged the Council to make a request to the city of Portland that Metro be able to participate in any future discussions regarding the final outcome of what the city planned to do with Civic Stadium.

Presiding Officer Monroe asked Mr. Cooper if he could prepare such a letter for the Presiding Officer's signature.

Mr. Cooper said yes he could.

Councilor Atherton asked Mr. Burton about the time extension on the Urban Growth Report, specifically the procedure to comply with HB 2493, and how much it had cost the citizens of the region over the past two years.

Mr. Burton said he could not isolate that cost but that the annualized budget/expenditures within the Growth Management Services Department was between \$3 and \$4 Million a year. The majority of that was spent to meet and design the elements of the 2040 Plan and Metro's responsibility to administer the urban growth boundary. He said his office could probably pull out some elements like that, but he suspected it was a major portion of that amount.

4. AUDITOR COMMUNICATIONS

None.

5. **MPAC COMMUNICATION**

None.

6. **CONSENT AGENDA**

6.1 Consideration meeting notice/minutes of the November 4, 1999 Regular Council Meeting.

Motion: Councilor McLain moved to adopt the meeting minutes of November 4, 1999 Regular Council Meeting.

Seconded: Councilor Washington seconded the motion.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

7. **ORDINANCES - FIRST READING**

7.1 This item was moved to the December 2, 1999 agenda.

8. **ORDINANCES - SECOND READING**

8.1 **Ordinance No. 99-822, For the Purpose of Amending Metro Code 2.04 by Increasing Purchasing Thresholds and Making Other Required Changes.**

Motion: Councilor Atherton moved to adopt Ordinance No. 99-822.

Seconded: Councilor Washington seconded the motion.

Councilor Atherton said the ordinance was drafted essentially based on the recommendations from the Auditor that the Council increase the threshold at which they would review contracts that the Executive Officer would make for Metro. The threshold that the Auditor recommended was \$75,000. The Council considered a compromise to that over the existing threshold and at least for a period of time that the Council would set at \$50,000. Considering this during the committee and the number of contracts that this would affect was relatively small, the Council wanted to follow through with the initial recommendation of the Auditor and raise the threshold, but not to the \$75,000 level.

Councilor McLain said she sat in on Councilor Washington's committee and did hear the discussion on this issue. She thanked the staff for explaining the differences between the threshold Metro had today and the threshold the agency will have in the future. She would not vote for it today because in the meeting she requested that the contracts would come off the list for public Council review so that she could look at them and see what they were. She thought there were about 47 and that there were at least 5 to 10 of them that had significance for public and Council review. That gave her a feeling that there was a glitch in the system concerning what Metro calls a significant contract. She didn't think it had to do with money only. It was also the type of contract versus just the dollar amount on the contract. She thought that that should be reviewed further. She did understand that many jurisdictions had a higher threshold than Metro did, that this one was for about \$50,000 dollars, that Metro's at the present time was about \$25,000, and that there were actually some jurisdictions that established \$75,000 for a threshold.

So it was her opinion that even though she knew the Auditor had a good intent and the staff had done a good job of a comprise increase of the threshold, the Council needed to have more of a conversation on what makes a significant contract, besides the actual dollar amount. She understood that if the Council was comfortable with the actual dollar amount going up it was a good vote. But at the present time, because she believed there was something left out of the conversation besides the dollar amount, she would vote no today.

Councilor Park said he would listen to the debate as it progressed today on the issue. However, he had reservations, not necessarily because of what Councilor McLain said, but in terms of being still new to the Council. As he tried to learn what goes on in the agency, the loss of being able to review and get a feel for what's happening was what he was concerned about. He didn't necessarily want to be everywhere all the time. But in terms of, "What is the Council doing here exactly?" and policy, to him, and as the Council knew, he believed money was policy and it was not just what the Council said but where the Council put its resources. So he had some concerns about the issue and would be listening to the debate.

Presiding Officer Monroe opened a public hearing on Ordinance No. 99-822. No one came forward to testify. Presiding Officer Monroe closed the public hearing.

Councilor Atherton closed by saying that the only point he wanted to make was that contracts under \$50,000 would be awarded on the basis of the least cost alternative available that is capable of performing the work. Anything above that would be a competitive bid situation and often times the Council has done this on an RFP basis. He appreciated Councilor McLain's concern but frankly this was a level of detail that he was not prepared to be involved in and he thought the Council's time would be more profitably spent on solving some of the big picture problems that were eluding the Council. For example, how would the Council pay for the Regional Transportation Plan that Mr. Peters had brought his concerns to the Council earlier? He urged an aye vote.

Vote: The vote was 4 aye/ 3 nay/ 0 abstain. The motion passed with Councilors Park, McLain and Bragdon voting no.

9. RESOLUTIONS

9.1 **Resolution No. 99-2803**, For the Purpose of Approving an Intergovernmental Agreement with Oregon Department of Transportation and the City of Portland to Allow Metro to Design and Build the North Portland Road Segment of the Peninsula Crossing Trail.

Motion: Councilor Washington moved to adopt Resolution No. 99-2803.

Seconded: Councilor Bragdon seconded the motion.

Councilor Washington spoke about the Resolution No. 99-2803. He reviewed the agreement, which would allow Metro to build and maintain a trail, with funds from the open spaces bond measure. He said Peninsula Crossing Trail in North Portland ran approximately from Willamette Boulevard north to Marine Drive and went up through the railroad cut a little to the east of North Portland Road and curved around through some property owned by BES and then down North Portland Road and up to Marine Drive. It was being built in four different segments. The first segment, Segment 1, was constructed by Metro, but Portland Parks owned and maintained it for Metro. Segment 2 was the portion done by the city of Portland's BES department. They constructed it. Segment 3, which was about to be constructed

now by Metro, would be owned and maintained by ODOT. Segment 4 would be completed by the Portland DOT. This was just an agreement between Metro, the Portland DOT and ODOT that would allow Metro to build and maintain the North Portland road segment. It extended roughly from the Columbia Slew north to Marine Drive. He urged an aye vote on the inter-governmental agreement.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

9.2 Resolution No. 99-2849, For the Purpose of Authorizing the Establishment of the Oregon Convention Center Expansion Advisory Committee.

Motion: **Councilor Kvistad** moved to adopt Resolution No. 99-2949.

Seconded: **Councilor Washington** seconded the motion.

Councilor Kvistad said his resolution would create the Oregon Convention Center Expansion Advisory Committee. When they did the first phase of the OCC they appointed a oversight committee of people in the community and people in the industry to oversee the contract, the contracting awards and basically to be available to advise the construction as the project moved through completion. What was now before the Council was the appointment of the first eight members of this advisory committee. (Please see packet included in the public record for details and the names of the first eight members of the advisory committee.) These people Metro identified for their skills they would bring to the oversight and management as Metro moves into construction of what he considered a great project. He recommended his resolution to the Council for an aye vote.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

9.3 Resolution No. 99-2858, For the Purpose of Authorizing a Revenue Neutral Intergovernmental Agreement with Tri-Met Concerning Transit-Oriented Development and Increasing the Level of Transit Service.

Motion: **Councilor Bragdon** moved to adopt Resolution No. 99-2858.

Seconded: **Councilor Kvistad** seconded the motion.

Councilor Bragdon said the resolution would authorize an intergovernmental agreement between Metro and Tri-Met that would refine the partnership already in place on the Transit Oriented Development program. He said Metro had already seen the results of that program at 60th and Glisan or in Goose Hollow, and elsewhere throughout the region. The basic funding for the program was federal funds that had a time limit and had various other strings attached. Often the real estate transactions involved didn't get accomplished in the time that all the federal strings required. Therefore, this would transfer some of the federal funds that would otherwise expire to Tri-Met so that they could be used for transit and other services spelled out in this agreement. Then as the property opportunities come along Tri-Met general funds could be transferred to Metro. It would be revenue neutral to both parties. That was the intent here. Mr. Gushardin and Mr. Whitmore were there to answer any further questions about it.

Councilor Park verified that those funds transferred to Tri-Met in order to preserve them would stay attached to the six projects as outlined.

Councilor Bragdon said that was correct, For example, the Civic Neighborhood project in Gresham funding would stay attached and intact.

Councilor Park said he wanted to make sure the funding wasn't somehow eliminated.

Councilor Bragdon assured Councilor Park that that the IGA makes sure the funding stays with the projects.

Councilor Atherton pointed out that when this came to the Transportation Planning Committee he was new to the issue of strings being attached by the federal government. He was shocked about how extensive and costly the tangled web of strings was. He said people needed to know about that. He was going to research the web more. But the bottom line was that cost analysis people considered those strings to add about 25 percent to the cost of the projects. It was no joking matter.

Councilor Bragdon said approval of the agreement would allow more flexibility in a program that really created exciting new station areas along the transit corridors. So he urged approval of the resolution.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Councilor Washington used a point of order to clarify on the record monetary issues in the Resolution No. 99-2803 he presented. The cost would be \$400,000 for the North Portland road segment.

9.4 **Resolution No. 99-2867**, For the purpose of Granting a Time Extension to Washington County with Titles 1, 2, and 6 of the Urban Growth Management Functional Plan.

Motion: **Councilor McLain** moved to adopt Resolution No. 99-2867.

Seconded: **Councilor Kvistad** seconded the motion.

Councilor McLain said Metro had a functional plan that dealt with a number of different elements of issues the Council had been working on for 6 or 7 years through the RUGGOs and the 2040 Growth Concept process. There had been a number of extensions requested by local jurisdictions and after reviewing to make sure that they have made a good faith effort on trying to complete the task, the Council, on an individual basis, had given extensions. The extension that was in front of the Council was an extension for Washington County dealing with Titles 1, 2 and 6. Those were their minimum densities, their parking standards and 6, which was their accessibility. Because of the work on the RTP, and some elements of dealing with public involvement segments, the staff had reviewed and the good faith effort they did, and she asked the Council to approve the extension until July 2000 on the very specific issues. She said she would answer any questions.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Councilor Kvistad introduced former Metro Councilor Mike Gates.

10. URBAN GROWTH BOUNDARY PUBLIC HEARING

Presiding Officer Monroe announced that the Council would be holding a hearing on the UGB and read "The Metro Council has held a series of listening posts throughout this Fall in consideration of taking formal action to move the Urban Growth Boundary, as required by state law. This is to announce that the

1999 Urban Growth Boundary record is officially open. All documents received by the Clerk of the Council prior to today's meeting have been placed into the official record and are listed in the 1999 UGB Table of Contents. A copy of this Table of Contents may be found at the back of the chamber and has also been provided to the Councilors."

The purpose of this public hearing today was to hear from individuals on:

- Should Metro request a time extension to act on UGB?
- 1997 Urban Growth Report update and its potential impact on Urban Growth Boundary (UGB) decisions
- Sensitive Land and Job/Housing Balance Issues
- Urban Reserve Areas that could potentially come into the UGB:
Urban Reserve Study Area 39, 41, 45, 65 and others

Councilor McLain said there were two other handouts on the back table. They were both to the Growth Management Committee on these issues. One was dated November 16, and the other November 17, 1999. The November 16 handout included a spreadsheet that showed exactly which urban reserves had actually given Metro notification that they did want to come into the UGB in this year's decision. It also indicated which of the issues they had and had not covered. For example, some got official letters from their jurisdictions, while some got letters from citizens. Some had actually moved into the Metro jurisdictional UGB, while some were working on annexation. But it allowed the public to know where they did and did not have their material in. Also, there was a situation where the Council had been asked to give a better understanding of exactly what happened after the public hearing. So, there was a November 17, 1999, memo in circulation that was addressed to the local jurisdictions and all interested parties that after we gave out the letter in August we received requests and this was how those requests would be processed. She looked forward to the public testimony today and said she may have comments afterwards.

Presiding Officer Monroe opened a public hearing.

Darlene Greene, City Councilor, City of Hillsboro, read her written testimony into the record. (A copy of her written testimony can be found in the permanent record of this meeting.)

Tim Erwert, City Manager, City of Hillsboro, read his written testimony into the record and asked that the Council include the south Hillsboro resolution lands. (A copy of his written testimony can be found in the permanent record of this meeting.)

Tim Sercombe, City Attorney, City of Hillsboro, read his testimony into the record. He spoke about Hillsboro's housing crisis. He said the crisis would worsen unless expansion was approved. (A copy of his written testimony can be found in the permanent record of this meeting. He also introduced additional materials into the record.)

Councilor Atherton asked if he would be able to ask questions of the witnesses at the time of their testimony or afterwards. He said there were some interesting comments.

Presiding Officer Monroe said the Council would prefer just to listen. But if there was something that was absolutely burning a hole, and a councilor had to ask a question, that would be o.k. He said if the Council had a dialogue with every person who testified, citizens would be forced to wait an awful lot longer to testify.

Charlotte Lehan, Mayor, City of Wilsonville, 30000 SW Town Center Loop, E, Wilsonville, OR, 97070, provided input on two matters, the job/housing imbalance in Hillsboro and URA #39 and the southern portion of URA #41. She read her letter into the record. (A copy of her letter can be found in the permanent record of this meeting.)

Mike Gates, Chairman, West Linn-Wilsonville School District, 1471 Barns St., West Linn, OR, 97068, summarized what Mayor Lehan said. He added that with the growth that was going on in Wilsonville, it was putting great stress on the schools the district now had. They were using modular units, experiencing traffic problems and kids couldn't walk to the schools they have now. They had problems with classroom size, and needed a new school and the proposed school site. He said the school district could meet the efficiencies the Mayor pointed out. They hoped the Council would support that activity. They owned the land already. The Mayor and the staff had already initiated an annexation process for the school district. The school district was completing necessary paperwork. So the only thing left was approval from the Metro Council to move forward.

Stephan Lashbrook, Planning Director, City of Wilsonville, Box 1282, Wilsonville, OR 97070, summarized what Mayor Lehan said. (A copy of the information Mr. Lashbrook summarized can be found in the permanent record of this meeting.)

Stacey Rungay, Wilsonville Industrial Development Association, 29335 SW Baker Rd., Sherwood, OR 97140, read her letter into the record. (A copy of her letter can be found in the permanent record of this meeting.)

Bob Baker, Baker Affordable Homes, 13820 SW 325th Pl., Hillsboro, OR, 97123, read his letter/development brief into the record. (A copy of his letter/development brief can be found in the permanent record of this meeting.) He noted the development brief provided to each councilor, which was complete with several oversized maps that described the property. He reviewed each map for the council. He said there were characteristics about the property that made it unique. It was surrounded by the urban growth boundary. It was on two sides of that. It was surrounded by residential use or proposed residential use land that he said made it almost impossible to farm his property. There were also existing sewer and water lines that were adjacent to the property, and they were adequate and available to the property. The water line might have to be looped. However, it was in the process of being lopped and was 90 percent complete. But much of the loop was in place even if it is never completed in the future. He said these characteristics made the property unique enough to ask Metro to consider including it within the urban growth boundary. He said it also met Metro's needs for housing.

Lou Fasano, 2455 SW Gregory, West Linn, OR, landowner in the area of URA #41-Dammasch property, said he had been appearing before Metro since the beginning of the 2040 process. He said he was there to echo what Mayor Lehan said about Hillsboro's jobs/housing imbalance and traffic problems. He also encouraged bringing URA #41 into the Urban Growth Boundary. He said it would solve a whole lot of problems and would alleviate some of the potential future transportation problems.

Dan Tatman, 24351 SW Middleton, Sherwood, OR 97140, resident in URA # 45, requested that the Council delay their decision about bringing URA #45 into the growth boundary because of the planning that was still going on there. He said he submitted petitions for people. He said a lot of his neighbors did not want to be included within the growth boundary at this time because of the planning. He requested that the Council have an evening meeting in the Sherwood area so that citizens of Sherwood and of URA #45 would be able to testify. He said they had a very hard time making it to the MRC when

meetings are scheduled, because they had other priorities. He suggested putting the issue on hold until a meeting could be scheduled near Sherwood to get a gist of how the majority of the people in the area felt. The majority of these people were just overwhelmed with the growth the neighborhood has had in the last few years. They would like to have the consideration and slow the decision-making process down, so they can get their planning done before URA #45 is included within the urban growth boundary.

Dale Lissner, 23605 SW Boones Ferry Rd., Tualatin, OR, property owner in Sherwood, said he and his wife owned a 16-acre parcel that was adjacent, within 500 feet, of URA #45. He said he purchased the property approximately 5 years ago with the full intention of a tourism reference point with a Victorian bed and breakfast and 3-acre gardens, etc. He got in the final stages of getting everything financed and set up to encourage the one corridor heading toward the coast. They got a letter from Northwest Natural Gas and everything rumbled along very fast and it kind of coordinated with Metro's activity there. Within 24 months Metro wanted an operational 24-inch pipeline that would go from Mist, Oregon, down through various areas and in Sherwood itself, if Metro did an overlay, from their notice of intent. He and his wife met with both the gas officials and the Salem Energy Department. Their gas line would run almost the exact overlay, 80 percent of this proposed, down the middle. There were some hazards involved there, admitted the gas people. The pipe was 800 psi and could be very vulnerable at a 5-foot depth to backhoes and accidental nicking, etc. Landslides were evidenced at Bonneville. When that pipe burst it was a 55-story plume of flame and did a lot of melting of rock, etc.

He said they had a cutoff of December 17, 1999, for written input and he thought they were considering moving the pipeline around. He thought it would be a bad situation for it to lie in the middle of what Metro was proposing to extend the boundary through Wilsonville. That basically was why he was there to bring to Metro's attention the direction in which the gas company was going. Charles Stinson, the gas company's general manager there was going to call Metro and get the agency on the gas company's mailing list to insure that everybody would do things properly.

Tom Aufenthie, Sherwood Citizens for Voter Approved Annexation, 15674 Highpoint Drive, Sherwood, OR, spoke about URA #45. He read his letter into the record. (A copy of his letter can be found in the permanent record of this meeting.)

Councilor Kvistad verified that Mr. Aufenthie was referring to a letter from September 24, 1999.

Doug Draper, Vice President of Genstar Land Company Northwest in South Hillsboro, 11515 SW Durham Rd., E-9, Tigard, OR 97224, read his letter into the record. (A copy of his letter can be found in the permanent record of this meeting.)

Joe Hanauer, 215 Maple Ridge Lane, P.O. Box 6518, Snowmass Village, CO 81615, Managing Partner of Butternut Creek Property (URA #53) in South Hillsboro, read his letter into the record. (A copy of his letter can be found in the permanent record of this meeting.)

Wendie Kellington, Attorney, Schwabe, Williamson and Wyatt – Pacific Capital, 1211 SW 5th, #1700, spoke to their interests in URA #49A. She said it was completely composed of exception lands located within Washington County subject to a City of Tigard resolution of support and sponsorship for inclusion both in the metropolitan jurisdictional boundary as well as concurrently in the metropolitan urban growth boundary. They submitted today a nearly completed application for the annexation to the jurisdictional boundary. A copy of the narrative materials was submitted into the record today for the Council's consideration. She said they believed, as did the city of Tigard, that the site made sense for inclusion in the regional boundary.

It didn't have any issues or impacts on any resource land. It was exactly the kind of land that the state and the region had been looking at in terms of potential urbanization because of its location in Washington County. It was available to solve job/housing imbalances. She said it was not as large as other sites that were being considered, but it certainly could go a long way toward providing a little relief on a number of systems from Highway 26 to 217. It would even provide relief on Highway 84 and 205 to the extent that it would provide housing opportunities closer to job centers in the Washington County area.

They asked that Metro consider supporting the inclusion of this area within the jurisdictional and Metro urban growth boundaries sooner than later so the master planning and other efforts could get underway. Then, the city of Tigard, Washington County and the region could move forward to beginning to solve its significant jobs/housing imbalances. She said the imbalances have caused so much concern with the \$3 million to \$4 million a year process that Councilor Atherton talked about. She submitted today a copy of the annexation application. (A copy of this document can be found in the permanent record of this meeting.)

Jeff Bachrach, Genstar Land Company Northwest in South Hillsboro, 1727 NW Hoyt, Portland, OR 97209, also spoke on behalf of other proponents of the South Hillsboro urban reserves. He said the proposed UGB expansion for South Hillsboro was a culmination of five years of work. There was a silver lining for some of them, possibly just the lawyers involved, in the fact it took so long. Because it was under consideration and was a working effort for so long, they had a chance to develop a voluminous evidentiary record and a complete package of legal findings. The legal status report he provided was that the legal case for the South Hillsboro expansion was as complete and appeal proof as a decision of this kind could ever be from a legal standpoint.

The key legal challenge they faced today was the urban reserve decision Metro made three years ago, which went to LUBA and was now pending before the court of appeals. He said that decision if and when it ever comes out was not directly applicable or legally applicable to the UGB decision before you. But it did provide some helpful legal guidance. A key point that it provided legal guidance on as you looked at this UGB decision was the sub-regional jobs/housing imbalance issue. The sub-regional need to address jobs/housing imbalances in South Hillsboro was the sub-regional need that justified the urban reserve decision for South Hillsboro. The standard was similar to standards they were looking at today. That issue was the key point of challenge by the LCDC. They submitted a very lengthy brief that challenged every aspect of the decision Metro made on the jobs/housing issue. They challenged the evidence, analysis, methodology, conclusion, etc. But they lost on virtually every point they raised at LUBA on the jobs/housing attack. The Council's decision, in conjunction with Metro's South Hillsboro partners, was sustained. So, he said they have a very solid and clear legal opinion that was not part of the current appeal at the Court of Appeals. It was a very clear, settled legal precedent for how you do jobs housing balance. And that was refined one year ago when the resolution of intent was brought before you. It was updated again for this round. Very few of LCDC's challenges to South Hillsboro's jobs/housing did they bother to bring forth to the court of appeals.

He closed by saying there was a defect, according to LUBA, in the South Hillsboro urban reserve justification, which they appealed along with Metro to the court of appeals. But the defect was in what was called the alternative site analysis. To justify both the urban reserve decision and this UGB decision, it was incumbent on the proponents to show there was no alternative area outside the UGB in the Hillsboro area better suited to fill the housing need. The LUBA said there were defects in the alternative site analysis. He said Genstar had challenged that at the Court of Appeals, but never the less

the Council would hear from Ed Murphy, Now the parties, City of Hillsboro and all the other proponents have gone out and done an absolutely thorough and detailed analysis of virtually every acre adjoining the UGB anywhere in the greater Hillsboro area to ensure these so called gaps that LUBA found have now been fulfilled and addressed. Every alternative has been thoroughly analyzed with the bottom line conclusion that Tim Sercombe, the Hillsboro City Attorney told you today. There simply were not viable alternatives to fill the need outside the UGB in the Hillsboro Area besides the South Hillsboro sites. He asked Ed Murphy and Jerry Johnson to touch on some of the evidence that supported what he said.

Ed Murphy, Ed Murphy and Associates, 9875 SW Murdoch St., Tigard, OR 97224, said he was speaking in support of Genstar and the South Hillsboro urban growth boundary amendment. He said when proposing to annex agricultural land into the urban growth boundary, the state law required the consideration of higher priority lands. That meant exception lands and exclusive forestlands. The South Hillsboro urban reserve site was specifically the area petitioning for inclusion within the UGB and included agricultural resource lands. He submitted into the Council's record today a report entitled Alternative Sites Analysis for South Hillsboro and its companion report which was basically data basis that documented a review of all higher priority land outside the current UGB within the Hillsboro regional center. That analysis included a review of 29 exception areas and 2 forest areas that represented all of the exception areas and exclusive forest areas for 2 miles around Hillsboro, Cornelius and Forest Grove. He showed the lands on a map. He said state law also required a review of alternate agricultural resource land to see if there were other areas that would have significantly less adverse impact than the area proposed for the UGB expansion. This review also looked at 5 other areas beyond what he called Area A. He referred to the map in the packet that showed the 6 areas.

The basic finding was that many of these exception areas were simply too far away from existing urban services. In many cases, public sewer and water and road improvements would have to be extended over a mile to serve a relatively small area and would result in a high capital improvement cost per dwelling unit served. Developing these areas would result in inefficient public services, whether it be water or sewer, or police or fire. The facilities and utilities would run through areas where no services would be needed or allowed, and would thereby reduce the number of units and increase the cost of services. Extending services to these EFU in between the exception areas in the UGB would put pressure on the intervening properties to develop as well. Most of these were isolated and not adjacent to each other. It wouldn't be possible to join two or three together to make a viable developable area. All of them were partially developed already; thus making it very difficult to have developed to the types of densities and levels of density that Metro would have liked to see.

The South Hillsboro reserve site provided higher capacity for residential dwelling units both in terms of the number of dwelling units provided, and the number of units per acre or the land efficiency. The alternative sight analysis compared 6 agricultural resource areas including the South Hillsboro site and found that the South Hillsboro area offered the greatest opportunity to maximize the efficiency of land and reduce the necessity of using private vehicles. It also allowed the economic provision of basic public services, and minimized the impact on adjacent agricultural land, on or from the airport, on the city's industrial sanctuary and on the environment. He submitted a report into the record. (A copy of the report can be found in the permanent record of this meeting.)

Jerry Johnson, 610 SW Alder, #910, Portland, OR 97205, Hopson Johnson and Associates – South Hillsboro, said his firm completed a series of evaluations regarding the jobs/housing imbalance issue in the Hillsboro Jobs Shed as well as projections of housing demand in the city of Hillsboro itself. His analysis indicated two primary sub-regional needs. The first was summarized earlier by the city of

Hillsboro. The city would essentially be out of developable, residential land in 2 to 5 years. They would be out of employment land in 7 to 9 years.

The second issue is what he dealt with today which was the jobs/housing imbalance issue. He said the Hillsboro regional job shed was a broader area than the city of Hillsboro itself. Currently more residential land was needed to address the current and growing jobs/housing imbalance in the area. As shown on this chart, the need was highly significant. He talked about the year 2020, and based on Metro allocations the jobs/housing balance in the Hillsboro study area would grow to over 2.08 which would imply dwelling unit need above and beyond the allocation of 27,500 new households. Genstar saw Hillsboro as being able to accommodate based on their compliance report, Metro's allocation, but they saw Metro's allocation as being wholly inadequate to have met the jobs/housing imbalance problem.

The city looked at the implications of this that are substantial and the problems of maintaining a jobs/housing imbalance. Most obvious was an increase in traffic associated with increased VMTs, congestion and pollution. The second of these was an inflationary impact on housing prices to the extent that Hillsboro would have demand that would exceed housing supply and would bring inflationary pressure, especially acute in the Hillsboro area. The jobs/housing imbalance in Hillsboro would be one of the most critical issues to be resolved to achieve the goals of Metro's 2040 Growth Concept. Those goals included reductions in VMTs and affordable housing. He said both of those goals would be seriously affected if the jobs/housing imbalance were not addressed.

Betty Atteberry, 10200 SW Nimbus Ave., Suite G-3, Tigard, OR 97223, Westside Economic Alliance and Partnership for Sensible Growth, read a copy of her letter, which can be found in the record of this meeting.

Jane Leo, Governmental Affairs Director - Portland Metropolitan Association of Realtors, 5100 SW Macadam Ave., #360, Portland, OR 97201, testified on behalf of **Ron Crutcher**, Vice President of Governmental Affairs - Portland Metropolitan Association of Realtors. Both Ms. Leo and Mr. Crutcher also represent Partnership for Sensible Growth. Ms. Leo read a letter from Ron Crusher into the record. (A copy of his letter can be found in the permanent record of this meeting.)

Ernie Platt, President-elect, Home Builders Association of Metropolitan Portland, 15555 SW Bangy Rd., Suite 301, Lake Oswego, OR 97035, provided a letter for the record and read it to the council (a copy of which may be found in the record).

Councilor Atherton commented that he too had read the article in *the Oregonian* which Mr. Platt cited in his testimony. He noted the newspaper also said that the state's population growth had slowed. He noted that during Ms. Atteberry's testimony, she stated that expansion of the UGB would be for our children, but when he checked with the demographers at Portland State University, they said that the population in the Portland region was stable. The growth was not due to our children, it was due to immigration.

Ms. Atteberry said to a certain degree, there was some immigration, but it was also important to provide homes for our children.

Councilor Atherton asked who should be providing that: should he provide for his children, or should he ask her to provide for his children?

Ms. Atteberry said she was suggesting that the region should have some available land within a reasonable distance of where they may have a job or may want to live, that would be affordable.

Councilor Atherton said however, that if births and deaths were in balance, and in-migration was the cause of this growth, this all played out: after he died, someone would get his house.

Presiding Officer Monroe adjourned the regular meeting and convened an Executive Session, which had been scheduled for a precise time.

12. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(h), TO CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION.

Members Present: Council, Marv Fjordbeck, John Houser, Dan Cooper, and Jacob Tanzer, outside counsel.

Presiding Officer Monroe adjourned the Executive Session and reconvened the public hearing.

11. URBAN GROWTH BOUNDARY PUBLIC HEARING (CONTINUED)

Mark Fraser, Board Member, Commercial Real Estate Economic Coalition (CREEC), 5023 SW Humphrey Park, Portland, OR, noted that he also served on the Metro Business Advisory Committee, where he recently chaired the Land for Jobs Subcommittee. Mr. Fraser read his letter into the record (a copy of which may be found in this record).

Kelly Ross, Home Builders Association of Metropolitan Portland, noted that the council recently heard from Mr. Platt, the Home Builders' incoming president, about the frustration felt by many of their members about Metro's request for an extension. He said rather than go into that again, he would speak specifically about one of the provisions of the resolution, and express concern about that. Paragraph 3 and 4 of the resolution, the Home Builders believed, should be broadened to include other work tasks that they identified in the last few months: problem areas of the Urban Growth Report, areas such as vacant and partially vacant lands, schools, streets, local ordinances that impose environmental regulations that have a very significant impact on buildable land inventory and the ability to develop that land, and parks. He submitted into the record an extensive list, copies of ordinances from various jurisdictions in the region, each having its own environmental protection zones, environmental overlays, restrictions on building on steep slopes, flood plains, that were not considered within the Urban Growth Report. He said much was made about the Title 3 regulations and the need to only address the areas specifically regulated by Title 3, but the Urban Growth Report did not address or consider the individual jurisdictional regulations that had an equal impact, strength, and limitation on development.

Mr. Ross also submitted into the record a number of maps, zoning maps showing zoning regulations that also had those types of impacts. He added that on October 14, 1999, Ms. Kellington submitted a number of documents into the record on behalf of the Home Builders Association. Those were noted in the UGB record that was provided at the meeting. Omitted from that list, however, were a number of maps that were also submitted by Ms. Kellington at the same time. He said he wanted to make sure those were also included in the record, as well as two letters he sent the council which were also omitted from the list. He said he tried to fight a feeling of paranoia and persecution from Metro, but when his letters were not included in the record, he started to wonder. He said the bottom line was that they believed very strongly

that the current Urban Growth Report did not provide for an adequate supply of land, and did not meet the statutory requirement to determine needed housing.

Mary Kyle McCurdy, 1000 Friends of Oregon and the Coalition for a Livable Future, told Mr. Ross not to worry, as her letter was not included in the list of submitted documents either. She said most of her testimony had been presented before, although it was not in the record, so today she would just address the issue of the extension request. The council had before it a draft resolution asking LCDC for an extension until October to complete certain work regarding the urban growth boundary. Her comments referred to version A of the legislation, even though she understood there was a version B which did not substantively change her comments on version A, and she understood there was a version C which she had not seen yet. Although 1000 Friends of Oregon and Coalition for a Livable Future initially felt an extension would be a viable option, they could not support the resolution A or B before the council, at least without changes to the work contemplated during the extension. If those changes were not made, they would instead recommend adopting the 1997 Urban Growth Report and update, and finding no need for a UGB expansion this year. Then the council could proceed to address the myriad of issues before it in its next periodic review of the urban growth boundary, including not just Title 3 but recommendations from the Affordable Housing Technical Advisory Committee (H-TAC), jobs/housing balance, industrial land needs, and Functional Plan implementation.

Ms. McCurdy noted a few of the concerns that 1000 Friends of Oregon and the Coalition for a Livable Future had about the current resolution. If Metro wanted an extension to complete Title 3 of the Functional Plan, then Metro should also update its capacity analysis with work that was already, or soon to be, completed under the Functional Plan. Under that plan, local governments were required to comply with Title 1 and all the other titles, by February 1999. Title 1 addressed housing densities primarily. Most of this work was done, although there were some uncompleted tasks. As the council recalled, Title 1 targets were premised on accommodating housing and jobs inside the current urban growth boundary. She believed that the Functional Plan compliance reports submitted to Metro by local governments showed that on the ground, they were accommodating much more housing and employment than the Urban Growth Report currently contemplated. She thought the major reason for the differences between the capacity estimated in the Functional Plan and the Urban Growth Report was that the Urban Growth Report predicted much more underbuild than was actually occurring in the region's communities today. As the council recalled, the Urban Growth Report assumed that in the future, there would be an underbuild of 20%. This was overstated for several reasons; she would just discuss one today. The Functional Plan required all jurisdictions to adopt an 80% minimum density zoning. In other words, underbuild of no more than 20%. But local governments reported their underbuild to Metro in their Functional Plan compliance reports, and with maybe two exceptions, no local government was experiencing anywhere near 20% underbuild. **Ms. McCurdy** closed by listing some of the underbuild that was currently occurring. Tualatin actually exceeded permitted density for the years 1990-1995, it built at 112% of permitted density in single family and at 98% of permitted density in multi-family. Hillsboro was projecting a future underbuild of 10%, Milwaukie was projecting a future underbuild of 3%, Happy Valley was projecting a future underbuild of 4%. No one was experiencing anywhere near 20% underbuild at the moment, and certainly would not in the future, with minimum densities. She noted that there was much more information included in her testimony, a copy of which is included in the meeting record.

Joe Grillo, City of Beaverton, noted two letters he had submitted to the record, one from Rob Drake, Mayor of the City of Beaverton, and Tom Brian, Chair of the Washington County Board of Commissioners. Both letters addressed the issue of urban reserve 65. The Washington County Board of Commissioners adopted Ordinance No. 546, which dealt with amending the County's comprehensive

plan and transportation plan. That was done in conjunction with the City of Beaverton. This basically told them that they would be in compliance if the application could be filed and its final action taken by this council, that that development will be in compliance with all Metro Functional Plan requirements. Both Mayor Drake and Chair Brian concluded their letters by asking the Metro council to finalize the urban growth boundary amendment without delay. He concluded by saying that he admired the council's staying power, and it was always a pleasure to visit, but he longed for the day when he would see on the Metro council agenda sheet the words "Final Action."

Presiding Officer Monroe agreed.

Councilor Park said it was obvious that Ms. McCurdy did not support the resolution for the extension. He asked Mr. Ross if the Home Builders supported the resolution for extension, either version B or C.

Mr. Ross said they would prefer that the council not ask for an extension, that the council would get the job done, as Mr. Platt said. He said the Home Builders did not support the extension.

Ms. McCurdy clarified that she had not seen version C of the resolution. There may be ways to modify the resolution where they could support an extension. She said in her testimony she described some of the work they would like to see during that extension period.

Councilor Washington noted that cell phones were not permitted in the Council Chamber, and were distracting during public testimony.

Presiding Officer Monroe asked that members of the audience turn off or silence their cell phones.

Steve Clark, President, Community Newspapers Incorporated in Washington and Clackamas Counties, and President-elect of the Westside Economic Alliance, read his letter into the record, a copy of which is included in the record. He noted that he was speaking as a community member who had been active for more than a decade in seeking an improved, balanced transportation system that would help to ensure the livability, safety, and vitality of the community and economy.

Becky Smith, Washington County Community Action Organization, represented an agency which served low income families in Washington County. They supported bringing the South Hillsboro parcel into the urban growth boundary. There had been a lot of talk about the jobs and housing imbalance, but there was also a wage and housing cost imbalance. Many of the jobs in the region were entry-level or service and retail, which were very low-paying. There was an acute shortage of affordable housing in Washington County, where average rents for a two-bedroom apartment were \$680 to \$700, and over 43% of the renters were unable to afford the fair market rent. In Washington County, 1 out of 5 households were at or below 50% of median income, which for a family of 4, equaled an annual income \$26,200. 15,000 households were at risk of homelessness at any given day. They were at or below 30% of median income and they paid more than 50% of their income towards their housing costs. For these families, an affordable rent would be \$393; however vacancy rates for rents below \$500 were less than 1%. To demonstrate what this meant for families, she explained that a family of 4 making 30% of median income earned \$15,500 a year. An average rent would be \$685, plus a moderate utility rate, would mean that they were paying more than 58% of their income towards their housing. But there were other costs, such as child care and medical benefits. She noted that a lot of these families did not qualify for public assistance, therefore they did not receive any help with medical or child care or food stamps.

As an example, Ms. Smith noted that the agency was working with a woman whose gross annual income from working at a bank was \$12,080. Her rent was \$560, because she was fortunate enough to find housing in a Section 42 property. Her utilities were \$60, and her child care for her preschool child was \$400 a month. She did not qualify for medical aid, so she paid \$50 a month for her child to have medical insurance, but she herself was not insured. This left \$200 at the end of the month for food and other emergencies. Other families lived in outlying areas and commuted into the area for these jobs, and these were the families that were least able to afford the burden of extra transportation costs, as well as extended child care hours. This also contributed to congestion in the area. She concluded that the current stock of housing in the region was not enough. Last year the consolidated plan in Washington County estimated a need for an additional 9,000 units, and that was a conservative estimate. The parcel in the GenStar project offered an opportunity for a considerable number of new units that would be affordable to a variety of income levels, and conformed with the spirit of the 2040 Growth Concept.

Adam Bless, Oregon Office of Energy, 625 Marion Street, Salem, OR, said he represented the state agency that regulated all energy facilities in the state of Oregon. Among those, they were the agency that was reviewing the application the council heard about earlier for the NW gas pipeline, which would go through the Sherwood area, among others. Metro received that notice of intent on September 30. The Oregon Office of Energy notified all affected property owners, affected local governments, and other reviewing agencies including Metro. They were required to set a comment deadline, and they requested comments by December 17. They had confirmed that this pipeline, as proposed (and the corridor for the pipeline was still preliminary) would go through urban reserve area 45, which was proposed for inclusion in the Sherwood urban growth boundary. They took another look at the map, and realized that it may also affect area 39. Currently it would miss area 39, but if the corridor moved, area 39 would potentially be in there. They were concerned because citizens were calling them and asking if the pipeline would be incompatible with Sherwood's plans for area 45, should the City incorporate it. They were working with the City of Sherwood. They had a meeting with them already and there was another meeting scheduled next Tuesday. But they had not heard from Metro. He asked Metro to comment if it had concerns. If Metro had regulations or requirements that would be incompatible with the Oregon Office of Energy, they needed to know. Essentially, he did not yet know if that use was compatible or incompatible, but they did need Metro's comments in order to find out.

Presiding Officer Monroe thanked Mr. Bless and noted that the Growth Management Services Director, Elaine Wilkerson, and Councilor McLain, Growth Management Committee Chair, had heard his comments and would look into it.

Presiding Officer Monroe said he would not adjourn the public hearing. He would continue the public hearing because the record would remain open until December 2, at 2:00 P.M.

Councilor McLain said she wanted to make a couple of comments and also remind the people in the audience that this was the beginning of the actual decision making part of this work. In good faith, the council asked its Growth Management Committee to review five different options for doing that work. One of the options was listed as an action item on the agenda tonight, and the council would get to that item shortly. However, at the next Growth Management Committee meeting on December 7, the committee would consider some issues after hearing today's testimony. First, the committee will consider subregional needs and look at the criteria in the 2040 Growth Concept and the Regional Urban Growth Goals and Objectives (RUGGO), as well as subregional need issues and ideas brought up by Metro's legal counsel in the committee's September 29, meeting. The committee will also be working forward on the different individual requests given to the committee. Some of them were in the process of returning an annexation request of the Metro jurisdictional boundary, some of them were in the

process of working through with their planning commissions and local jurisdictions, some of the support that they might get from those jurisdictions on finishing up plans. As an example, she cited the City of Sherwood, to which Metro had also given a grant. The committee will look at the flow chart (included in the meeting record), which depicts what each applicant must do to finish his or her application for an annexation. As an example, urban reserve 65 had been through the annexation request at Multnomah County, and was before the Metro council asking for an actual urban reserve boundary change. The committee would continue its work through December and bring its recommendation to council either December 9, or December 16.

Councilor Atherton asked Mr. Clark to come forward. Councilor Atherton said he appreciated Mr. Clark's comments about the land use/transportation connection. He asked if Mr. Clark or his organization had a position about the whole North Stafford area, where the transportation planning clearly showed that there could be no more than 84 housing units there, and still I-205 would have to be widened to three lanes. And yet, the recent UGB changes contemplated a lot more than 84 housing units.

Mr. Clark said he believed personally that the area closest to Borland Road and Stafford Road should be developed at its highest and best use. He said he did not have an opinion on the area in question on top of Rosemont Road, as he did not have enough information.

Councilor Atherton said they were talking about making the land use and transportation connection. If the transportation plans called for I-205 to be three lanes, and there was no money to do that, and the plans still said no more than 84 houses, then was there not a big disconnect?

Mr. Clark said he was not sure which disconnect Councilor Atherton was referring to, but as a region, both the elected council and the public needed to end the disconnect between funding solutions and moving ahead with solutions; to provide a connection between the public about what they get for what governments say they need, and what governments ask them to pay for.

Councilor Atherton said the "paying for" disconnect was wide-spread. He said he heard Mr. Clark talk about jobs/ housing balance and transportation improvements in the Hillsboro area, but the same kinds of comments could apply to other areas, and it would be clear that some kind of change was needed.

Councilor Atherton commented on Mr. Fraser's testimony. He said when they were talking about land for jobs, Mr. Fraser's report clearly showed that most of the industrial land was in Vancouver, in Clark County. When they were talking about making regional forecasts, in jobs/housing balance, he was not convinced that the council had really focused in on that, because they were simply not at war with the State of Washington. It was not a separate country. He said somehow, this was not coming up in the discussion.

Councilor Atherton said he would pursue the comments made by Councilor Darlene Greene of the City of Hillsboro, who said there was a long-term agreement between Hillsboro and Metro that if Hillsboro could have a little bit more land they would ask for no more. He asked legal counsel if such an agreement existed.

Mr. Cooper said there had been some informal discussions about the possibility of presenting such an agreement, along with many other parties to the council. Those discussions never reached any conclusion, and there was no formal proposal to bring before the council.

Presiding Officer Monroe called a five minute recess.

10.1 **Resolution No. 99-2855A, For the Purpose of Requesting LCDC Approval of a Limited Extension to the Last Deadline of ORS 197.299 and Accepting the 1997 Urban Growth Report Update.**

Motion: **Councilor Park** moved Resolution No. 99-2855A.

Seconded: **Councilor McLain** seconded the motion.

Motion to Amend Main Motion: **Councilor Park** moved to substitute Resolution No. 99-2855B for Resolution No. 99-2855A, with an amendment to Section 4, on page 4, to strike the words "Final action will not include any new Urban Growth Management Functional Plan requirements to further increase densities inside the UGB."

Seconded: **Councilor McLain** seconded the amendment.

Presiding Officer Monroe clarified that the debate and the first vote would be on the substitution. He called for discussion of the substitution.

Councilor Kvistad said he believed the Metro Council just broke the Oregon Open Meetings law by crafting this language outside of a public hearing and an open discussion. He did not like the process that just occurred. He found it to be something that went against what he thought the council should be doing.

Presiding Officer Monroe said that in his estimation, as the parliamentarian, there was no violation of the Open Meetings law. There was no quorum of any committee, nor was there a quorum of the council in any of the discussion that he saw.

Councilor Kvistad followed up by saying that when people step in and out of a room, they may be not in the same physical room, but they were working on the same physical document at the same time; maybe not at the exact same second, but within seconds of one another.

Councilor Park objected that he had the right to talk with counsel and to discuss what he would like to see changed, and then to show this to individual members.

Presiding Officer Monroe called for additional discussion of the proposed amendment replacing Resolution No. 2855A with Resolution No. 99-2855B, and a change.

Councilor McLain said she appreciated the work that Councilor Park had done on the B version. He met with a number of people who had interest in the document, and in a very open process. This information was discussed at MPAC, and they had a unanimous decision to go forward with the changes that were crafted from talking to members of MPAC. She appreciated the energy and the specific refinements that she thought made Resolution No. 99-2855B a better piece of legislation.

Councilor Washington asked that if his comments were not at the appropriate time or to the appropriate issue, that Presiding Officer let him know. He said he would support Resolution No. 99-2885B, but he had a question. On the resolution, under "Be it resolved," item 2 read that the time extension requested was from December 1, 1999, to October 31, 2000, to allow completion of Title 3. To be very honest, that

was a long time, and he wanted someone to explain to him why that much time was needed. He said the council had been working on this for months, and it seemed like the council was continuing indefinitely. He noted that the council had been working on this for months, and he asked why they needed until October.

Presiding Officer Monroe ruled Councilor Washington out of order. The extension request was in both Resolution No. 99-2885A and Resolution No. 99-2885B, and the current conversation was just about whether to exchange version B for version A. As soon as that vote was taken, Councilor Washington's comments would be appropriate, and staff could come forward to answer his question.

Councilor Kvistad asked what the B version was, and what the change in the B version meant.

Mr. Cooper reviewed the B version and noted the differences between the two resolutions. The B version had some minor modifications in one of the "Whereas" clauses on page two, in the reference to the October 1999 development of measures to conserve, protect and restore riparian corridors. The difference between the A version and the B version was that the B version clarified that the October 1999 action was just a preliminary step toward developing and adopting additional riparian habitat corridor protection. It also removed an inference that perhaps the publication of that document was determinative of future policies, because the council did not act on that. With this amendment, the council would be signaling that it had not yet taken a position, and no one should be confused that the publication of the document somehow locked anything in for the future. Likewise on page 3, in paragraph 2 of the "Be it resolved" there was another change to the reference to the future adoption of the Goal 5 regulations, to make it very clear that all the actions taken to date were preliminary and subject to future council adoption. In paragraph 3 of the "Be it resolved," the discussion of the fact that there was going to be more work on the location of the jobs/housing imbalances was simply moved from the first sentence to being added as a separate sentence at the end, because the jobs/housing imbalance work was not part of determining the overall regional need. The changes were meant to clarify that the resolution was not mixing up two different types of need.

Mr. Cooper said paragraph 4 of the "Be it resolved" contained most of the changes. The first several sentences were restructured to make a parallel with section 3 about additional work. As a result, the description of the final action by Metro before October 31, 2000, was be parallel to the work that was being done in paragraph 3, so that there was be a parallel reference to the density estimated for environmentally sensitive land, the estimated number of accessory dwelling units, and the location of jobs/housing imbalances. In version A, the language existed solely in paragraph 3, and was not mentioned in paragraph 4. The final difference between the two versions was that the B version as published had a sentence, that was in the A version, that referred to final action would not include any new Urban Growth Management Functional Plan requirements to further increase densities inside the UGB. As the motion was made by Councilor Park, that sentence was deleted from the published version of Resolution No. 99-2855B.

Councilor Bragdon asked Councilor Park if the effect of his proposed amendment allow reopening the issues of underbuild, for example; whereas without the amendment, that would be precluded.

Councilor Park said that was his understanding. The council would be able to examine some of the factors, such as the whole density question, the underbuild question.

Councilor Bragdon said he understood that Mr. Cooper had some conversations with DLCD staff with regard to the potential resolution coming forward. Would the proposed amendments affect that in any way, from his understanding?

Mr. Cooper said from his understanding of the conversation with DLCD staff, these amendments did not affect their view of it. In fact, he thought they would agree that adding the parallel between sections 3 and 4 improved the council's statement. Metro had received additional written comments from Dick Benner, Director of DLCD, and Mr. Cooper understood that the council may have a separate amendment to incorporate some language that Mr. Benner would request, that would also be a clarification and not a substantive change. That would be a separate amendment before the council.

Councilor Park closed by saying that as Mr. Coopers stated, the B version was a cleaner version. It allowed the parallelism that made it cleaner and easier for those that were not familiar with the documentation because they would not have to refer to other sections in order to read the legislation.

Vote on Motion to Amend Main Motion: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

Councilor McLain said that they had been in contact with LCDC on the resolution, and LCDC had suggestions for two changes on page 3.

Motion to Amend #2: Councilor McLain moved to substitute Resolution No. 99-2855C for Resolution No. 99-2855B.

Seconded: Councilor Bragdon seconded the amendment.

Mr. Cooper stated for point of clarity that the C version as published included the sentence that was deleted from the B version. He said it was appropriate to note that as the motions now lined up, the C was modified because the sentence had been deleted and the amendments that showed in the C version did not show that change.

Presiding Officer Monroe called for discussion of the motion to substitute modified C version for modified B version.

Councilor McLain reviewed the modifications in the C version. There were only two changes, one on the top of page 3 and the other at the bottom of page 3. The first change was a "whereas" clause that LCDC Director asked to have added. He believed it gave clarity on what Metro was asking the extension to be for. It said additional information about the density estimate for environmentally sensitive lands, job/housing imbalances, and estimated accessory dwelling units was needed to complete the calculation of the housing capacity of buildable land within the UGB. At the bottom of page 3, Mr. Benner asked that the underlying Title 3 section 5 be added. That very specifically talked about just the work that Metro was doing right now. She believed that Mr. Benner gave Metro two very good clarity amendments, and she asked for the council's support. She said the amendments addressed Councilor Washington's concern about going on indefinitely. This was supposed to be a very limited extension with a very specific piece of work that MPAC unanimously agreed that Metro should go forward with.

Councilor Atherton said he would like to propose a friendly amendment that would be substantive, concerning unfunded mandates. He said this was an opportunity to save some money. He noted that Executive Officer Burton said earlier that it cost several million dollars a year to comply with this state mandate.

Councilor Atherton proposed a friendly amendment, seconded by Councilor Kvistad, to add a clause in the "Be it resolved" section, as item number 6, that would say "Metro will do no further work on this measure until the costs to comply with this state mandate have been paid by the state."

Councilor McLain declined the friendly amendment.

Presiding Officer Monroe declared that Councilor Atherton's motion would have to be an amendment to the amendment, and would have to be voted on separately.

Motion to

Amend #3: **Councilor Atherton** moved to add a clause in the "Be it resolved" section, as item number 6, that would say "Metro will do no further work on this measure until the costs to comply with this state mandate have been paid by the state."

Seconded: **Councilor Kvistad** seconded the amendment.

Presiding Officer Monroe called for discussion of Councilor Atherton's amendment.

Councilor Bragdon said he appreciated the sentiment. He was a fan of civil disobedience in some cases, but he thought that it would be a mistake to say that Metro would not comply with the law. He said he would vote no.

Councilor Park said he also sympathized with the sentiments of Councilor Atherton, and thought the council could address the matter in a separate discussion. However, he did not feel that this resolution was the proper vehicle to get the council to that point. He said if Councilor Atherton would like to introduce separate legislation, he would be willing to look at it.

Councilor Atherton closed by saying that he appreciated Councilor Park's concern that perhaps the council could take this up at a separate time, but frankly, he thought Councilor Bragdon was right: Metro should follow the law. To follow the law, the citizens of this state overwhelmingly passed a ballot measure requiring that the state not make any more unfunded mandates, and Metro continued to blithely go along on this. He noted that the council had a discussion earlier about contracts and allowing the Executive Officer to do contracts for \$50,000. The council was penny wise and pound foolish. Millions of dollars were being tossed out, and he thought it needed to go right back to the State Legislature so that they understood and got the discipline they needed when they started meddling in local government affairs. He urged an aye vote.

Vote on Motion to Amend #3: The vote was 1 aye/5 nay/1 abstain. The motion failed with Councilors Park, McLain, Washington, Bragdon and Presiding Officer Monroe voting no, and Councilor Kvistad abstaining from the vote.

Councilor McLain closed on her motion by urging an aye vote.

Vote to The vote was 5 aye/ 1 nay/ 1 abstain. The motion passed with

Motion to Councilor Kvistad voting no and Councilor Atherton abstaining from
Amend #2: the vote.

Presiding Officer Monroe called for discussion of the measure as amended before the council. He said it was now appropriate for Councilor Washington to ask his questions.

Councilor Washington said he respected the work of the Growth Management Committee, and all the issues they had been addressing. However, he had received several calls on the issue of the timeline of the extension. He asked for someone to come forward to answer a few questions. It appeared to him that Metro had been working on this for five or six years, and it seemed that every time something new had to be done, Metro went back through the entire process. If Metro had all of this information that it had been compiling for six years, and it had to make some adjustments or do some verifications, why would it take a year to do that? He said he was not questioning any of Metro's employees, but he would like to know so that when people call, he could explain. For example, when he worked for the airlines, one of the most difficult things they had to deal with was the tariff. After a while, he realized that he was writing about 10 or 20 different type tickets all the time, so that when he received an unusual ticket, it was just a matter of going back to what he already knew, and applying that new aspect to what he already knew. He said that was pretty simplified, and he knew that this was not simple stuff, but he wondered if the work could be completed in less than a year.

Elaine Wilkerson, Growth Management Department Director, said they did need the full amount of time. She highlighted the four items in the resolution that needed work: the natural resources program, the density of constrained environmental lands, jobs/housing balance, and accessory dwelling units. She noted the table in Exhibit C to the resolution, and said by next June, staff had to complete that research and work so that they could determine the capacity of the UGB with the benefit of those four pieces of work. From that point, the process was really focusing on the UGB amendments to satisfy any remaining need, because the council would potentially approve some amendments between now and June. She said the most time consuming element of the work was the jobs/housing balance. It was a very comprehensive jobs research and there was a very large work plan being done. Staff would focus on just the jobs/housing balance portion to ensure that it would be done by June, because the whole package would take longer.

Ms. Wilkerson spoke specifically about the natural resources program (Goal 5, Fish and Wildlife Habitat). Staff had never done that before, so it could not go back and look at previous work. In fact, no one had ever done regionally significant Goal 5 work before. In effect, staff was trying to do the entire Goal 5 piece in a time period of about 18 months. It took Metro about 18 months to revise the wording of Title 3, the Water Quality and Floodplain Section, which just required revising the wording and doing a model ordinance. The Goal 5 task included many more properties potentially effected, the development of a new type of program and a complicated type of analysis required by Goal 5 state legislation and regulations. The rules were very difficult to follow. Because there were so many property owners affected, and local jurisdictions would have to implement Metro's work, staff set up this program. The draft was just coming out now, which had the material for people to look at. Staff set aside a couple of months for interaction with local jurisdictions and the public to try to form a consensus on the program itself. Then staff would move towards writing Functional Plan language, the legal language which took 1½ years to do on Title 3, would be done in about a two-month period. She said it was a very ambitious project, and to be frank, she could not see how it could be done in less time.

Councilor Washington thanked Ms. Wilkerson and said he appreciated the explanation. He asked if another deadline would be needed after this one.

Ms. Wilkerson said she hoped not, as she did not want to this anymore. She had many other things she would like to work on, and if she could get this done, and get the council all the materials it needed to make its decisions in the time frame set out, she would be very pleased, relieved, and grateful. She said she had been working on this since she started at Metro two years ago in February.

Councilor Kvistad said the council already had all of the numbers defined, and was in the process of actually picking the parcels. It only had one group of parcels yet to pick to finish the work it was doing, which would have left the council a full 4 or 5 years to do this work. He asked where and when the decision was made to add this new information, requiring the council to do this, rather than finalizing the work it already had on track.

Ms. Wilkerson said she could not say exactly when the decision was made, but in the work program, staff initiated some work when she first arrived at Metro in response to the appeal of the decision that was made by council in December 1997. There were three areas raised in the appeal, and concerns expressed, so staff focused on those areas. That was the report related to this, called the Addendum, which came out last fall. She noted that Metro did a number of amendments last December, which satisfied about half of the required need of 32,000 dwelling units. Subsequent to that, in preparation for the next round of amendments, which would have been done right now, staff started some additional work because under Goal 14, any urban growth boundary amendments require information that is as up-to-date as possible. There was always new data coming in on building permits. Staff also had much better air photos that year to look at vacant land, which was one of the concerns that had been expressed.

She said the material they had been looking at this year was very influenced by a letter and a discussion they had over a long period of time with the Department of Land Conservation and Development (DLCD). DLCD said Metro approach in the 1997 Urban Growth Report, which assumed 200 foot setbacks from all streams, was inconsistent with Metro's decision on Title 3 in June 1998, where Metro only provided regulation and protection of lands that were set back distances between 15 to 200 feet. DLCD raised that inconsistency and suggested to Metro that it needed to resolve that inconsistency. So when staff redid the numbers this year, what it really did was take the same 32,000 units, identified that close to 18,000 units were approved in the previous urban growth boundary amendments last December, and the balance (15,000 units) pretty much fell in those lands that were different between the 200 foot assumption and the Title 3 decision the council made in June 1998. Staff called that a placeholder, and in effect, that was the land they were looking at now for Goal 5, because staff recognized that Goal 5 would inevitably be much greater than the water quality protections that were adopted by council. She said this was consistent with the December 1997 decision of council, and echoed the 32,000 need. They were just saying there needed to be some certainty about the level of regulation of those 15,000 units that represented the capacity of the lands that lay in between the two measures. In Metro's Goal 5 work, they would determine how much was to be regulated, and when that happened, then they could proceed with certainty to do all the UGB amendments that were necessary to satisfy the capacity shortfall that would remain. That number would inevitably be more than zero, potentially 15,000, and may be more than 15,000. It was very difficult for staff to judge.

She said a couple of the items that staff would look at would potentially make that number higher. One was the density of constrained land, because staff made some assumptions this year, and they felt that with Title 3 in place in some locations, staff would have a better chance of assessing the capacity. Also, the accessory dwelling units study, because they thought that could give them the opportunity to fine tune the number, and it was possible that with the additional information, the end result might be a higher capacity than 15,000. With jobs/housing balance specifically, she thought it would lead to some

conclusions about where to do UGB amendments for industrial and jobs lands, because they knew that about 700 acres of job land was in that difference between Title 3 and 200 feet. That job land needed to go somewhere in the region, and they would like to put it where it would have some assistance and improvement of the jobs/housing balance. Through staff's additional study which it would do by next June, they hoped to be able to give council a better idea of where those jobs lands should be, and with that, have some defensible positions in which Metro could adopt its UGB amendments by October 31, 1999. She said they wanted to make sure council had the best information available, as required by Goal 14, and that council had the best tools by which to make all these decisions both on jobs land and housing land.

Councilor Kvistad said as he understood Goal 14 and state requirements in terms of finalizing and finishing a decision that was in process, Metro was not required to redo or review its work. He said basically the council's decision was in process. When LCDC looked at Metro's numbers and made requests or comments, Metro was not under a mandate to redo the work. It was a suggestion that Metro redo it, and the decision on the suggested was to be made by the council, not LCDC. He asked if that was correct.

Ms. Wilkerson said LCDC suggested that Metro resolve the inconsistency, and Metro's legal counsel strongly recommended that Metro use Title 3 as the base regulation assumed in the Urban Growth Report this year. Legal counsel also worked with staff on the concept of creating a placeholder so that they would not, in any fashion, give the impression that Metro did not intend to do further regulation. There was a lot of concern expressed that people would say that Title 3 was all there was. They did not want anyone to misunderstand; they believed there would be more regulation. Metro encouraged more regulation because it was absolutely crucial to satisfy the Endangered Species Act and to satisfy some of the Regional Framework Plan requirements.

Motion to

Amend #4: **Councilor Bragdon** moved to replace the date of October 31st with June 30th in all occurrences in the resolution.

Seconded: **Councilor Kvistad** seconded the amendment.

Councilor McLain said she appreciated the fact that council wanted to be responsive to making sure that it had the quickest turn around possible in the work that the council, Growth Management Committee and MPAC had all agreed was necessary. After listening to legal counsel, staff, and DLCD, she felt very strongly that in asking for an extension, Metro must not ask for an extension that it could not meet. She thought it was important for Metro to be able to show in good faith that it did a good job with its work plan and that it did scope out how much it had in resources, how much in FTE, and how much in tasks. She said Ms. Wilkerson had been in contact with Mr. Benner personally, and he asked Metro for four work plans that described exactly what the work would be and the timeframe. Ms. Wilkerson attached the work plans to the memo she presented to the council yesterday. She could not vote in favor of the June date because she believed that Metro would then fail to meet the June date, and she did not think the council could do that in good faith.

Councilor Park said he could not support the amendment because due to the hiring freeze, Metro had not replaced its Goal 5 person, Rosemary Furfey. He said the amendment would set an unreasonable expectation. Staff's best estimate was that the technical work would be done by June 30. After the technical work was done, the council would have to go into public hearings. It might be possible to do

them simultaneously, but it would be difficult as the council did not know which lands would be under consideration. He had been told that summer was not a good time to take public testimony, based upon attendance, but he did not know if that was still true. In terms of working through the staff, the Executive Officer, looking at realistic timelines and Metro's financial constraints, he could not support the earlier date. He understood Councilor Bragdon's desire to be aggressive, but he also understood the realities. He thought the original extension request as discussed was to the end of 2000. It was moved up to October 31, 2000, which gave the council about two months to have its public hearings and finalize its business. Trying to move the date up to June 30, could mean that the work would not be of satisfactory quality. Quite honestly, he did not think it would be the quality of work that he would want to take to court if Metro was challenged legally on either side.

Councilor Washington asked Ms. Wilkerson if June 30, 2000, was an unreasonable date.

Ms. Wilkerson said yes, she thought it was an unreasonable date. Looking at the table produced by staff which summarized the active areas right now, even if every area came in, there would only be 10,000 units available to satisfy the remaining need. As she said before, it could be 15,000 or more. Metro had to work at finding additional lands to bring in, and that required Metro to look at all available lands and determine which was the best to come in, and from that, proceed to do reports. She added that two of the parcels listed did not have any staff reports yet. A number of staff reports were done for last year's decisions; and they needed to be updated. That process would be time consuming because staff would have to go through the full analysis of Goal 14. Staff would have to do more reports this time than last year, because they learned quite a bit about how they should look at Goal 14 from the LUBA decision on the urban reserves. There were several points raised that suggested to her that if Metro wanted defensible reports, it needed to do more comprehensive analysis in certain areas. Those reports took a long time to produce, and she did not think it was feasible with her present staff. She added that even with the three current vacancies full, she was not sure she could produce all those reports, do the analysis of additional lands around the current UGB to identify the appropriate lands to consider in addition to these, and get those reports available to the council so the public could see them, before the council's public hearings.

Ms. Wilkerson said she would have to be doing the reports and analysis at the same time as the Goal 5 work, and the jobs/housing balance work, to make the June deadline. She said this as honestly and humbly as she could, because if the council told her she had to do it, she would of course do her very best. Professionally, though, she did not feel that she could produce reports that she could be proud of, nor that the council would be happy with, in that context – not on any of the matters, because everything would suffer. Recently she was asked what would happen if she did not receive any more funding for her department, and her response was that they would have to stop doing certain programs. In effect, with the present freeze and three positions vacant, she has had to put everything into the program to meet the October 31, deadline. She did not have any more resources to apply and still meet what she believed were other deadlines given by the council. She did not want to see all of Metro's programs suffer entirely, and they would have to stop absolutely everything.

Councilor Washington said he did not mean this as a criticism, but he had received more of a sense of her perspective tonight than during any of the time since she had started at Metro. He hoped that through this conversation she could appreciate the urgency of the people of this region, and the fact that when they called the council, the councilors had to try to provide some kind of an explanation for a particular situation. He would hope that as the council moved forward, they would hear from Ms. Wilkerson. He appreciated Ms. Wilkerson's candor tonight, but he hoped that during the next several months she would give the council updates with the same clarity as tonight. He said it was not a criticism, but he was

trying to understand what she was up against. He hoped she understood what the council was up against, too, when they had to provide answers to people who were asking them.

Ms. Wilkerson thanked Councilor Washington for the question and the opportunity to try to convey this information.

Councilor Atherton said one way to think of it was that waiting until October 31, would give the council more time to collect the bill from the governor.

Councilor Bragdon closed by saying that he appreciated the level of detail in the work plan, and he understood the work that went into it. He thought these were very complicated questions, and in fact some of them would not be possible to answer for 40 years. That was why he thought Metro needed to draw things to a close. He also knew human nature: a work plan would expand to fit the time allowed. If the Council said the deadline was October 31, it would be making its decision in October; if it said it was June, it would be making its decision in June. There was a saying in the computer industry about lots of data, no information, or lots of information, no wisdom. The worst that could happen was that if there was no protection of environmentally sensitive lands under Goal 5, the Council would adopt the report, there would be no expansion, the Council could get on with life, and other people could get on with suing Metro. He said his intent was to get it over with.

Vote to Amend #4: The vote was 2 aye/ 5 nay/ 0 abstain. The motion failed with Councilors Washington, McLain, Park, Atherton and Monroe voting no.

Presiding Officer Monroe called for additional discussion or debate on the main motion, Resolution No. 99-2558C as amended.

Councilor Kvistad said this had been a very long road, and now the council had returned to the beginning. The council finished the work, and only needed to make some further adjustments, a couple thousand more acres, and then it would have been done. Instead of staying where it was, the council was moving backwards, and had moved backwards for almost a year. It was unbelievable that on something like this, which the council could have finished and finalized already, that the council was going for another year. It would be another year of staff expense, another year of people having to come and testify on the same thing, another year of putting families who own properties in these areas through the hell of not knowing what Metro's process was, another year of micromanaging the process, and new staff reports that he did not necessarily believe were true. One councilor mentioned that someone from DLCD requested these four reports. He said he did not care; DLCD was supposed to work for Metro, or at least be partners with Metro. They were not partners with Metro; the state was shooting at Metro, just like the right and the left were shooting at Metro. The earth must have stopped when 1000 Friends of Oregon and the Home Builders Association both agreed that the council should not to pass the resolution. He said he knew he could not change the council's mind, but it had to stop. Where was the judgment, reason, or clarity of what Metro was doing? In the years he had been at Metro since 1993, the council had never missed a deadline, no matter how hard, how difficult, or how complicated the decisions were. But now the council was saying it was okay to miss the deadline, when all that needed to be done was to complete something that was two-thirds or even three-quarters done. He said it was unbelievable, and he asked the councilors to reevaluate what they were doing. He encouraged the council not to vote for an extension, to finish with this work, and then move on to the other problems Metro faced.

Councilor McLain said she would be voting in favor of Resolution No. 99-2885C for the following reasons. First, it did not preclude the council from acting before the end of the year. In August, the council sent out letters to all the local jurisdictions asking them to bring forward any subregional issues they had. They did, and the first public hearing was tonight. They would be back on December 2, to continue talking with the council. There were parallel issues and parallel decisions that the council would work on. The council acted as if action was important to them, so they would be able to act in December and January on some of the issues brought in the subregional category. She also felt that it was not just a single decision; everyone on the council knew that the management of the urban growth boundary was an ongoing decision. The council did have to follow state law and make sure that Metro's findings and the accompanying documents to these decisions had the specific data needed to make sure that they were legally solid. She pointed out that the council was not missing a deadline; it was asking for an extension, and there was a difference. The council had said that it wanted to complete the work and that it was not unwilling to act while completing that work. She reminded the council that MPAC was unanimous in suggesting that, as partners, within the constraints of both their budgets and Metro's budgets, everyone was doing as much as they could. MPAC even created a subcommittee to look at ways to assist Metro with that extension so the work would be completed as soon as possible.

Presiding Officer Monroe asked if there was additional debate on the motion. There being none he asked Councilor Park to close.

Councilor Park suggested that the viewing audience probably was still trying to understand what the Council was talking about. He gave a brief explanation of the resolution. This resolution requested that Metro ask LCDC, through its director, for a 10-month extension to the deadline to assure a 20-year housing capacity inside the UGB. The extension requested was to October 31, 2000. The resolution also accepted the 1997 Growth Report Update, including a range for dwelling unit capacity of certain environmentally sensitive lands, which for consideration of additional protection was scheduled in Metro's Goal 5 process. The range of this placeholder-housing estimate was between a dwelling unit surplus of 200 to a deficit of as much as 15,000 dwelling units.

He said that Resolution No. 99-2855C established the length between the protection of environmentally sensitive lands and possible expansion of the UGB. It acknowledged the 2040 Growth Concept in RUGGO, adopted into the Regional Framework Plan. It called for protection of sensitive lands inside and outside the UGB. It included services of a livable community, protection of natural resources, balance in the urban environment for the purposes of that livable community, and a link between the natural resource protection of UGB expansion in that current Title 3 Water Quality and Floodplain protections would apply to any land brought into the UGB in this legislative process.

In addition, Councilor Park said, the amount of UGB expansion related to general need would not be calculable until Metro adopted Goal 5 Functional Plan regulations. Simply put, protection equaled expansion and that was what this discussion had been about. Council required the extra time to get to that point.

He said that whatever the feelings on either side of the issue were, once lands were paved over the decision was not reversible. As the Council deliberated and worked through various pieces next year, including the subregional needs analysis, some of what was picked may be farmland. In order to make a better long-term livable community Council must try not to injure the environment and preserve as much as possible. He asked that Council keep this thought at the forefront during coming deliberations. He urged an aye vote on the resolution.

**Vote on the
Main Motion
As Amended:**

The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

10.2 Resolution No. 99-2859, For the Purpose of Developing Performance Measures for Monitoring the UGB and the Urban Growth Management Functional Plan.

Motion: Councilor McLain moved to adopt Resolution No. 99-2859.

Seconded: Councilor Park seconded the motion.

Councilor McLain said that the Committee recommended 3/0 to pass the Resolution on to Council. It continued to refine the list and definitions of performance measures and continued the gathering of performance measure data to a mid-1999 collection date. It amended Title 9 of the Urban Growth Management Functional Plan by finalizing a revised list of performance measures and changed the data collection date to mid-year with a 1999 baseline year. It required performance measures only in years when the Urban Growth Report (UGR) was not due and de-coupled the performance measures analysis from consideration of corrective action. This would allow staff to do the UGR one year and performance measure data in another. There was insufficient staff available to do both in the same year, and no budget for additional hiring. This would also allow review and analysis of the measures prior to taking any corrective action. Staff has been directed to continue collecting data for Council review.

Councilor Atherton asked if there was any financial impact.

Councilor McLain said that there was no budget impact as it was status quo work under the current budget.

Councilor Atherton mentioned that at the Growth Management Committee meeting he had suggested having a public survey asking "Is this a good place to live today, would this be good place to live 10 years from now?" He felt that this would be a good performance measure. He agreed with Councilor Bragdon's earlier statement that a lot of data had been gathered, but no wisdom. He said that communities built communities, not Metro. He would like to see public feedback via a survey.

Councilor McLain responded that surveys had been listed in the original data of performance measures that could be implemented. Councilor Atherton was welcome to work with the committee and staff to ensure funding for such a survey. Also, in discussion 2 years ago, it was decided that statistical data should be collected first, then a survey would be considered.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors Atherton and Kvistad voting no.

11. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

11.1 Resolution No. 99-2866, For the Purpose of Authorizing the Executive Officer to Purchase Properties in the Forest Park Expansion Target Area.

Presiding Officer Monroe announced that Executive Session 11 and measure 11.1 on the agenda had been set over to the December 2, 1999 agenda for consideration.

13. COUNCILOR COMMUNICATION

Councilor Bragdon said that Mr. Cotugno's office reported that a citizen testified earlier that he had been refused a copy of the draft RTP; however, according to staff, in fact he did receive a copy of the plan. All requests for copies had been filled as of today, so if anyone did wish a copy they were available from the Transportation Department. He also expressed his appreciation to Mr. Cooper and Mr. Shaw for the extra work Mr. Epstein did on the Jenkins-Kim locational adjustment.

He gave a brief report on the Budget Task Force. At its second meeting today they reviewed various reports from the solid waste area, Executive Officer Burton gave a presentation, and the task force reviewed a suggested ordinance (Ordinance No. 99-831) that would repeal Ordinance 99-828, adopted October 28, 1999.

Presiding Officer Monroe said that first reading of Ordinance 99-831 would be December 2, with possible final action scheduled for December 9.

Councilor Park asked for clarification. Regarding Ordinance 99-831 he understood that the Budget subcommittee had passed it out – was that correct?

Presiding Officer Monroe said yes, that it was just being reviewed, and was sponsored by the Budget subcommittee.

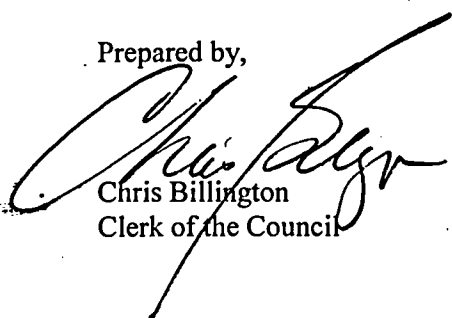
Councilor Atherton reported that he had an interesting discussion with MCCI. They had considered his draft for a Metro Elections Code. He promised to bring the code before the Council shortly; in the meantime the draft was available for review.

Councilor Park said one of the things that each Councilor brought to this body was his or her credibility and beliefs. Without credibility the system would not work. What the Council did was take ideas, combine them, work them over and hopefully, create good legislation. The process required trust and honesty in order to work, and sometimes members were questioned on it. He said he came in with a good reputation and he wanted to leave with it intact. He hoped that those who came before the Council dealt with Council in the same fashion that Council dealt with them. He said that today had been a great disappointment to him.

14. - ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 6:10 p.m.

Prepared by,


Chris Billington
Clerk of the Council

Document Date	Document Description	Submitted by
11/18/1999	Letter RE: Metro Council Urban Growth Boundary Public Hearing, includes bound copy of City of Hillsboro Metro Functional Plan Final Compliance Report, City's testimony from 9/23/1999 at Hillsboro, and a chart showing Hillsboro 2040 design types	John Godsey, Hillsboro City Council
11/18/1999	Testimony RE: highest and best use for UR 42	Stacey Rumgay
11/18/1999	Testimony RE: support of South Hillsboro addition	Doug Draper, Genstar
11/18/1999	Statement RE: UR 53, support of south Hillsboro plan	Joe Hanauer, managing partner, Butternut Creek
11/18/1999	Testimony RE: Hillsboro's commitment to Region 2040 concepts and Finding a South Hillsboro UGB expansion solution	Darlene Greene, Hillsboro City Council
11/18/1999	Annexation Application packet for Metro District Boundary for Pacific Capital LLC	Leigh Leighton, Westlake Consultants
11/18/1999	Testimony RE: support of adding land to Urban Growth Boundary	Betty Atteberry, Partnership for Sensible Growth
11/18/1999	Testimony RE: support of adding land to Urban Growth Boundary	Ernie Platt, Home Builders Association of Metropolitan Portland
11/18/1999	Testimony RE: Urban Growth Report, need for balance between transportation and land use	Steve Clark, Community Newspapers, Inc.
11/18/1999	Testimony RE: flaws in Urban Growth Report	Ron Crutcher, Partnership for Sensible Growth
11/18/1999	Letter to Council RE: Urban Growth Boundary and Urban Growth Report	Mary Kyle McCurdy, 1000 Friends of Oregon
11/18/1999	Memo to Metro RE: Metro Annexation Petition UR 49, includes map of proposed annexation and double majority worksheet verification form.	Lee D Leighton, Westlake Consultants, Inc.
11/18/1999	Agenda packet for Council regular meeting 11/18/1999 including attachments	Staff
11/18/1999	Testimony RE: UGB expansion in UR 39	Mike Gates, West Linn-Wilsonville School Board
11/18/1999	Letter to Rod Monroe & Council RE: subregional jobs/housing balance and addition of UR 39 to UGB	Mayor Charlotte Lehan, City of Wilsonville

Metro Council Meeting

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11/18/1999	e-mail to Council RE: Urban Reserve Area 41	Dave Knierim
11/18/1999	Testimony RE: opposition to including area 45 into UGB	Tom Aufenthie
11/18/1999	Letter to Council RE: Urban Reserve Area 65	Steven M. Ladd, Asst. Superintendent of Beaverton School District
11/18/1999	Fax copy of letter to Rod Monroe RE: support for UGB Amendment for URA 65	Tom Brian, Chair, Washington County Commission

Agenda Item Number 9.1

Ordinance No. 99-831, For the Purpose of Repealing Metro Ordinance No. 99-824A and Declaring an
Emergency.

First Reading

Metro Council Meeting
Thursday, December 2, 1999
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPEALING)	ORDINANCE NO. 99-831
METRO ORDINANCE NO. 99-824A AND)	
DECLARING AN EMERGENCY)	Introduced by
)	Councilor Park

WHEREAS, on October 28, 1999, the Metro Council adopted Metro Ordinance 99-824A, amending certain provisions of Metro Code Chapter 7.01;

WHEREAS, the Metro Council now finds that it is desirable and in the public interest to repeal Metro Ordinance No. 99-824A; and

WHEREAS, it is necessary for the welfare of Metro area that this Ordinance No. 99-831 be in force before the provisions of Metro Ordinance 99-824A are effective; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Ordinance No. 99-824A is repealed.
2. Because this Ordinance is necessary for the welfare of the Metro area so that its provisions will be effective prior to the effective date of Metro Ordinance 99-824A, an emergency is declared to exist, and this Ordinance shall take effect immediately pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

MDF:jep/jh/kaj
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Staff Report

IN CONSIDERATION OF ORDINANCE NO. 99-831, FOR THE PURPOSE OF REPEALING METRO ORDINANCE NO. 99-824 AND DECLARING AN EMERGENCY

November 22, 1999

Presented by: Councilor Park

Purpose

Ordinance No. 99-831 repeals Metro Ordinance No. 99-824. The emergency clause would allow the repeal to take effect immediately.

Background

At its October 28 meeting, the Council adopted Ordinance No. 99-824. The intent of the ordinance was principally to replace the current 8.5% excise tax on certain revenue from the disposal of solid waste at Metro and other facilities with a \$9 per ton tax. The effect of the change would be to retain the projected savings within Metro, with 40% dedicated to solid waste purposes and the remaining 60% dedicated to non-solid waste purposes, including possible funding of local environmental projects.

Since the enactment of the ordinance, several events have occurred that have raised questions concerning the advisability of proceeding with the original ordinance. These include:

October Solid Waste Tonnage Forecast. The REM department annually prepares a tonnage forecast in October in order to assist in the preparation of the department's budget and allow for the forecasting of current and future excise tax collections. The forecast, issued after the adoption of Ordinance No. 99-824, shows a decline in tonnage for the current fiscal year of about 20,000 tons. The effect of this new forecast on excise tax collections could result in a \$200,000 deficit in the general fund for the current fiscal year.

Effect of Meeting Recycling Goals. State law requires Metro to achieve a recycling rate of 56% by the end of 2005. Councilor Park requested information on the impact of meeting this goal on the projected savings. The REM department's response indicates that meeting the goals would result in lower disposal tonnage. As a result, Metro's per ton fixed costs would increase, which would result in higher tip fees. In addition, the resulting lower tonnage would result in lower tax collections (\$2.4 million annually) for non-solid waste uses from the per ton tax enacted in Ordinance No. 99-824.

Fund Expenditure Consensus. The Council continues to receive a wide range of proposals for the expenditure of the non-solid waste tax revenues collected under Ordinance No. 99-824. The Executive Officer, Councilors, the public and the media have made these proposals. Given the budget uncertainty and the lack of consensus concerning the expenditure of the funds, the proposed repeal would give the Council additional time to consider the full budgetary impacts of the contract savings.

Budget Impact

The repeal of Ordinance No. 99-824 would result in the savings received from Change Orders 8 and 24 reducing total expenditures in the Solid Waste Revenue Fund. The effect would be to increase the ending Solid Waste Revenue Fund balance by an estimated \$2.6 million for the

current fiscal year. These funds could then be allocated solely for solid waste needs or purposes in FY 00-01. None of the contract savings would accrue to the General Fund.

Agenda Item Number 9.2

Ordinance No. 99-832, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Transferring \$510,000 from Contingency to Capital Outlay in the Convention Center Project Capital Fund, Authorizing an Interfund Loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund to Provide for Cash Flow, and Declaring an Emergency.

First Reading

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1999-00)	ORDINANCE NO. 99-832
BUDGET AND APPROPRIATIONS)	
SCHEDULE FOR THE PURPOSE OF)	
TRANSFERRING \$510,000 FROM)	
CONTINGENCY TO CAPITAL OUTLAY IN)	Introduced by Mike Burton,
THE CONVENTION CENTER PROJECT)	Executive Officer
CAPITAL FUND, AUTHORIZING AN)	
INTERFUND LOAN FROM THE SOLID)	
WASTE REVENUE FUND TO THE)	
CONVENTION CENTER PROJECT CAPITAL)	
FUND TO PROVIDE FOR CASH FLOW; AND)	
DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has approved a memorandum of understanding regarding the expansion of the Oregon Convention Center; and

WHEREAS, The expenditure of funds on the expansion project will begin in January 2000; and

WHEREAS, The revenue bond proceeds will not be available to Metro until FY 2000-01; and

WHEREAS, It is necessary for Metro to provide interim funding for the expansion project between the period January 2000 and June 2000; and

WHEREAS, Oregon Budget Law, ORS 294.460, allows the governing body to authorize interfund loans under certain circumstances; and

WHEREAS, The Metro Council has reviewed and considered the need to authorize an interfund loan and to transfer appropriations within the FY 1999-00 Budget; and

WHEREAS, The need for the interfund loan and the transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That an interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund in an amount not to exceed \$6.5 million is hereby authorized. The loan is necessary to provide cash flow for the Oregon Convention Center expansion project until revenue bond proceeds and other funding is made available in FY 2000-01. The loan will be repaid with interest during FY 2000-01. The interest rate shall be determined based on the monthly average Metro pooled cash investment yield.

2. That the FY 1999-00 Budget and Schedule of Appropriations for Convention Center Project Capital Fund are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$510,000 from Contingency to Capital Outlay to provide for necessary appropriation authority based on the estimated project draw down schedule.

3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

**Exhibit A
Ordinance No. 99832**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Convention Center Project Capital Fund							
<u>Resources</u>							
<i>GVCNTB</i>	<i>Contributions from Governments</i>						
4145	Government Contributions		6,500,000		(6,500,000)		0
<i>INTRST</i>	<i>Interest Earnings</i>						
4700	Interest on Investments		105,000		(105,000)		0
	Interfund Loan						
	* from Solid Waste Revenue Fund		0		6,500,000		6,500,000
TOTAL RESOURCES			\$6,605,000		(\$105,000)		\$6,500,000
<u>Personal Services</u>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Construction Manager		0		60,000		60,000
	Other Staff		0		150,000		150,000
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits		0		77,700		77,700
Total Personal Services			\$0		\$287,700		\$287,700
<u>Materials & Services</u>							
<i>SVCS</i>	<i>Services</i>						
5280	Other Purchased Services		3,000		0		3,000
<i>INCGEX</i>	<i>Internal Charges for Services</i>						
5400	Charges for Services		322,000		(287,700)		34,300
Total Materials & Services			\$325,000		(\$287,700)		\$37,300
<u>Capital Outlay</u>							
<i>CAPCIP</i>	<i>Capital Outlay Projects (CIP)</i>						
5725	Buildings & Related		5,665,000		510,000		6,175,000
Total Capital Outlay			\$5,665,000		\$510,000		\$6,175,000
<u>Contingency and Ending Balance</u>							
<i>CONT</i>	<i>Contingency</i>						
5900	Contingency		510,000		(510,000)		0
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance		105,000		(105,000)		0
Total Contingency and Ending Balance			\$615,000		(\$615,000)		\$0
TOTAL REQUIREMENTS			\$6,605,000		(\$105,000)		\$6,500,000

Exhibit B
Ordinance No. 99-832
FY 1999-00 SCHEDULE OF APPROPRIATIONS

	<u>Adopted Budget</u>	<u>Revision</u>	<u>Adopted Budget</u>
CONVENTION CENTER PROJECT CAPITAL FUND			
Operating Expenses (PS & M&S)	\$325,000	\$0	\$325,000
Capital Outlay	5,665,000	510,000	6,175,000
Interfund Transfers	0	0	0
Contingency	510,000	(510,000)	0
Unappropriated Balance	105,000	(105,000)	0
Total Fund Requirements	\$6,605,000	(\$105,000)	\$6,500,000

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE 99-832 AMENDING THE FY 1999-00 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$510,000 FROM CONTINGENCY TO CAPITAL OUTLAY IN THE CONVENTION CENTER PROJECT CAPITAL FUND, AUTHORIZING AN INTERFUND LOAN FROM THE SOLID WASTE REVENUE FUND TO THE CONVENTION CENTER PROJECT CAPITAL FUND TO PROVIDE FOR CASH FLOW; AND DECLARING AN EMERGENCY.

Date: November 18, 1999

Presented by: David Biedermann
Tony Mounts

FACTUAL BACKGROUND AND ANALYSIS

The FY 1999-00 Adopted Budget anticipated the need for certain expenditures related to the Oregon Convention Center expansion project. However, the budget anticipated that funding this fiscal year would be provided through a government contribution of revenue bond proceeds from the City of Portland. It now appears that revenue bond proceeds will not be available until next fiscal year and that MERC will be required to initially fund expansion project expenditures of approximately \$6.5 million between January and June 2000.

The expansion project budget anticipated a reserve contribution from MERC of \$6.1 million (\$3.1 from the MERC Operating Fund and \$3.0 from the MERC Pooled Capital Fund). Unfortunately, all MERC reserves are budgeted in unappropriated balance in FY 1999-00. Oregon Budget Law prohibits the appropriation of these funds from unappropriated balance for the remainder of this fiscal year.

Oregon Budget Law, ORS 294.460, does allow (with certain exceptions) a municipal corporation to loan money from any fund to any other fund whenever the loan is authorized by official resolution or ordinance of the governing body. This action would authorize an interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund to provide the needed cash flow for expansion project expenditures this fiscal year. The loan will be administered similar to a line of credit. Funds will be provided on a monthly basis to the Convention Center Project Fund to cover necessary expenditures. Interest will be charged on the loan at a rate equal to the monthly average Metro pooled cash investment yield. The loan, with interest, will be repaid in FY 2000-01 from a government contribution of revenue bond proceeds, MERC reserves, or a combination of both.

In addition, the adopted budget for the Convention Center Project Capital Fund provided for \$5,665,000 in capital outlay with \$510,000 in contingency. The draw down schedule for the project anticipates approximately \$6.1 million in capital expenditures during FY 1999-00. This ordinance requests the transfer of \$510,000 from contingency to capital outlay in the Convention Center Project Capital Fund to provide sufficient appropriation authority for the anticipated expenditures.

Finally, since the loan proceeds will not be received in advance of actual need, the Convention Center Project Capital Fund should not earn interest during the year. The ordinance reflects the change in funding circumstances by eliminating the interest earnings and the corresponding ending fund balance.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 99-832.

KTR:

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Agenda Item Number 9.3

Ordinance No. 99-834, For the Purpose of Amending the Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance No. 95-625A in Urban Reserve Areas 39 and 41 in Washington County.

First Reading – Document available 11/30/99

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO 99-834
THE METRO URBAN GROWTH)
BOUNDARY AND THE 2040 GROWTH)
CONCEPT MAP IN ORDINANCE 95-) Introduced by Growth Management
625A IN THE URBAN RESERVE AREAS) Committee
39 AND 41 IN WASHINGTON COUNTY)

WHEREAS, the Metro Council designated urban reserve areas in Ordinance No. 96-655E, including urban reserve areas 39 and 41; and

WHEREAS, urban reserve study areas were shown on the 2040 Growth Concept map adopted as part of the Regional Urban Growth Goals and Objectives in Ordinance No. 95-625A and the map was amended by Ordinance No. 96-655E to show urban reserve areas; and

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, in August, 1999 the Metro Council requested that local governments notify Metro of land needs to meet 2040 Growth Concept implementation, including jobs/housing considerations, that could be the subject of the Urban Growth Boundary amendments; and

WHEREAS, the City of Wilsonville responded to the Council's notice requesting Urban Growth Boundary amendments for urban reserve areas 39 and 41; and

WHEREAS, notice of Proposed Amendment for these urban reserve areas 39 and 41, consistent with Metro Code and ORS 197.610(1), was received by the Oregon Department of Land Conservation and Development at least 45 days prior to the December 9, 1999 first evidentiary hearing; and

WHEREAS, notice of hearings was published and mailed in compliance with Metro Code 3.01.050(b), (c) and (d); and

WHEREAS, hearings were held before the Council Growth Management Committee on November 16, December 7 and 9, 1999, and before the full Metro Council on December 9 and 16, 1999; and

WHEREAS, the staff report for these areas was available at least seven days prior to the December 16, 1999 final hearing; and

WHEREAS, the Metro Council considered all the evidence in the record, including public testimony at the November, and December, 1999 public hearings to decide proposed amendments to the Urban Growth Boundary; and

WHEREAS, the Metro Code requires that all land added to the Metro Urban Growth Boundary shall be subject to comprehensive plan amendments consistent with Title 11 of the Urban Growth Management Functional Plan and consistency with the 2040 Growth Concept; now therefore,

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. The City of Wilsonville shall be the local government responsible for adopting comprehensive plan amendments consistent with the Urban Growth Management Functional Plan for areas added to the Metro Urban Growth Boundary by this ordinance.
2. Regional design types consistent with the City of Wilsonville's special land need for housing and the Metro 2040 Growth Concept for the land added to the Metro Urban Growth Boundary by this ordinance as shown on attached Exhibit A are hereby adopted.

3. The 2040 Growth Concept map adopted as part of Ordinance No. 95-625A is hereby amended to show the Metro Urban Growth Boundary amendment in Exhibit B as within the UGB, instead of urban reserves.

4. The Metro Urban Growth Boundary is hereby amended to add urban reserve areas 39 and 41, as shown on the map in Exhibit B, attached, and incorporated by reference herein. The Council hereby designates the area shown in Exhibit B as the area subject to conceptual planning under Title 11 of the Urban Growth Management Functional Plan, Metro Code 3.07.1110 *et seq.*

5. The City of Wilsonville shall comply with the requirements of the Urban Growth Management Functional Plan, including Title 11, for the land shown in Exhibit B within two years of adoption of this ordinance.

6. Pursuant to Metro Code 3.01.040(b)(5) the comprehensive plan text amendments identified in Exhibit C, are necessary to ensure implementation of the 2040 Growth Concept in the area added to the Metro Urban Growth Boundary by this Ordinance.

7. This amendment of the Metro Urban Growth Boundary is based on Findings of Fact and Conclusions in Exhibit D, attached hereto and incorporated by reference herein.

8. In support of Findings and Conclusions adopted in Exhibit D of this Ordinance, the Council hereby designates as the record herein those documents submitted and before the Council for consideration on these lands during the period between the October 1999 Growth Management hearing and the December 16, 1999 Metro Council final hearing and final adoption of this ordinance.

9. Consistent with ORS 268.390(3) and ORS 195.025(1), Clackamas and Washington Counties and the cities of Wilsonville, Tualatin and Sherwood shall include the area added to the Urban Growth Boundary by this Ordinance as shown on the map in Exhibit B in applicable text and map provisions of their comprehensive plans.

ADOPTED by the Metro Council this _____ day of _____ 1999..

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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OGC/KDH/kvw 11/30/99

Agenda Item Number 10.1

Ordinance No. 99-820, For the Purpose of Granting a new yard Debris Composting Facility License to Clackamas Compost Products, LLC to Operate a Yard Debris Composting Facility, and Rescinding License Number YD-0197, and Declaring an Emergency.

Second Reading

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A NEW YARD DEBRIS) ORDINANCE NO. 99-820
COMPOSTING FACILITY LICENSE TO)
CLACKAMAS COMPOST PRODUCTS, LLC)
TO OPERATE A YARD DEBRIS COMPOSTING FACILITY,)
AND RESCINDING LICENSE NUMBER YD-0197, AND) Introduced by Mike Burton,
DECLARING AN EMERGENCY) Executive Officer

WHEREAS, on December 19, 1996 the Metro Council approved Ordinance No. 96-666 for the purpose of authorizing the Executive Officer to enter into a Licensing Agreement for a yard debris processing facility with the Scotts Hyponex Corporation located at 11620 SE Capps Road in Clackamas Oregon; and

WHEREAS, on May 6, 1999 the Metro Council approved Ordinance No. 99-796 for the purpose of authorizing the Executive Officer to transfer the License Agreement with Scotts Hyponex (No. YD-0917) to Clackamas Compost Products, Inc. to continue operating the composting operation located at 11620 SE Capps Road in Clackamas; and

WHEREAS, Clackamas Compost Products, LLC (a new facility owner and operator) has taken over the operations from Clackamas Compost Products, Inc. at 11620 SE Capps Road in Clackamas; and

WHEREAS, Clackamas Compost Products, LLC has filed a new license application for the composting operation pursuant to Metro Code Section 5.01.060; and

WHEREAS, Clackamas Compost Products, LLC has provided the information required in the application in the form specified by the Executive Officer; and

WHEREAS, The Executive Officer has reviewed the application of Clackamas Compost Products, LLC as required by Metro Code Sections 5.01.067(a) through (d); and

WHEREAS, the Executive Officer has formulated recommendations on the criteria listed in Metro Code Section 5.01.060; and

WHEREAS, the facility is an existing operation providing necessary services to the public and has organic materials on-site; and

WHEREAS, nuisance impacts from yard debris processing facilities such as odor, dust and noise can adversely affect the health, safety, and welfare of the public; and

WHEREAS, the purpose of the licensing agreement is to protect the health, safety, and welfare of Metro area residents; and

WHEREAS, the Council finds that it is necessary for the welfare of the Metro area that this ordinance take effect immediately, pursuant to Sections 37 (2) and 39 (1) of the Metro Charter; and

WHEREAS, the Executive Officer has recommended that the new facility license be granted, and the previous facility license (No. YD-0197) be rescinded and has forwarded these recommendations to the Council as required by Metro Code Section 5.01.067(d); now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Council authorizes the Executive Officer to enter into the License Agreement for a yard debris composting facility, in a form substantially similar to the form attached as Exhibit A, subject to the terms, conditions, and limitations contained therein.
2. The Council authorizes the Executive Officer to rescind Metro Yard Debris Composting Facility License No. YD-0197, dated March 6, 1997, originally granted to The Scotts Hyponex Corporation and subsequently transferred to Clackamas Compost Products, Inc.
3. An emergency having been declared because nuisance impacts from yard debris processing facilities (e.g. odor, dust and noise) can adversely affect the health, safety, and welfare of the public; and the purpose of the licensing agreement is to protect the health, safety, and welfare of Metro area residents; this ordinance shall take effect immediately pursuant to Section 39(1) of the Metro Charter.

ADOPTED by the Metro Council this _____ day of _____ 1999.

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

BM:
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EXHIBIT A

METRO COMPOST FACILITY LICENSE

Number YD-013-99

Issued to Clackamas Compost Products, LLC

Issued by

Metro

600 NE Grand Avenue

Portland, OR 97232

Telephone: (503) 797-1650

Issued in accordance with the provisions of Metro Code Chapter 5.01

LICENSEE: Clackamas Compost Products, LLC (Attn: Casey Stroupe) 20200 SW Stafford Road Tualatin, Or 97062 Tel.: (503) 638-1011 Fax: 638-0754	FACILITY NAME AND LOCATION: Clackamas Compost Products, LLC 11620 SE Capps Road Clackamas, OR 97015
OPERATOR: Clackamas Compost Products, LLC (Attn: Casey Stroupe) 20200 SW Stafford Road Tualatin, Or 97062 Tel.: (503) 638-1011 Fax: 638-0754	PROPERTY OWNER: Emmert International Division of Emmert Industrial Corp. 118 SE Highway 212 Clackamas, OR 97015

This license is granted to the licensee named above and may not be transferred without the prior written approval of the Executive Officer. Subject to the conditions stated in this license document, the licensee is authorized to operate and maintain a yard debris composting facility, and to accept the solid wastes and perform the activities authorized herein.

License begins: _____

Expiration: _____

METRO

Clackamas Compost Products, LLC

Signature

Signature of Licensee

Mike Burton, Metro Executive Officer

Print name and title

Date

Date



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1.0 ISSUANCE

- 1.1 Licensee** Clackamas Compost Products, LLC
20200 SW Stafford Road
Tualatin, OR 97062
Tel.: (503) 638-1011 Fax: 638-0754
- 1.2 Contact** Casey Stroupe, President
- 1.3 License Number** Metro Yard Debris Composting Facility License Number **YD-013-99**
- 1.4 Term** License effective: _____
License expires: _____
- 1.5 Facility name and mailing address** Clackamas Compost Products, LLC
11620 SE Capps Road
Clackamas, OR 97015
- 1.6 Operator** Clackamas Compost Products, LLC
(Attn: Casey Stroupe)
20200 SW Stafford Road
Tualatin, Or 97062
Tel.: (503) 638-1011 Fax: 638-0754
- 1.7 Facility legal description** Section 15, Township 2S, Range 2E, Willamette Meridian
Clackamas County, State of Oregon
- 1.8 Property owner** Emmert International
Division of Emmert Industrial Corp.
118 SE Highway 212
Clackamas, OR 97015
- 1.9 Permission to operate** Licensee warrants that it has obtained the property owner's consent to operate the facility as specified in this license.



2.0 CONDITIONS AND DISCLAIMERS

- 2.1 Guarantees** The granting of this license shall not vest any right or privilege in the licensee to receive specific quantities of solid waste at the direction of Metro during the term of the license.
- 2.2 Non-exclusive license** The granting of this license shall not in any way limit Metro from granting other solid waste licenses within the District.
- 2.3 Property rights** The granting of this license does not convey any property rights in either real or personal property, nor does it authorize any injury to private property or invasion of property rights.
- 2.4 No recourse** The licensee shall have no recourse whatsoever against the District or its officials, agents or employees for any loss, costs, expense or damage arising out of any provision or requirement of this license or because of the enforcement of the license or in the event the license or any part thereof is determined to be invalid.
- 2.5 Release of liability** Metro, its elected officials, employees, or agents do not sustain any liability on account of the granting of this license or on account of the construction, maintenance, or operation of the facility pursuant to this license.
- 2.6 Binding nature** The conditions of this license are binding on the licensee. The licensee is liable for all acts and omissions of the licensee's contractors and agents.
- 2.7 Waivers** To be effective, a waiver of any terms or conditions of this License must be in writing and signed by the Metro Executive Officer.
- 2.8 Effect of waiver** Waiver of a term or condition of this License shall not waive nor prejudice Metro's right otherwise to require performance of the same term or condition or any other term or condition.
- 2.9 Choice of law** The License shall be construed, applied and enforced in accordance with the laws of the State of Oregon.



- 2.10 Enforceability** If any provision of this License is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity of the remaining provisions contained in this License shall not be affected.
- 2.11 License not a waiver** Nothing in this license shall be construed as relieving any owner, operator, or licensee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
- 2.12 License not limiting** Nothing in this license is intended to limit the power of a federal, state, or local agency to enforce any provision of law relating to the solid waste facility that it is authorized or required to enforce or administer.
- 2.13 Inadvertent composting** Nothing in this license is intended to authorize or establish standards or otherwise approve of inadvertent composting resulting from the storage of organic materials.
- 2.14 Definitions** Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

3.0 AUTHORIZATIONS

- 3.1 Purpose** This section of the license describes the wastes that the licensee is authorized to accept at the facility, and the activities the licensee is authorized to perform at the facility.
- 3.2 General conditions on solid wastes** The licensee is authorized to accept at the facility only the solid wastes described in this section. The licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
- 3.3 General conditions on activities** The licensee is authorized to perform at the facility only those activities that are described in this section.
- 3.4 Authorized materials** The licensee is authorized to accept source-separated yard debris, leaves from municipal collection programs, landscape waste, and clean wood wastes (e.g.: untreated lumber and wood pallets). No other wastes shall be accepted at the Facility unless specifically authorized in writing by the Executive Officer.



4.0 LIMITATIONS AND PROHIBITIONS

- 4.1 Purpose** This section of the license describes limitations and prohibitions on the wastes handled at the facility and activities performed at the facility.
- 4.2 Prohibited waste** The Licensee is prohibited from receiving, processing or disposing of any solid waste not authorized in this License. The licensee shall not knowingly accept or retain any material amounts of the following types of wastes: materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; or any waste prohibited by the DEQ.
- 4.3 No disposal of recyclable materials** Source-separated recyclable materials, yard debris or organic materials accepted at the facility may not be disposed of by landfilling.
- 4.4 Limits not exclusive** Nothing in this section of the license shall be construed to limit, restrict, curtail, or abrogate any limitation or prohibition contained elsewhere in this license document, in Metro Code, or in any federal, state, regional or local government law, rule, regulation, ordinance, order or permit.

5.0 OPERATING CONDITIONS

- 5.1 Purpose** This section of the license describes criteria and standards for the operation of the facility.
- 5.2 Qualified Operator** The licensee shall provide an operating staff qualified to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.
- 5.3 Operating plan** The licensee shall establish and follow procedures for accepting, managing and processing loads of solid waste received at the facility. Such procedures must be in writing and in a location where facility personnel and the Executive Officer can readily reference them. The licensee may, from time to time, modify such procedures. The procedures shall include at least the following:



- a. Methods of inspecting incoming loads for the presence of prohibited or unauthorized waste.
- b. Methods for managing and transporting for disposal at an authorized disposal site each of the prohibited or unauthorized wastes if they are discovered at the facility.
- c. Objective criteria for accepting or rejecting loads.
- d. Methods for measuring and keeping records of incoming waste
- e. A general description of any treatment the wastes will receive prior to processing (e.g., chipping, shredding) and the maximum length of time required to process each day's receipt of waste into windrows or other piles.
- f. The specifications to which the windrows or other piles will be constructed (width, height, and length) and calculation of the capacity of the facility.
- g. An estimate of the length of time necessary to complete the process.
- h. Methods for monitoring and adjusting temperature, oxygen level and moisture level of the material during processing.

5.4 Capacity

Storage and handling capacities shall not be exceeded. The facility shall have sufficient processing capacity to handle projected incoming volumes of materials. Facility design shall address specific capacity and storage issues, including:

- a. Capacity for incoming wastes waiting to be processed.
- b. Capacity for proper handling, storage, and removal of hazardous or other non-permitted wastes delivered to or generated by the facility.
- c. Capacity for finished product storage.

5.5 Fire prevention

The operator shall provide fire prevention, protection, and control measures, including but not limited to, temperature monitoring of windrows, adequate water supply for fire suppression, and the isolation of potential heat sources and/or flammables from the composting pad/processing area.

5.6 Adequate vehicle accommodation

Vehicles containing landscape waste or yard debris feedstock/waste shall not park or queue on public streets or roads except under emergency conditions. Adequate off-street parking and queuing for vehicles shall be provided.



- 5.7 Managing authorized wastes** All authorized solid wastes received at the facility must be either (a) processed, (b) appropriately stored, or (c) properly disposed of, within a timeframe that avoids creating nuisance conditions or safety hazards.
- 5.8 Storage** Stored materials and solid wastes shall be suitably contained and removed at sufficient frequency to avoid creating nuisance conditions or safety hazards. Storage areas must be maintained in an orderly manner and kept free of litter.
- 5.9 Litter and airborne debris** The licensee shall operate the facility in a manner that is not conducive to the generation of litter and airborne debris. The licensee shall:
- a. Take reasonable steps to notify and remind persons delivering solid waste to the facility that all loads must be suitably secured to prevent any material from blowing off the load during transit.
 - b. Construct, maintain, and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit.
 - c. Keep all areas within the site and all vehicle access roads within $\frac{1}{4}$ mile of the site free of litter and debris.
- 5.10 Odor** The licensee shall operate the facility in a manner that is not conducive to the generation of odors. The licensee shall:
- a. Clean the areas and equipment that come into contact with solid waste on a regular basis.
 - b. Establish and follow procedures for minimizing odor at the facility. Specific measures an operator shall take to control odor include but are not limited to adherence to the contents of a required odor minimization plan (see Section 6.0). Such procedures must be in writing and in a location where facility personnel and Metro inspectors can readily reference them. The licensee may modify such procedures from time to time. The procedures shall include at least the following: (1) methods that will be used to minimize, manage, and monitor all odors of any derivation including malodorous loads received at the facility, (2) procedures for receiving and recording odor complaints, and (3) procedures for immediately investigating any odor



complaints in order to determine the cause of odor emissions, and promptly remedying any odor problem at the facility.

5.11 Vectors

The licensee shall operate the facility in a manner that is not conducive to infestation of rodents, insects, or other animals capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another.

5.12 Noise

The licensee shall operate the facility in a manner that controls the creation of excessive noise to the extent necessary to meet applicable regulatory standards and land-use regulations.

5.13 Water quality

The licensee shall operate and maintain the facility to prevent contact of solid wastes with stormwater runoff and precipitation. Methods must be consistent with the controlling agency (local jurisdiction and DEQ).

5.14 Public Access

Public access to the facility shall be controlled as necessary to prevent unauthorized entry and dumping.

5.15 Signage

The licensee shall post signs at all public entrances to the facility, and in conformity with local government signage regulations. These signs shall be easily and readily visible, legible, and shall contain at least the following information:

- a. Name of the facility
- b. Address of the facility;
- c. Emergency telephone number for the facility;
- d. Operating hours during which the facility is open for the receipt of authorized waste;
- e. Fees and charges;
- f. Metro's name and telephone number 797-1650; and
- g. A list of all authorized and prohibited wastes.

5.16 Complaints

The licensee shall respond to all written complaints on nuisances (including, but not limited to, blowing debris, fugitive dust or odors, noise, traffic, and vectors). If licensee receives a complaint, licensee shall:

- a. Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of unsuccessful attempts; and



- b. Log all such complaints by name, date, time and nature of complaint. Each log entry shall be retained for one year and shall be available for inspection by Metro.

5.17 Access to license document

The licensee shall maintain a copy of this Metro Solid Waste Facility License on the facility's premises, and in a location where facility personnel and Metro representatives have ready access to it.

6.0 ODOR MINIMIZATION PLAN

6.1 Purpose

This section describes the minimum requirements that must be contained in an odor minimization plan.

6.2 Plan requirements

The operator shall have an odor minimization plan. The plan must include methods to minimize, manage and monitor all odors, including odors produced by grass clippings. The plan must include:

- a. A management plan for malodorous loads;
- b. Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and remedying promptly any odor problem at the facility;
- c. Additional odor-minimizing measures, which may include the following:
 - (1) Avoidance of anaerobic conditions in the composting material;
 - (2) Use of mixing for favorable composting conditions;
 - (3) Formation of windrow or other piles into a size and shape favorable to minimizing odors; and
 - (4) Use of end-product compost as cover to act as a filter during early stages of composting.
- d. Specification of a readily-available supply of bulking agents, additives or odor control agents.
- e. Procedures for avoiding delay in processing and managing landscape waste and yard debris during all weather conditions.
- f. Methods for taking into consideration the following factors prior to turning or moving composted material:
 - (1) Time of day;
 - (2) Wind direction;
 - (3) Percent moisture;



- (4) Estimated odor potential; and
- (5) Degree of maturity.

- 6.3 Grass clippings** Grass clippings must be processed in a timely manner to avoid nuisance conditions.
- 6.4 Carbon source storage** Incoming leaves, brush or woody landscape waste may be stored in designated areas for use as a carbon source and bulking agent, rather than being processed into windrows or other piles.
- 6.5 Odor complaint panel** If odors at the facility become a significant source of nuisance complaints, processor shall work with a Metro appointed odor complaint panel. The odor complaint panel will investigate odor complaints to determine their validity and sources and will help the processor with solutions to the nuisance complaints. The odor complaint panel may consist of representatives from Metro, DEQ, the local government, the processing industry and citizen representatives.

7.0 RECORD KEEPING AND REPORTING

- 7.1 Purpose** This section of the license describes the record keeping and reporting requirements. The Licensee shall effectively monitor facility operation and maintain accurate records of the information described in this section.
- 7.2 Feedstocks received** Estimated amount of feedstock received and quantity of product produced at the facility. Records shall be reported to Metro no later than thirty (30) days following the end of each quarter. The report shall be signed and certified as accurate by an authorized representative of licensee.
- 7.3 Special occurrences** Records of any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.
- 7.4 Nuisance complaints** Records of any public nuisance complaints (e.g. noise, dust, vibrations, litter) received by the operator, including:
 - a. The nature of the complaint;
 - b. The date the complaint was received;



- c. The name, address, and telephone number of the person or persons making the complaint; and
- d. Any actions taken by the operator in response to the complaint.

- 7.5 Record of complaints and responses** For every odor complaint received, the licensee shall record the date, time, and nature of any action taken in response to an odor complaint, and record such information within one business day after receiving the complaint. Records of such information shall be made available to Metro and local governments upon request.
- 7.6 Regulatory information submittals** The licensee shall submit to Metro duplicate copies of regulatory information submitted to the DEQ and local jurisdictions pertaining to the facility, within 30 days at the same time of submittal to DEQ and/or a local jurisdiction.

8.0 FEES AND RATE SETTING

- 8.1 Purpose** This section of the license specifies fees payable by the licensee, and describes rate regulation by Metro.
- 8.2 Annual fee** The licensee shall pay a \$300 annual license fee, as established in Metro Code Chapter 5.01. Metro reserves the right to change the license fee at any time by action of the Metro Council.
- 8.3 Fines** Each violation of a license condition shall be punishable by fines as established in Metro Code Chapter 5.01. Each day a violation continues constitutes a separate violation. Metro reserves the right to change fines at any time by action of the Metro Council.
- 8.4 Rates not regulated** The tipping fees and other rates charged at the facility are exempt from rate regulation by Metro.
- 8.5 Metro fee imposed on disposal** The licensee is liable for payment of the Metro Regional System Fee on any solid wastes delivered to a disposal site, unless these solid wastes are exempted by Metro Code Chapter 5.01.



9.0 INSURANCE REQUIREMENTS

- 9.1 Purpose** The section describes the types of insurance that the licensee shall purchase and maintain at the licensee's expense, covering the licensee, its employees, and agents.
- 9.2 General liability** The licensee shall carry broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy shall be endorsed with contractual liability coverage.
- 9.3 Automobile** The licensee shall carry automobile bodily injury and property damage liability insurance.
- 9.4 Coverage** Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- 9.5 Additional insureds** Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS.
- 9.6 Worker's Compensation Insurance** The licensee, its subcontractors, if any, and all employers working under this license, are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Licensee shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If licensee has no employees and will perform the work without the assistance of others, a certificate to that effect may be attached in lieu of the certificate showing current Workers' Compensation.
- 9.7 Notification** The licensee shall give at least 30 days written notice to the Executive Officer of any lapse or proposed cancellation of insurance coverage.

10.0 ENFORCEMENT

- 10.1 Generally** Enforcement of this license shall be as specified in Metro Code.
- 10.2 Authority vested in Metro** The power and right to regulate, in the public interest, the exercise of the privileges granted by this license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules,



regulations or standards regarding matters within Metro's authority, and to enforce all such requirements against licensee.

10.3 Inspections

The Executive Officer may make such inspection or audit as the Executive Officer deems appropriate, and shall be permitted access to the premises of the facility at all reasonable times during business hours with or without notice or at such other times with 24 hours notice to assure compliance with this license, Metro Code, and administrative procedures adopted pursuant to Metro Code Chapter 5.01.

10.4 No Enforcement Limitations

Nothing in this license shall be construed to limit, restrict, curtail, or abrogate any enforcement provision contained in Metro Code or administrative procedures adopted pursuant to Metro Code Chapter 5.01, nor shall this license be construed or interpreted so as to limit or preclude Metro from adopting ordinances that regulate the health, safety, or welfare of any person or persons within the District, notwithstanding any incidental impact that such ordinances may have upon the terms of this license or the licensee's operation of the facility.

11.0 MODIFICATIONS

11.1 Modification

At any time during the term of the license, either the Executive Officer or the licensee may propose amendments or modifications to this license.

11.2 Modification, suspension or revocation by Metro

The Executive Officer may, at any time before the expiration date, modify, suspend, or revoke this license in whole or in part, in accordance with Metro Code Chapter 5.01, for reasons including but not limited to:

- a. Violation of the terms or conditions of this license, Metro Code, or any applicable statute, rule, or standard;
- b. Changes in local, regional, state, or federal laws or regulations that should be specifically incorporated into this license;
- c. Failure to disclose fully all relevant facts;
- d. A significant release into the environment from the facility;
- e. Significant change in the character of solid waste received or in the operation of the facility;
- f. Any change in ownership or control, excluding transfers among subsidiaries of the licensee or licensee's parent corporation;
- g. A request from the local government stemming from impacts resulting from facility operations.
- h. Compliance history of the licensee.



12.0 GENERAL OBLIGATIONS

- 12.1 Compliance with the law** Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.01 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the operation of the facility by federal, state, regional or local governments or agencies having jurisdiction over the facility shall be deemed part of this license as if specifically set forth herein. Such conditions and permits include those cited within or attached as exhibits to the license document, as well as any existing at the time of the issuance of the license but not cited or attached, and permits or conditions issued or modified during the term of the license.
- 12.2 Indemnification** The licensee shall indemnify and hold Metro, its employees, agents and elected officials harmless from any and all claims, damages, actions, losses and expenses including attorney's fees, or liability related to or arising out of or in any way connected with the licensee's performance or failure to perform under this license, including patent infringement and any claims or disputes involving subcontractors.
- 12.3 Deliver waste to appropriate destinations** The licensee shall ensure that solid waste transferred from the facility goes to the appropriate destinations under Metro Code chapters 5.01 and 5.05, and under applicable local, state and federal laws, rules, regulations, ordinances, orders and permits;
- 12.4 Provide access** The licensee shall allow the Executive Officer to have reasonable access to the premises for purposes of inspection and audit to determine compliance with this license, Metro Code, and the administrative procedures adopted pursuant to Metro Code Chapter 5.01.
- 12.5 Compliance by agents** The licensee shall be responsible for ensuring that its agents and contractors operate in compliance with this license.

EXECUTIVE SUMMARY

ORDINANCE 99-820 GRANTING A YARD DEBRIS COMPOSTING FACILITY LICENSE TO CLACKAMAS COMPOST PRODUCTS, LLC.

PROPOSED ACTION

- This Ordinance grants a Metro yard debris composting facility license to Clackamas Compost Products, LLC.
- This Ordinance also rescinds Metro License Agreement No. YD-0197, originally granted to the Scotts Hyponex Corporation and subsequently transferred to Clackamas Compost Products, Inc. the previous facility owners and operators.
- This Ordinance also declares an emergency pursuant to the Metro Charter, allowing the Ordinance to be effective immediately. The terms of the license agreement will help protect the health, safety and welfare of the citizens of the Metro region.

WHY NECESSARY

- The facility will continue to assist the region in accomplishing the goals and objectives of the Regional Solid Waste Management Plan.
- Metro Code Section 5.01.045(b)(2) requires an owner or operator of a yard debris processing facility to be licensed by Metro.
- Clackamas Compost Products, LLC meets the requirements of the Metro Code related to licensing of yard debris composting facilities.
- The previous License Agreement (No. YD-0197) originally issued to Scotts Hyponex and subsequently transferred to another operator (Clackamas Compost Products, Inc.) should be revoked in favor of a new license agreement with the new facility owner and operators (Clackamas Compost Products, LLC).
- The declaration of an emergency is pursuant to the Metro Charter. It is necessary for the health, safety and welfare of the citizens of the Metro region that this Ordinance take effect immediately. The composting facility is an existing operation, and has organic materials on-site, capable of producing nuisance impacts and adversely affecting the health and welfare of Metro area citizens.

DESCRIPTION

- The site is zoned Heavy Industrial. The facility was established in 1992, as an outright permitted use subject to local design review. The operation was approved by the Clackamas County Design Review Committee.

BUDGET / FINANCIAL IMPACTS

- There will be a slight increase in revenues from the annual license fee of \$300 per year paid by the licensee. Current staffing levels are expected to be adequate to handle any technical assistance or enforcement requirements that might arise from licensing this facility.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 99-820 FOR THE PURPOSE OF GRANTING A NEW METRO YARD DEBRIS COMPOSTING FACILITY LICENSE TO CLACKAMAS COMPOST PRODUCTS, LLC AND RESCINDING LICENSE NUMBER YD-0197, AND DECLARING AN EMERGENCY

September 16, 1999

Presented by: Terry Petersen,
Bill Metzler

I. INTRODUCTION

The purpose of this report is to provide the information necessary for the Metro Council to act on the recommendations that: 1) a new yard debris composting facility license be granted to Clackamas Compost, LLC, a composting facility located at 11620 SE Capps Road in Clackamas, Oregon; and 2) the Metro yard debris composting facility license agreement No. YD-0197, (originally issued to the Scotts Hyponex Corporation located at 11620 SE Capps Road in Clackamas, Oregon and subsequently transferred to Clackamas Compost Products, Inc.) be rescinded. The License Agreement is attached to Ordinance No. 99-820 as Exhibit A.

Key Findings Include:

- Yard debris composting facility licenses are authorized by the Metro Council.
- On March 6, 1997, Scotts Hyponex Corporation was issued a Metro yard debris composting facility license (No. YD-0197) to operate a yard debris composting facility at 11620 SE Capps Road in Clackamas, Oregon. The Scotts facility had operated in good standing with Metro under the terms of their license agreement.
- On May 6, 1999 the Metro Council approved a transfer of license No. YD-0197 from the Scotts Hyponex Corporation to Clackamas Compost Products, Inc.
- On September 1, 1999, Clackamas Compost Products, LLC took over the composting facility previously owned and operated by Clackamas Compost Products, Inc.
- On September 3, 1999 Clackamas Compost Products, LLC submitted an application for a new Metro yard debris composting facility license for the composting operation at 11620 SE Capps Road in Clackamas.
- The Executive Officer has reviewed all required submittals, and has determined that Clackamas Compost Products, LLC meets the requirements of the Metro Code related to licensing composting facilities. Clackamas County approves of the issuance of the new Metro License Agreement, and all land use approvals are in place.

II. FACILITY AND APPLICANT INFORMATION

Location:

- The site is located south of State Highway 224, north of the Clackamas River, and east of Interstate 205, in Clackamas County.
- Facility address: 11620 SE Capps Road, Clackamas, Oregon 97015.
- The facility lies in the Northeast 1/4, Section 15, Township 2 South, Range 2 East, W.M.; Clackamas County Oregon. Tax Lot 1800.

Zoning:

- The site is zoned I-3, Heavy Industrial. The facility is an outright permitted use, subject to design review. On September 25, 1992, the Clackamas County Design Review Committee approved the yard debris composting facility.

General Facility Description:

- The 9.57-acre site is leased by Clackamas Compost Products, Inc. The site area used for yard debris composting operations is limited to 6.9 acres by action of the Clackamas County Design Review Committee - File No: Z0854-92.
- The facility accepts loads of yard debris from commercial and residential sources. The facility is open to the public.
- The facility will process approximately 50,000 cubic yards of yard debris per year.

Completeness and Sufficiency of Application

Applicants for compost facility licenses are required to complete an application pursuant to Metro Code Section 5.01.060. The license application form and other material required to process the license were submitted and the Executive Officer has determined them to be complete and responsive to the Metro Code.

III. CONCLUSIONS

Staff have reviewed all required submittals from Clackamas Compost Products, LLC, and has determined that they meet all requirements for the Metro Code related to licensing of composting facilities.

Pursuant to Metro Code Section 5.01.067(c), the Executive Officer recommends that the Clackamas Compost Products, LLC facility be granted a composting facility license subject to the provisions and conditions of the License attached to Ordinance No. 99-820 as Exhibit A. Further, the Executive Officer recommends that License Agreement No. YD-0197 originally issued to the Scotts Hyponex Corporation and subsequently transferred to Clackamas Compost Products, Inc. be rescinded.

The license agreement ensures that the composting facility will operate in accordance with the purpose of Metro's licensing program to protect public health and safety and maintain consistency with the Regional Solid Waste Management Plan.

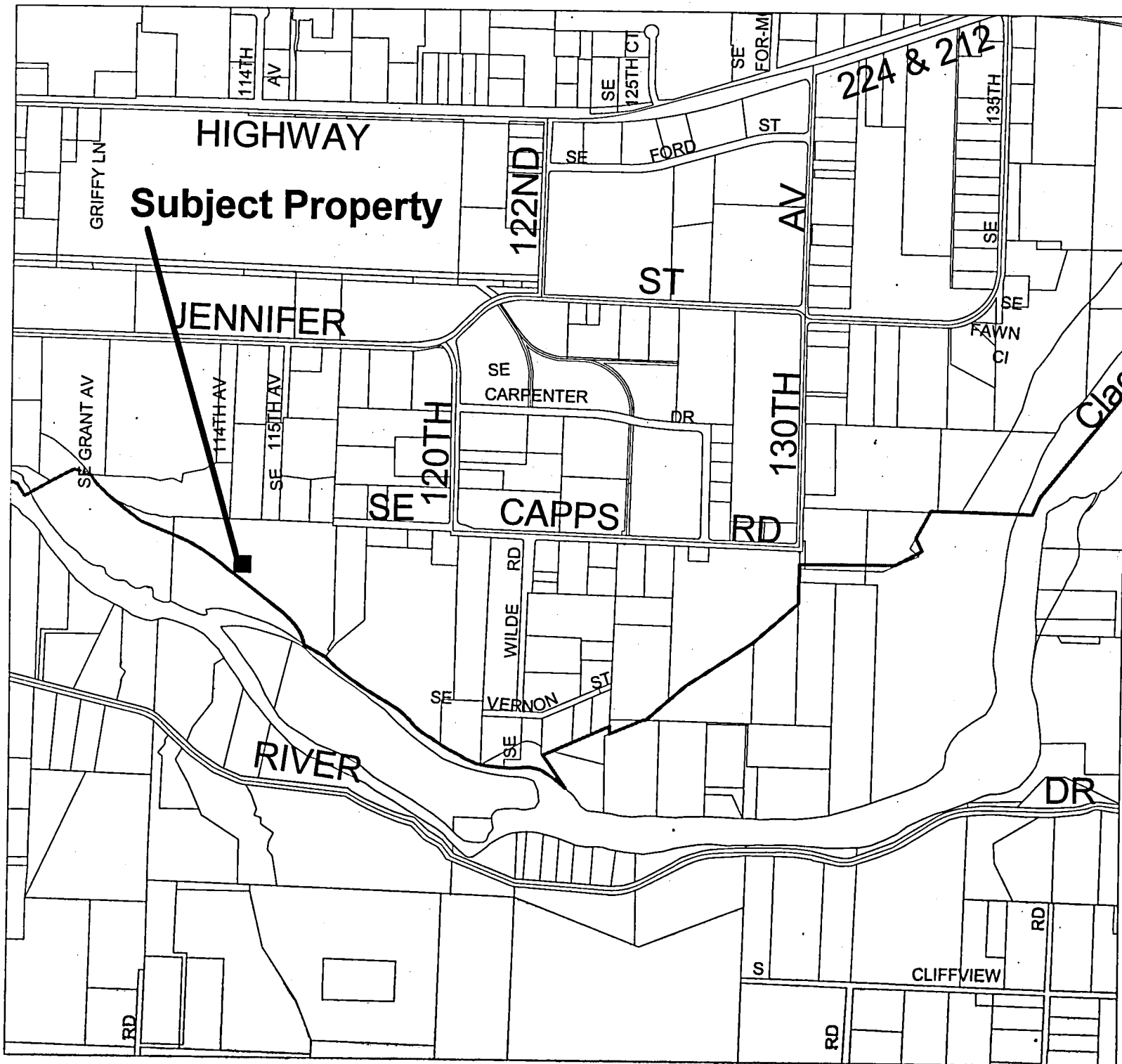
IV. BUDGET IMPACTS

There will be a slight increase in revenues from the annual license fee paid by the licensee of \$300 per year. Current staffing levels are expected to be adequate to handle any technical assistance or enforcement requirements that might arise from licensing this facility.

V. EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 99-820.

BM.
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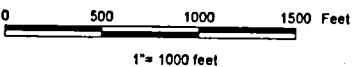
R L I S
REGIONAL LAND INFORMATION SYSTEM

Clackamas Compost Products, LLC Compost Facility

Vicinity Map

11620 SE Capps Road
Clackamas, Oregon

 Urban Growth Boundary



600 NE Grand Ave
Portland, OR 97232-2736
503 797-1742 FAX 503 797-1909
Email: drc@metro.dat.or.us

Agenda Item Number 11.1

Resolution No. 99-2805, For the Purpose of Confirming Nathalie Darcy as a Citizen Member Alternate to the Metro Policy Advisory Committee.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING) RESOLUTION NO. 99-2805
NATHALIE DARCY AS A CITIZEN) Introduced by Mike Burton,
MEMBER ALTERNATE TO THE METRO) Executive Officer
POLICY ADVISORY COMMITTEE (MPAC))

WHEREAS, The Metro charter provides that three citizen members of the Metro Policy Advisory Committee (MPAC) shall be appointed by the Executive Officer and confirmed by the Metro Council, and;

WHEREAS, The MPAC by-laws, Section 2 (e), provides that members and alternates representing citizens will be appointed by the Executive Officer and confirmed by the Metro Council, and;

WHEREAS, The Executive Officer has appointed Nathalie Darcy as a citizen alternate for the position currently held by Rebecca Read, subject to confirmation by the Metro Council.

BE IT RESOLVED, that Nathalie Darcy be confirmed as the alternate to Rebecca Read as a member of the Metro Policy Advisory Committee (MPAC).

ADOPTED BY THE METRO COUNCIL THIS _____ day of _____, 1999.

Rod Monroe, Presiding Officer

EXHIBIT A: COMMUNITY SERVICE RESUME

Nathalie L. Darcy

Citizen Participation Organization #3 (West Slope, Raleigh Hills, Garden Home)

1997-present

- Board member for a number of years; former chair; current vice chair.
- Member of numerous ad hoc committees such as: community planning; land use application review; transportation, trails, pedestrian & bike advocacy, urban natural resources.
- Community spokesperson: represent CPO3 at public hearings before local units of government.
- Community educator for individuals and neighborhoods.
- Performed extensive work in developing and updating Community Plan.

Tualatin Hills Park & Recreation District: Garden Home Trail Design Committee

1997-present

- Review engineering and landscaping design for this portion of Fanno Creek Trail.

City of Beaverton: Goal 5 Local Wetland and Tree Inventory Advisory Committee

1998-present

- Review and provide site-specific comment on proposed inventories.
- Propose and review protection strategies and code language.

Unified Sewerage Agency Fanno Creek Watershed Planning Project Committee

1996-1997

- Develop strategies and projects to address water quality, flood control and maintain/enhance natural resource values.

Portland Metropolitan Area Local Government Boundary Commission

1993-1999

- Quasi-judicial review of formation, dissolution and annexation proposals in tri-county area.

City of Portland "Reclaiming our Streets" Community Action Plan Committee

1991-1992

- Define short and long term strategies to calm neighborhood traffic and promote alternative transportation to reduce vehicle miles traveled.

Washington County Committee for Citizen Involvement

1987-1990

- Monitor, evaluate and update county-wide citizen involvement program.

Washington County Community Development Task Force

1987-1988

- Review Development Code, identify issues, propose minor and major amendments.

West Hills Junior Soccer Club (750-member youth sports organization)

1977-1985

- Seven years as coach; several terms as board member, one term as president.

Beaverton School District

1976-1988

Grade, Jr. High and High School volunteer in various capacities.

Education

- Western Oregon State College 1961-1963
- University of Portland 1963-1966, BA, Education

Current Employer

Metropolitan Public Defender, Inc.

1989-present

Present Position: Alternative Sentencing Advocate



WASHINGTON COUNTY
OREGON

RECEIVED

May 13, 1999

MAY 20 1999

EXECUTIVE OFFICER

Mike Burton
Metro Executive Officer
600 Northeast Grand Avenue
Portland, OR 97232

Dear Mike:

I am responding to your letter of April 28, 1999 with regard to the Metro Policy Advisory Committee (MPAC) appointment for Washington County. Your letter specifically requested input about the citizen alternate position.

The Washington County Board of Commissioners concurs with the recommendation of the Washington County CCI to appoint Nathalie Darcy. However, our endorsement is limited to a term that would end at the close of 1999. At a recent retreat of the Board of Commissioners, the Board set a goal for itself to rework the boards and commissions appointment process for Washington County. Accordingly, the Board wants to retain the option of arriving at nominations and appointments via alternate methods.

Mike, I know you can appreciate our need to maintain the momentum of existing processes while we modernize. I think the Board's term-specific endorsement will meet that end.

Sincerely,

A handwritten signature in cursive script that reads "Charles D. Cameron".

Charles D. Cameron
County Administrator

METRO OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2805, FOR THE PURPOSE OF CONFIRMING NATHALIE DARCY AS A CITIZEN MEMBER ALTERNATE TO THE METRO POLICY ADVISORY COMMITTEE

Date: November 22, 1999

Presented by: Councilor Kvistad

Committee Action: At its November 17, 1999 meeting, the Metro Operations Committee voted 2-0 to recommend Council adoption of Resolution 99-2805. Voting in favor: Councilors Atherton and Washington.

Committee Issues/Discussion: Resolution No. 99-2805 appoints Nathalie to the citizen alternate position for Washington County. The Washington County Board of Commissioners and the Washington County Committee recommend this nominee for Citizen Involvement. There was no committee discussion of this resolution.

STAFF REPORT

**CONSIDERATION OF RESOLUTION 99-2805 FOR THE PURPOSE OF
CONFIRMING NATHALIE DARCY AS A CITIZEN ALTERNATE TO THE METRO
POLICY ADVISORY COMMITTEE (MPAC).**

June 21, 1999

LISA LISTER (x1940)

PROPOSED ACTION

To adopt a resolution naming Nathalie Darcy to serve as a citizen alternate on the Metro Policy Advisory Committee (MPAC) representing Metro. Council approval constitutes confirmation as required by the Metro Charter and Metro Code Section 6.01.030.

BACKGROUND

Nathalie Darcy is an active and involved member of her community (see Exhibit A). She brings to MPAC the distinction of service on various citizen participation and advisory committees. Among other accomplishments, Nathalie is currently the vice-chair of Citizen Participation Organization 3 and a member of the Tualatin Hills Park & Recreation District Garden Home Trail Design Committee and the City of Beaverton Goal 5 Local Wetland & Tree Inventory Advisory Committee. She is a former member of both the Portland Metropolitan Area Local Government Boundary Commission and the Unified Sewerage Agency Fanno Creek Watershed Planning Project Committee.

Nathalie's interests cover many areas and span many years. She has demonstrated her commitment to improving her community by actively addressing regional issues and being involved as a citizen advocate and representative. She has interest and knowledge in a variety of issues ranging from land use planning to natural resource preservation.

Based upon recommendations from both the Washington County Committee for Citizen involvement and the Washington County Board of Commissioners (see Exhibit B), I recommend Nathalie Darcy's appointment to MPAC. I believe she will provide an important voice representing local citizens, based on her years of citizen participation and her role as a community activist and spokesperson.

Although the Washington County Commission's endorsement is limited to a term to expire at the end of 1999, MPAC's bylaws specify that citizen appointments are to be for a term of not less than two years. Taking this and the fact that we are currently working with the Metro Council to review the composition and appointment process for our advisory committees into account, I recommend Nathalie Darcy be appointed to MPAC for an unspecified term, subject to later review.

Agenda Item Number 11.2

Resolution No. 99-2856, For the Purpose of Approving a FY 1999-2000 Organic Waste Management Work Plan, and Authorizing Release of Budgeted Funds.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING) RESOLUTION NO. 99-2856
A FY 1999-2000 ORGANIC WASTE)
MANAGEMENT WORK PLAN, AND)
AUTHORIZING RELEASE OF)
BUDGETED FUNDS) Introduced by Mike Burton,
Executive Officer

WHEREAS, Metro is the regional body responsible for meeting the required regional recovery rate goal of 52 percent by the year 2000 (Regional Solid Waste Management Plan); and

WHEREAS, the regional recovery rate is currently 43 percent, and the Metro region will not achieve its goals without an increased effort; and

WHEREAS, The Regional Solid Waste Management Plan identifies the organics sector as a primary area for focused and intensive waste reduction and recovery program initiatives; and

WHEREAS, Metro and local government staff have convened a Work Team which has, over the past three months, developed a comprehensive multi-year organics waste management plan and associated budget; and

WHEREAS, organic waste management is funded in the 1999-2000 Budget and requires Council approval of a work plan and is designated "significant impact" requiring Council action; and

WHEREAS, the resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED,

1. That the Metro Council approves the FY 1999-2000 Organic Waste Management Program Initiatives/Work Plan attached hereto as Exhibit 'A.'
2. That the Metro Council, approves release of budgeted 1999-2000 funds for organic waste management programs.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

ATTEST:

Recording Secretary

Daniel B. Cooper, General Counsel

Exhibit "A"
FY 1999-2000 Organics Program Initiatives

TRACK 1: WASTE PREVENTION, DONATION AND DIVERSION		
Develop focused outreach and education programs for targeted food-intensive businesses to increase waste prevention, donation and diversion practices.		
A. Waste Prevention	FTE	1999-00 Budget
1. Research and development: <ul style="list-style-type: none"> ▪ Research nature of each targeted business category to determine most suitable entry point for effective waste prevention messages. ▪ Determine number and location of each targeted business within the region. ▪ Research current methods used for information dissemination within each industry (professional or industry organizations, etc.) ▪ Research existing outreach and educational materials developed for use in targeted industries. 	0.16 Intern	\$5,000
<ul style="list-style-type: none"> ▪ Develop partnerships with industry associations to create suitable and effective outreach messages, appropriate outreach methods, and to lend credence to the program (seek out sponsorships or endorsements.) 	Organics Team	0
2. Develop focused outreach and education on waste prevention coupled with on-site assistance: <ul style="list-style-type: none"> ▪ Utilize research results and existing materials currently in use in the region to tailor specific materials for production. 	Organics Team	0
<ul style="list-style-type: none"> ▪ Develop effective outreach tools and methods based on results of research. (design and printing) 	Contract	\$25,000
<ul style="list-style-type: none"> ▪ Develop distribution plan for materials developed. 	Organics Team	0
<ul style="list-style-type: none"> ▪ Hire temporary staff to distribute materials, provide on-site assistance, coordinate contacts with business groups, provide presentations, provide feedback to Regional Organics Team for future program changes. (total 8,000 hours = 16-20 hours per targeted business) (FY 2000-01) 	0*	0
SUB-TOTAL (Section A)	.16	\$30,000

*These FTE will also perform Track 2 outreach functions within the targeted business community.

B. Donation	FTE	1999-00 Budget
1. Coordinate with charitable organizations to enhance donation infrastructure and build capacity: <ul style="list-style-type: none"> ▪ Develop grant program to provide funding to qualifying charitable organizations to increase their capability to collect, receive, store and distribute perishable foods. 	Organics Team	0
<ul style="list-style-type: none"> ▪ Create an interagency work team that meets on a quarterly basis to assess outreach and coordinate messages between Metro, local governments and charitable agencies to ensure consistent and effective direction. ▪ Work with DEQ to provide statewide outreach and assistance programs that will supplement activities within the Metro region to increase capacity. 	Organics Team	0
2. Design, print and distribute educational and outreach materials for targeted businesses in coordination with charitable agencies. <ul style="list-style-type: none"> ▪ Research targeted businesses' level of knowledge and comfort regarding food donation to identify barriers and opportunities. 	0.09 intern	\$2,500
<ul style="list-style-type: none"> ▪ Work with agencies to refine message regarding Good Samaritan Laws, liability issues, "myths and realities" of food donation in all outreach materials developed (in tandem with waste prevention outreach and educational materials). ▪ Work with DEQ and other associations (such as AOR) to develop alternative vehicles for information dissemination regarding food donation and liability throughout the state to enhance knowledge. 	Organics Work Team	0
<ul style="list-style-type: none"> ▪ Design and print educational materials. 	Metro	\$1,000
SUB-TOTAL (Section B)	.09	\$3,500

C. Diversion	FTE	1999-00 Budget
1. Conduct market study to determine existing and potential options for increased diversion of acceptable, non-edible foods to animal feed uses: <ul style="list-style-type: none"> ▪ Research current animal feed options, facilities accepting food wastes, tonnage currently diverted, barriers to increased diversion, feedstock requirements, strength and viability of current animal feed market, etc. ▪ Research existing professional and industry associations, government agencies and others involved in regulating animal feed operations and disseminating information to those involved in the industry. ▪ Research current levels of land application of food wastes along with applicable laws and regulations. 	Intern 0.5	\$7,500
2. Implement animal feed diversion program if research proves increased market capacity exists and can be utilized.	Organics Team	0
SUB-TOTAL (Section C.)	0	\$7,500
TOTAL (Track 1)	0.5	\$41,000

TRACK 2: ORGANIC WASTE COLLECTION AND PROCESSING INFRASTRUCTURE DEVELOPMENT		
Develop a wide range of processing options using existing infrastructure to the greatest extent possible.		
A. Generator Programs	FTE	1999-00 Budget
1. Target larger organics generators in concentrated areas and conduct research on willingness to participate in an organics collection program. <ul style="list-style-type: none"> ▪ Focus on franchised areas that will not have mandatory separation programs. ▪ Identify physical and financial barriers. 	Organics Work Team	0
2. Research proportions of pre- and post-consumer food waste generated by each business type to best tailor separation and collection programs.	Contractor	\$60,000
3. Develop specific educational materials focused on generator types, geographic area, hauler equipment, and end-use of materials collected. (design and print)	Contractor	0
SUB-TOTAL (Section A.)	0	\$60,000

B. Development of Collection Infrastructure	FTE	1999-00 Budget
1. Utilize information gathered by City of Portland organics collection and processing pilot project to determine feasibility of implementing Portland's organic waste recycling requirement ordinance.	Organics Work Team	\$10,000
2. Work with area haulers and businesses to determine feasible organics collection routes throughout the region. ▪ Research hauler willingness/potential to develop collection cooperatives.	Organics Work Team	0
3. Work with haulers to determine equipment needs, collection schedules and assistance required to implement routes.	Organics Work Team	0
4. Determine true costs of collection to facilitate future planning decisions. ▪ Conduct pilot projects throughout the region to assess costs.	Organics Work Team	\$50,000
SUB-TOTAL (Section B.)	0	\$60,000

C. Utilization and Enhancement of Existing Infrastructure for Delivery and Processing of Organic Wastes	FTE	1999-00 Budget
1. Develop tip fee at Metro Central Station for the acceptance of organic waste for processing (currently in process).	Organics Work Team	0
2. Build local infrastructure by working closely with facilities throughout the region to research potential and assist with the implementation of organics reload and processing. ▪ Work with facility operators, local officials, etc. to research and determine feasibility and likelihood of varied degrees of delivery and reload of organics on a case-by-case basis. ▪ Assist with the development of pilot projects to test feasibility of reloading for off-site processing or for acceptance of organic waste for potential of on-site processing. ▪ Continue to utilize the two currently-available existing processing options (Arlington and LRI) while working to develop local processing capacity. ▪ Examine development of local options such as on-site processing at transfer stations and MRFs as well as local yard debris processors. ▪ Consider the use of a short-term Metro subsidy to support organics collection and processing until more economically viable local options are developed.	Organics Work Team	\$50,000
3. Work closely with Metro transfer station operator (BFI/Allied) to develop organics delivery options. ▪ Develop protocols for acceptance reload and transport of organics to appropriate processing facilities.	Organics Work Team	0
4. Investigate financial assistance opportunities such as state tax credits for recycling businesses.	DEQ	0
SUB-TOTAL (Section C.)		\$50,000

TOTAL TRACK 1	0.5	\$41,000
TOTAL TRACK 2		\$170,000
SUB-TOTAL (Tracks 1 and 2)	0.5	\$211,000
Currently Budgeted Funds		\$240,000

FY 1999-2000 Organics Work Plan

The following Organics Program initiatives are scheduled to commence within the current fiscal year. Those tasks that span fiscal years have had their budgets adjusted accordingly to indicate each year's particular resource needs. The budget offered below includes professional services, materials & services, and an intern position. It does not list the significant Metro and local government staff time also necessary for its implementation.

TRACK 1: Develop focused outreach and education programs for targeted food-intensive businesses to increase waste prevention, donation and diversion practices.

Waste Prevention:

1. Research and development.

- Research nature of each targeted business category to determine most suitable entry point for effective waste prevention messages.
- Determine number and location of each targeted business within the region.
- Research current methods used for information dissemination within each industry (professional or industry organizations, etc.)
- Research existing outreach and educational materials developed for use in targeted industries.
- Develop partnerships with industry associations to create suitable and effective outreach messages, appropriate outreach methods, and to lend credence to the program (seek out sponsorships or endorsements.)

BUDGET: \$5,000 (intern)

2. Develop focused outreach and education on waste prevention coupled with on-site assistance.

- Utilize research results and existing materials currently in use in the region to tailor specific materials for production.
- Develop effective outreach tools and methods based on results of research. (design contract and printing services)
- Develop distribution plan for materials developed.

BUDGET: \$25,000 (contracted design services)

Donation:

1. Coordinate with charitable organizations to enhance donation infrastructure and build capacity for recovered food.

- Create inter-agency work team that meets on a quarterly basis to assess outreach needs and coordinate messages between Metro, local governments and charitable agencies to ensure consistent and effective direction.
- Work with DEQ to provide statewide outreach and assistance programs that will supplement activities within the Metro region to increase donation capacity.

BUDGET: \$0

2. **Design, print and distribute educational and outreach materials for targeted business groups in coordination with charitable agencies.**
 - Research targeted business groups' level of knowledge and comfort regarding food donation to identify barriers and opportunities to increase donation.
 - Work with agencies to refine messages regarding the Good Samaritan Laws, liability issues, "myths and realities" of food donation in all outreach materials developed (in tandem with waste prevention outreach and educational materials)
 - Work with DEQ and associations such as AOR to develop alternative vehicles for information dissemination regarding food donation and liability throughout the state.
 - Design and print educational materials.

BUDGET: \$3,500 (intern hours and printing services)

Diversion:

1. **Conduct market study to determine the existing and potential options for increased diversion of acceptable, non-edible food wastes to animal feed uses.**
 - Research current animal feed options, facilities accepting food wastes, tonnage currently diverted, barriers to increased diversion, feedstock requirements, strength and viability of current animal feed market.
 - Research existing professional and industry associations, government agencies and others involved in regulating animal feed operations and disseminating information to those involved in the industry.
 - Research current levels of land application of food wastes along with all applicable laws and regulations.

BUDGET: \$7,500 (intern hours)

TOTAL TRACK 1 FY 1999-2000: \$41,000

TRACK 2: Develop a wide range of processing options using existing infrastructure to the greatest extent possible.

Generator Programs:

1. **Target larger organics generators in concentrated areas and conduct research on willingness to participate in an organics collection program.**
 - Focus on franchised areas that will not have mandatory separation programs.
 - Identify the physical and financial barriers.

BUDGET: \$0

2. **Research the proportions of pre- and post-consumer food waste generated by each targeted business type to best tailor separation and collection programs.**

BUDGET: \$60,000 (contracted services)

Development of Collection Infrastructure:

- 1. Utilize information gathered by City of Portland-Metro organics collection and processing pilot project to determine feasibility of implementing Portland's organic waste recycling requirement ordinance.**

BUDGET: \$10,000 (pilot project processing support)

- 2. Work with area haulers and businesses to determine feasible organics collection routes throughout the region.**

- Research hauler willingness and potential to develop collection cooperatives in franchise areas with limited organics generators.
- Utilize RLIS and other empirical tools currently available to assist in the planning of routes.

BUDGET: \$0

- 3. Work with haulers to determine equipment needs, collection schedules and assistance required to implement routes.**

BUDGET: \$0

- 4. Determine true costs of collection to facilitate future planning decisions.**

- Begin pilot organic waste collection projects throughout region to assess costs and feasibility.

BUDGET: \$50,000 (grants/contracts)

Utilization and enhancement of existing infrastructure for delivery and processing of organic wastes:

- 1. Develop tip fee at Metro Central Station for the acceptance of organic waste for processing.**

BUDGET: \$0

- 2. Build local infrastructure by working closely with facilities throughout the region to research potential and assist with the implementation of organics reload and processing.**

- Work with facility operators, local officials, etc. to research and determine feasibility and likelihood of varied degrees of delivery and reload of organics on a case-by-case basis.
- Assist with the development of pilot projects to test feasibility of reloading for off-site processing or for acceptance of organic waste for potential of on-site processing.
- Continue to utilize the two currently-available existing processing options (Arlington and LRI) while working to develop local processing capacity.
- Examine the development of local options such as on-site processing at transfer stations and MRFs as well as local yard debris processors.
- Consider the use of a Metro subsidy to support organics collection and processing until more economically viable local options are developed.

BUDGET: \$50,000 (grants/contracts)

3. Investigate financial assistance opportunities such as state tax credits for recycling businesses.
BUDGET: \$0

TOTAL TRACK 2 FY 1999-2000: \$170,000

FY 1999-2000 TOTAL: \$211,000

Current FY 1999-2000 budgeted funds: \$240,000

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**EXECUTIVE SUMMARY
RESOLUTION 99-2856
1999-2000 ORGANIC WASTE MANAGEMENT WORK PLAN**

PROPOSED ACTION

- The adopted Metro FY 1999-2000 Budget includes a “budget note” that requires Council review and approval of a work plan prior to expenditures on organic waste management initiatives.
- Council also designated these funds as “significant impact.”
- Approval of Resolution No. 99-2856 would authorize the release of budgeted funds to implement organic waste management initiatives detailed in the 1999-2000 work plan.

WHY NECESSARY

- Significant regional progress in waste reduction and recovery will require the implementation of aggressive programs targeting the following sectors: organic waste, commercial, and construction & demolition debris.
- Organic waste management initiatives are a critical part of Regional Environmental Management’s efforts to achieve regional recycling goals, representing 52,000 tons of the additional recovery needed to meet our goals.

ISSUES/CONCERNS

- The recycling level in the region has slowed. We are currently at 43%, and Metro and local governments will not be able to reach Metro’s recovery goal without increased effort to boost recovery.
- The region currently landfills over 200,000 tons of organic waste, much of which can be diverted to higher end uses including donation to food banks, diversion to animal feed and processing into valuable soil amendments.
- Organic waste management is an extremely challenging venture, but Metro and its local government partners have developed a cooperative regional approach with additional input and support received from non-profit agencies engaged in edible food recovery.

BUDGET/FINANCIAL IMPACTS

- The adopted FY 1999-2000 Regional Environmental Management Budget includes \$240,000 for organic waste management.

STAFF REPORT

CONSIDERATION OF RESOLUTION No. 99-2856, FOR THE PURPOSE OF APPROVING A FY 1999-2000 ORGANIC WASTE MANAGEMENT WORK PLAN, AND AUTHORIZING RELEASE OF BUDGETED FUNDS.

Date: October 8, 1999

Presented by: Doug Anderson,
Jennifer Erickson

PROPOSED ACTION

Approval of Resolution No. 99-2856 would approve a work plan for FY 1999-2000 organic waste management initiatives and release of budgeted organic waste management funds.

BACKGROUND

The adopted Metro FY 1999-2000 Budget includes a "budget note" that requires Council review and approval of a work plan prior to expenditures on organic waste management programs. The purpose of this staff report is to review the organic waste management initiatives work plan developed by Metro staff and local governments with assistance from other involved agencies and non-profits, pursuant to the budget note requirement. The work plan is attached to the resolution as Exhibit 'A.'

The organic waste management initiatives work plan is a critical part of Regional Environmental Management's efforts to achieve the region's waste recovery goals. Although the Metro region has achieved a recovery rate of 43%, progress has slowed in recent years. Reaching the regional recovery rate goal of 52% by 2000 looks unlikely without increased efforts. Metro and its local government partners realize that significant regional progress will come only if we are able to increase waste reduction and recovery from three key sectors: organics, commercial, and construction & demolition debris. The organic waste management initiatives work plan was developed after three months of planning and consultation with other agencies involved in food and food waste recovery efforts.

SUMMARY OF THE WORK PLAN

The work plan describes the objectives and methods to be employed in the first year of the organic waste management work plan. According to the revised Regional Solid Waste Management Plan (RSWMP) recovery rates, the region must recover 52,000 tons of organic waste per year in order to meet its established goals. This plan, cooperatively developed by the Regional Organics Work Team comprised of Metro, DEQ and local government staff, is designed to guide the region in the direction of increased recovery while adhering to the solid waste hierarchy of reduce, reuse, recycle, recover, compost, landfill.

This plan takes a two-track approach to organic waste management. The first track emphasizes waste prevention, donation for human consumption and diversion to animal feed. Consistent with the hierarchy, the first track conserves the most resources, and in addition provides new opportunities for human health and welfare through feeding the hungry. The first track is also least-cost to the solid waste system, as preventing the generation of the material in the first place removes the need to manage it as a waste product. Donation is the highest end-use of food that is produced, and diversion to animal feed is the next step down in the hierarchy. Each of these approaches can be implemented in a relatively rapid fashion in that an existing infrastructure is present in the region, and outreach materials may be produced with short turnaround. While the food donation infrastructure does exist, some assistance and support will be necessary to enhance capacity to accommodate a new and increased flow of material.

The second track focuses on developing a processing system to accommodate organic waste that cannot be diverted to higher-end uses. To optimize system efficiency, the plan stresses the utilization of existing infrastructure, and tailors generator and collection programs to fit within existing operations and regulatory systems. Several pilot projects will be initiated within the next 18 to 24 months to determine the economic feasibility of a regional organics collection and processing system in different parts of the region and under different conditions. If the pilots prove successful, the Regional Organics Team will propose moving rapidly towards the development of a permanent collection and processing infrastructure. If the pilots prove that organic waste collection and processing are not economically feasible in the current solid waste environment, only Track 1 programs will be implemented fully, and the group will revisit track 2 initiatives at a later date.

The organics plan relays the tasks and the accompanying resources needed for the immediate implementation of a regional organic waste management plan. During the first three years, the team has chosen to target efforts towards large organics-rich businesses and industries. These targeted businesses are:

- Large retail grocery stores
- Large restaurants
- Hotels
- Institutional cafeterias*
- Produce wholesale warehouses

(*Institutional cafeterias include food service operations in schools and universities, hospitals, large office buildings, corporate campuses, prisons, etc.)

As anticipated by the RSWMP, this organics plan focuses on the commercial sector. Depending on the success of the plan for commercial organics, the team may address the possibility of a residential plan in the future as called for by the RSWMP.

Many of the tasks will be implemented and managed by the intergovernmental Organics Work Team, which developed the plan. Other tasks will be managed by research interns and contracted personal services.

BUDGET IMPACT

The Adopted FY 1999-2000 Regional Environmental Management Budget includes \$240,000 in funds for organic waste management.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution 99-2856, approving the work plan for the FY 1999-2000 organic waste management work plan and authorizing release of budgeted funds.

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Agenda Item Number 11.3

Resolution No. 99-2860, For the Purpose of Appointing Jennifer Allen, Ron Hernandez, and Juliet Hyams to the Metro Central Station Community Enhancement Committee.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING)
JENNIFER ALLEN, RON HERNANDEZ) RESOLUTION NO. 99-2860
AND JULIET HYAMS TO THREE)
EXPIRING TERMS ON THE CENTRAL) Introduced by Mike Burton
STATION COMMUNITY ENHANCEMENT) Executive Officer
COMMITTEE)

WHEREAS, The Metro Council adopted Ordinance No. 91-437 for the purpose of amending Chapter 5.06 of the Metro Code to provide for a Metro Central Station Community Enhancement Program and creating a Metro Central Station Community Enhancement Committee. The Metro Council adopted Resolution No. 92-1560 on February 27, 1992, for the purpose of appointing members to the Metro Central Station Community Enhancement Committee; and

WHEREAS, Three Committee members' terms of membership have expired. The Executive Officer has authority to appoint members to the Committee for Council confirmation. The Executive Officer solicited nominations for membership appointments from the eligible organizations; and

WHEREAS, The Executive Officer has reviewed the nominations and recommends the following individuals for appointment to the committee: Jennifer Allen, Forest Park Neighborhood Association, Ron Hernandez, Friends of Cathedral Park Neighborhood Association, and Juliet Hyams, Northwest District Association; now therefore,

BE IT RESOLVED,

1. THAT the Metro Council hereby confirms the appointments of Ms. Jennifer Allen, Mr. Ron Hernandez, and Ms. Juliet Hyams to the Metro Central Station Community Enhancement Committee; and

2. THAT the Committee membership and terms of service for these individuals shall be for a two-year term from this date through October 2001.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel



FOREST PARK NEIGHBORHOOD ASSOCIATION
1819 NW Everett Rm. #205
Portland, Oregon 97209

RECEIVED

SEP 30 1999

EXECUTIVE OFFICER

September 29, 1999

Mike Burton
Metro Central Station Community Enhancement Committee
Metro
600 NE Grand Avenue
Portland, Or 97232

Dear Mike:

At our June board meeting, the Forest Park Neighborhood Association voted and approved Jennifer Allen as our MCEC representative. I have passed on the information form for her to fill out, which you should receive shortly. Her address and phone number are as follows:

Jennifer Allen
464 NW Skyline Crest Road
Portland, OR 97229
297-8698

Regards,

Claire Stock, President
Forest Park Neighborhood Association

RECEIVED

OCT - 7 1999

EXECUTIVE OFFICER



METRO

APPOINTMENT INTEREST FORM

SPECIAL INTERESTS:

Sustainability, environment, education
METRO CENTRAL ENHANCEMENT COMMITTEE

METRO OFFICE COMMENTS:



NAME Jennifer H. Allen DATE 9/30/99

HOME ADDRESS: 464 NW Skyline Crest Rd., Portland, OR 97229
STREET CITY STATE ZIP

BUSINESS ADDRESS: 464 NW Skyline Crest Rd., Portland, OR 97229
STREET CITY STATE ZIP

HOME PHONE: 503-297-8698

BUSINESS PHONE: 503-297-8698

FAX 503-297-8698 (call first)

E-MAIL ADDRESS: JALLEN0515@aol.com

NEIGHBORHOOD Forest Park
(candidate of FPNA board)

METRO DISTRICT NO. Five (5) -
(i.e., District that you live in) I think!

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: Female

ETHNIC ORIGIN Caucasian

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL)	LOCATION	MAJOR OR DEGREE
<u>Germentown Friends</u>	<u>Philadelphia, PA</u>	<u>high school</u>
<u>Yale University</u>	<u>New Haven, CT</u>	<u>BA</u>
<u>Yale School of Forestry</u>	<u>New Haven, CT</u>	<u>Master of Environ. Sci</u>
<u>George Mason Univ.</u>	<u>Fairfax, VA</u>	<u>Ph.D</u>
		<u>Environmental Science Public Policy</u>

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

DATE (TO/FROM)	EMPLOYER/ORGANIZATION	POSITION
6/99 - 9/99	Willamette Restoration Initiative	environmental cons
1/99 - 7/99	Portland Development Commission	Environmental Con
7/98 - 7/99	International Sustainable Development Foundation	"
6/97 - 5/98	Ecotrust, (Portland OR)	Executive Vice Preside
6/88 - 5/97	The World Bank, Wash. DC	environmental con
10/98 -	Board member, Forest Park Neighborhood As	
3/99 -	Board member, Portland Friends School	

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

I believe that my experience working in the field of sustainable development for non profit organizations & government agencies gives me a useful perspective on community development challenges and opportunities. My management & board experience may also provide useful insights into the needs & potential of applicants

Have you volunteered for any minority organizations?

no

for MCEC
gmi

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

Helping to advance community vitality, and sustainable economic, social, & ecological development in Portland is central to my personal and professional life. I would welcome the opportunity to serve on the Metro Central Enhancement Committee, as I believe the committee can play a valuable role in enriching community life in Portland.

Date

Signature

9/30/99

Jennifer H. Allen

FAX 248 1943



METRO

APPOINTMENT INTEREST FORM

SPECIAL INTERESTS:

METRO CENTRAL ENHANCEMENT COMMITTEE

METRO OFFICE COMMENTS:

NAME Ron Hernandez

DATE 10-21-99

HOME ADDRESS: 6812 N. CATLIN AVE
STREET

PTLD
CITY

OR
STATE

97203
ZIP

BUSINESS ADDRESS: 910 NW HOYT
STREET

PTLD
CITY

OR
STATE

97209
ZIP

HOME PHONE: 289.2458

BUSINESS PHONE: 248.9100

FAX _____

E-MAIL ADDRESS: REHERNAN@MSN.COM

NEIGHBORHOOD CATHEDRAL PARK

METRO DISTRICT NO. _____
(i.e., District that you live in)

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: M

ETHNIC ORIGIN Hispanic

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL)

LOCATION

MAJOR OR DEGREE

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

COMMERCIAL FURNISHINGS, Inc. Senior Project MGR.

DATE (TO/FROM)

EMPLOYER/ORGANIZATION

POSITION

- PRESENT Columbia Blvd Waste Water Treatment Plant CAC Member 3yrs
- " Cathedral Pk NA Member (Past Chair + Board Member) 8yrs
- " City of PTD TSP CAC Member 2yrs
- " St. John Truck Strategy CAC Member
- 98-'99 Emergency Response CAC Member 1yr
- PRESENT Friends of Peninsula Crossing Trail Member
- 12-'98 St John/Cathedral Pk Transportation Comm. Chair

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

- Strong Commitment to Community
- Able to get along with diverse personalities
- Completed City of PTD/PSU Course - PTD Traffic + Trans.
- Involved in N. Beach Project

Have you volunteered for any minority organizations?

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

I would like to continue to contribute to the improvement of the Peninsula + N. Portland.

10-25-99
Date

Ronald Hernandez
Signature



METRO

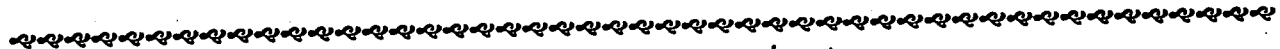
APPOINTMENT INTEREST FORM

SPECIAL INTERESTS:

recycling + waste management

METRO CENTRAL ENHANCEMENT COMMITTEE

METRO OFFICE COMMENTS:



NAME Juliet Hyams

DATE 10/19/99

HOME ADDRESS: 2324 NW Marshall
STREET

Portland OR 97210
CITY STATE ZIP

BUSINESS ADDRESS: same
STREET

CITY STATE ZIP

HOME PHONE: 503-224-6520

BUSINESS PHONE: same

FAX same

E-MAIL ADDRESS: juliet@teleport.com

NEIGHBORHOOD Northwest Portland

METRO DISTRICT NO. 5
(i.e., District that you live in)

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: F

ETHNIC ORIGIN white

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL)	LOCATION	MAJOR OR DEGREE
<u>Punahou School</u>	<u>Honolulu, HI</u>	<u>high school</u>
<u>U of Oregon</u>	<u>Eugene, OR</u>	<u>BA Journalism</u>

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

DATE (TO/FROM)	EMPLOYER/ORGANIZATION	POSITION
8/99 - current	Northwest District Assoc.	1st Vice President
12/96 - 8/99	"	Board member

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

neighborhood activism in NW Portland, board position and vice presidency of the NWDA, good written and oral skills, interest + familiarity in Metro, experience in the corporate world, a desire to effect positive change and promote Metro's goals

Have you volunteered for any minority organizations?

no

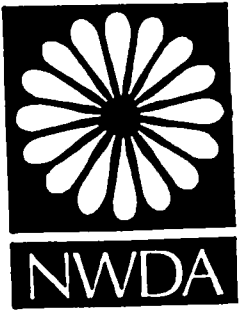
OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

I want to create a stronger tie between Metro and my neighborhood and the City. I have read up on Metro's policies and principles and want to become more familiar with their personnel and operations. I think I can help direct grant money to recipients who will benefit the community

10/19/99
Date

Juliet Hyatt
Signature

**NORTHWEST
DISTRICT ASSOCIATION**
1819 N.W. EVERETT STREET #205
PORTLAND, OREGON 97209
(503) 223-3331



October 22, 1999

Mike Burton
Executive Officer
Metro
606 NW Grand Ave.
Portland, OR 97232-2736

RE: Metro Central Enhancement Committee Appointment

Dear Mr. Burton:

The Northwest District Association (NWDA) voted unanimously to submit the name of First Vice President, Juliet Hyams to serve as its representative to the Metro Central Enhancement Committee. Ms. Hyams has been worked with NWDA for over three years, serving on several committees the board of directors and now as an officer. She is a well-organized and thoughtful individual who, we are confident, will add a great deal to this important committee. Juliet can be reached at:

2324 NW Marshall #4 Portland, OR, 97210 Phone: 224-6520 e-mail: juliet@teleport.com

We appreciation the opportunity to make this nomination.

Sincerely,

A handwritten signature in black ink that reads "John Bradley" followed by a stylized flourish.

John Bradley
President, NWDA

Cc Katie Dowdall
Juliet Hyams



METRO

September 23, 1999

Ms. Jean Estey Hoops
 Friends of Cathedral Park Neighborhood Association
 P. O. Box 83013
 Portland, OR 97283

Dear Jean:

The appointment of Joe Beeler representing Friends of Cathedral Park Neighborhood Association on the Metro Central Enhancement Committee expired July 1999. Mr. Beeler served the committee with excellence and acted in the best interests of the enhancement program and community at large.

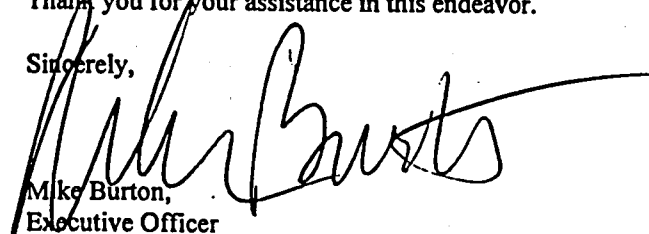
The Metro Council on February 27, 1992 adopted Resolution No. 92-1560 for the purpose of appointing members to the Metro Central Enhancement Committee. Members are nominated from their respective neighborhood association: Forest Park; Friends of Cathedral Park; Linnton; Northwest District Neighborhood Association and Northwest Industrial Neighborhood Association. One member represents environmental groups that have or will have interest in the enhancement area. Metro Councilor Ed Washington, District #5, chairs this committee. Following the initial terms of service for committee memberships, terms for all non-Council members are for two years only with no reappointment.

Your neighborhood organization may submit up to three candidates, from which I will appoint one individual to serve for the next two-year term. The Metro Council confirms committee appointments. Please submit your association's nomination(s) by October 29, 1999 with each nominee completing the enclosed form. Nominations submitted should be consistent with the provisions of your association's bylaws. We would like to proceed with appointment and Council confirmation in November 1999. If you have any questions, please contact Katie Dowdall, Metro's Community Enhancement Coordinator and staff to this committee at 797-1648.

The Metro Central Enhancement Committee has completed its seventh funding cycle, having awarded one hundred eleven grants for a total \$1,414,361 in enhancement funds. The committee's goal is to fund projects to help meet the needs of the community, create real changes in the community and add to its enrichment and enhancement. With approximately \$200,000 to award each year, the decisions from this committee will make a great impact for the future livability of the area. A list of funded projects is attached.

Thank you for your assistance in this endeavor.

Sincerely,



Mike Burton,
 Executive Officer

MBKD:clk
 Attachment

cc: Councilor Ed Washington, District #5
 Terry Petersen, Acting Director REM
 Joe Beeler
 Metro Central Enhancement Committee Members
 Joleen P. Classen, Exec Director Neighbors West/Northwest
 Frank Bird, Pres. Neighbors West/Northwest

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 Recycled Paper
 YDD 797 1804



METRO

September 23, 1999

Mr. Frank Bird
Chair Northwest District Association
P. O. Box 10443
Portland, OR 97296-0443

Dear Frank:

The appointment of Dan Anderson representing Northwest District Association on the Metro Central Enhancement Committee expired July 1999. Mr. Anderson served the committee with excellence and acted in the best interests of the enhancement program and community at large.

The Metro Council on February 27, 1992 adopted Resolution No. 92-1560 for the purpose of appointing members to the Metro Central Enhancement Committee. Members are nominated from their respective neighborhood association: Forest Park; Friends of Cathedral Park; Linnton; Northwest District Neighborhood Association and Northwest Industrial Neighborhood Association. One member represents environmental groups that have or will have interest in the enhancement area. Metro Councilor Ed Washington, District #5, chairs this committee. Following the initial terms of service for committee memberships, terms for all non-Council members are for two years only with no reappointment.

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Thank you for your assistance in this endeavor.

Sincerely,



Mike Burton,
Executive Officer

MBKD:clk
Attachment

cc: Councilor Ed Washington, District #5
Terry Petersen, Acting Director REM
Dan Anderson
Metro Central Enhancement Committee Members
Joleen P. Classen, Exec Director Neighbors West/Northwest



METRO

September 23, 1999

Ms. Claire Stock
Chair Forest Park Neighborhood Association
14025 NW Germantown Road
Portland, OR 97231

Dear Ms. Stock:

The appointment of Arnold Rochlin representing Forest Park Neighborhood Association on the Metro Central Enhancement Committee expired July 1999. Mr. Rochlin served the committee with excellence and acted in the best interests of the enhancement program and community at large.

The Metro Council on February 27, 1992 adopted Resolution No. 92-1560 for the purpose of appointing members to the Metro Central Enhancement Committee. Members are nominated from their respective neighborhood association: Forest Park; Friends of Cathedral Park; Linnton; Northwest District Neighborhood Association and Northwest Industrial Neighborhood Association. One member represents environmental groups that have or will have interest in the enhancement area. Metro Councilor Ed Washington, District #5, chairs this committee. Following the initial terms of service for committee memberships, terms for all non-Council members are for two years only with no reappointment.

Your neighborhood organization may submit up to three candidates, from which I will appoint one individual to serve for the next two-year term. The Metro Council confirms committee appointments. Please submit your association's nomination(s) by October 29, 1999 with each nominee completing the enclosed form. Nominations submitted should be consistent with the provisions of your association's bylaws. We would like to proceed with appointment and Council confirmation in November 1999. If you have any questions, please contact Katie Dowdall, Metro's Community Enhancement Coordinator and staff to this committee at 797-1648.

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Thank you for your assistance in this endeavor.

Sincerely,

Mike Burton,
Executive Officer

MB\KD:clk

Attachment

cc: Councilor Ed Washington, District #5
Terry Petersen, Acting Director REM
Arnold Rochlin
Metro Central Enhancement Committee Members
Joleen P. Classen, Exec Director Neighbors West/Northwest
Frank Bird, Pres. Neighbors West/Northwest

**EXECUTIVE SUMMARY
RESOLUTION 99-2860
METRO CENTRAL ENHANCEMENT COMMITTEE**

PROPOSED ACTION

Passage of Resolution 99-2860 would confirm appointments of the following three new members to the Metro Central Enhancement Committee:

- Ms. Jennifer Allen, Forest Park Neighborhood Association
- Mr. Ron Hernandez, Friends of Cathedral Park Neighborhood Association
- Ms. Juliet Hyams, Northwest District Association

WHY NECESSARY

The two-year terms of the previous committee members representing these organizations expired.

ISSUES/CONCERNS

- None. Each neighborhood association submitted only one nomination
- Note: Councilor Washington chairs this committee, and usually likes to introduce the new members to the Council at confirmation time.

BUDGET/FINANCIAL IMPACT

None.

STAFF REPORT

RESOLUTION NO. 99-2860, FOR THE PURPOSE OF APPOINTING JENNIFER ALLEN, RON HERNANDEZ, AND JULIET HYAMS TO THE METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

Date: October 28, 1999

Presented by: Terry Petersen

The Metro Council adopted Ordinance No. 91-437 for the purpose of amending Chapter 5.06 of the Metro Code to provide for a Metro Central Station Community Enhancement Program and creating a Metro Central Station Community Enhancement Committee. The Metro Council on February 27, 1992, adopted Resolution No. 92-1560 for the purpose of appointing members to the Metro Central Station Community Enhancement Committee. The seven-member committee must be comprised of the Metro Councilor from District #5 Councilor Ed Washington, and one member from each of the following: Forest Park Neighborhood Association, Friends of Cathedral Park Neighborhood Association, Linnton Neighborhood Association, Northwest District Association, Northwest Industrial Neighborhood Association, and one member representing the environmental organizations that have, or will have, an interest in the enhancement area.

The two-year terms of service of the following individuals expired in October 1999: Arnold Rochlin, Forest Park Neighborhood Association; Joe Beeler, Friends of Cathedral Park Neighborhood Association and Daniel Anderson, Northwest District Association. The Executive Officer solicited nominations from each of these neighborhood associations. Letters were sent requesting that each neighborhood organization identify and submit names of up to three individuals, from which one individual would be selected by the Executive Officer to serve on the committee.

One nomination was received from Forest Park Neighborhood Association, Friends of Cathedral Park Neighborhood Association and Northwest District Association. All three nominations met the criteria set forth in Ordinance No. 91-437. The Executive Officer has reviewed the nominations and recommends the appointment of the following individuals:

- Jennifer Allen, Forest Park Neighborhood Association
- Ron Hernandez, Friends of Cathedral Park Neighborhood Association
- Juliet Hyams, Northwest District Association

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends Council adoption of Resolution No. 99-2860 confirming the nomination of Jennifer Allen, Ron Hernandez and Juliet Hyams for a two-year term on the Metro Central Station Community Enhancement Committee.

Agenda Item Number 11:4

Resolution No. 99-2861, For the Purpose of Appointing Members to MCCI: Bill Kirby and Leanne MacColl.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING MEMBERS TO THE METRO COMMITTEE FOR CITIZEN INVOLVE- MENT: BILL KIRBY & LEEANNE MACCOLL)))	RESOLUTION No. 99-2861 INTRODUCED BY COUNCILOR BRAGDON
--	-------------	---

WHEREAS, the Metro Council adopted the Regional Urban Growth Goals & Objectives (RUGGO's) on September 26, 1991 by Ordinance 91-418B; and

WHEREAS, Citizen Participation is included in the RUGGO's as Goal 1, Objective 1; and

WHEREAS, Objective 1.1 states that Metro shall establish a Regional Citizen Involvement Coordinating Committee to assist with development, implementation and evaluation of its citizen involvement program; and

WHEREAS, bylaws have been adopted by the Metro Council by Resolution No. 92-1580A (5-14-92); and subsequently revised four times, most recently by Resolution No. 98-2645 (5-14-98) which identify the committee as the Metro Committee for Citizen Involvement (MCCI); and

WHEREAS, the Metro Charter also called for the creation of an Office of Citizen Involvement, and the establishment of a citizens committee therein; and

WHEREAS, the Metro Council created said Office and established MCCI as the citizen committee within that Office, by adopted Ordinance No. 93-0479A; and

WHEREAS, the Metro Council accepted the initial membership of the MCCI by Resolution No. 92-1666 on August 27, 1992 and approved subsequent applicants by Resolution No. 92-1702 (10-20-92); Resolution No. 93-1763A (2-25-93); Resolution No. 93-1859 (10-15-93); Resolution No. 93-1882 (12-23-93); Resolution No. 94-1899 (2-24-94); Resolution No. 94-1945 (4-28-94); Resolution No. 94-2048 (11-10-94); Resolution No. 95-2071A (1-12-95); Resolution No. 95-2080A (1-26-95); Resolution No. 95-2181 (7-27-95); Resolution No. 96-2264 (1-18-96); Resolution No. 96-2363 (7-25-96); Resolution No. 96-2432 (1-23-97); Resolution No. 97-2489 (5-1-97); Resolution No. 97-2520 (7-17-97); Resolution No. 97-2581A (12-11-97); Resolution No. 98-2597 (1-22-98), Resolution No. 98-2616 (3-12-98); Resolution No. 98-2631 (5-14-98); Resolution No. 98-2667 (7-2-98); Resolution 98-2700 (9-17-98); Resolution 2751A (2-4-99); Resolution 99-2801(7-1-99); Resolution 99-2817 (8-12-99); and

WHEREAS, a recruitment and selection process has been initiated, resulting in the nomination of the following citizens to MCCI:

Bill Kirby	4255 SW Crestwood Drive, Portland, OR 97225	District 3, Position 8
Leeanne MacColl	2620 SW Georgian Place, Portland, OR 97201	District 7, Position 19

BE IT RESOLVED, that the Metro Council appoints Bill Kirby and Leeanne MacColl as members of the Metro Committee for Citizen Involvement (MCCI).

ADOPTED BY THE METRO COUNCIL THIS _____ DAY OF _____, 1999.

Rod Monroe, Presiding Officer

METRO OPERATIONS COMMITTEE REPORT

**CONSIDERATION OF RESOLUTION NO. 99-2861, FOR THE PURPOSE OF
APPOINTING MEMBERS TO THE METRO COMMITTEE FOR CITIZEN
INVOLVEMENT: BILL KIRBY AND LEANNE MACCOLL**

Date: November 9, 1999

Presented by: Councilor Park

Committee Action: At its November 17, 1999 meeting, the Metro Operations Committee voted 2-0 to recommend Council adoption of Resolution 99-2861. Voting in favor: Councilors Atherton and Washington.

Committee Issues/Discussion: Kay Durtschi, Chair of MCCI Nominating Committee gave presentation on this resolution. Resolution No. 99-2861 appoints Bill Kirby to MCCI Position 8, District 3; and Leanne MacColl to MCCI position 19, District 7. There was no committee discussion.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2861 FOR THE PURPOSE OF APPOINTING MEMBERS TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT: BILL KIRBY & LEEANNE MACCOLL

OCTOBER 26, 1999

KAREN WITHROW (X1539)

BACKGROUND

For some time now, MCCI has had several vacancies. Over the last six to eight months MCCI has done some advertising, both small text ads near the Council agenda in the Oregonian and actual ads in the Oregonian, community newspapers and minority newspapers. In this process, we found that most persons expressing interest in participating on MCCI were from Districts 2, 5 and 6. This left us with continued vacant positions in other districts.

We have continued to place some of the smaller text ads in the Oregonian off and on as well as making personal contacts with potentially interested folks and keeping you as Councilors apprised of our needs.

We are happy to report that we have a couple of excellent candidates to bring forward following application and interview with the MCCI Nominating Committee and approval by vote of the membership of MCCI.

Leeanne MacColl is a long-time resident of Portland who may already be familiar to some as a result of her involvement with the League of Women Voters. She is very knowledgeable about Metro and has tremendous experience working in committees so we are sure she will be a real asset to MCCI.

Bill Kirby is also a long-time resident of the metropolitan area and has substantial background with boards and organizations associated with judicial matters where he has served in a variety of capacities. Bill has made a concerted effort to understand the commitment required for MCCI and has already attended a subcommittee, Steering Committee and Regular Meeting to begin learning how we work.

MCCI looks forward to bringing on some new members and thanks the Council for their consideration of this Resolution.

**Application for Citizen Involvement
Metro Advisory Committees**

RECEIVED

AUG 16 1999

Name: William B. Kirby
Address: 4255 SW Crestwood Drive
Occupation/Place of employment:
Phone: Home: (503) 297-6940 Work: (503) 526-2215 FAX: (503) 292-7580 e-mail bkirby@teleport.com

Council District/County: District 3/Washington County
City/State/ZIP: Portland, Oregon 97225
Lawyer/City of Beaverton

EXECUTIVE OFFICER

Education, work or volunteer experience

Education. BA, Claremont McKenna College, 1980; JD, Willamette University College of Law, 1984. Post-Graduate Courses: Municipal Law, Northwestern School of Law, 1989; Land Use Regulation, Portland State University, 1988; Administrative Law, Portland State University, 1988.

Work Experience. Assistant City Attorney, City of Beaverton, 1992 – present; Deputy City Attorney, City of Beaverton, 1988 – 1992; City Prosecutor, City of Beaverton, 1984 - 1988.

List and describe any involvement you have with groups, boards, organizations, etc.

- Oregon State Bar Disciplinary Board, Member, 1996 - Present; Regional Chair, 1998 - Present. Organize and conduct contested case hearings regarding allegations of lawyer misconduct.
- Yamhill/Washington County Professional Responsibility Committee, Member, 1988 – 1991; Chair, 1990 – 1991. Organize and conduct investigations into allegations of lawyer misconduct in Yamhill and Washington counties.
- Beaverton Community Dispute Resolution Program, Advisory Board Member, 1991 - 1997. Provide input to program director regarding development of City's dispute resolution program.
- Washington County Jail, Advisory Board Member, 1993 -1995. Provide input to county Sheriff regarding management of Washington County Jail.
- Oregon State Library Public Access Board, Advisory Board Member, 1991 - 1993. Provide input to State Librarian regarding electronic access to Oregon public records.

Name the committee(s) you are interested in and explain why you think the committee issues are important

Transportation. Traffic congestion from Hwy 26, 217 and I-5 have a significant impact on quality of life in the Beaverton area, where I live. Transportation by foot or bike is a challenge, since most of the commercial districts in the area were developed in the 1950's–1970's when cars dominated transportation thinking. With widening of 217 and alterations to I-5/217 interchange on the horizon, I'd like to help develop effective and efficient transportation options for the region.

Growth Management. Housing prices are extravagant in the Portland metropolitan area, but household incomes aren't. It's important that housing be affordable to low and moderate income households and that home ownership become a reality for more people. I believe home ownership improves stability in a neighborhood, and that benefits everyone in a community.

List any relevant experience, skills or interests that have helped to prepare you for a position on this committee

I have lived in the Portland metropolitan area nearly my entire life. I have substantial familiarity with the region. Through my work with the City of Beaverton, I am familiar with the challenges facing local governments in the Portland metropolitan area. I am also familiar with how local governments can work to anticipate and respond to these issues.

List two references who are familiar with your community and volunteer work

- Rob Drake, Mayor, City of Beaverton (503) 526-2497
- Chris Mullmann, Assistant Disciplinary Counsel, Oregon State Bar (503) 620-0222 x392

I will commit to the time required to fulfill my duties if appointed to an advisory committee.


William B. Kirby

Date: August 14, 1999

AUG 16 1999

Application for Citizen Involvement

Name Leanne G. MacCall (Mrs. E.K.) Council district/County Dist. 7 (Bragdon)
Address 2620 S.W. Georgian Pl. State/ZIP Ore 97201
Phone: Home 223 7664 Work _____ FAX no e-mail no
Occupation/place of employment _____

EXECUTIVE OFFICER

Education, work or volunteer experience Barnard College, Colo. College, Univ. of Colorado, BA in music from Occidental College 1952

Board of Jewish Symphony, Friends of Chamber music, Chamber music Northwest, Young Audiences, 1985-1987. Pres. of League of Women Voters of Portland, Board LWV of Oregon, currently Pres. of LWV of Columbia River Region (The LWV that follows metro, Transportation & solid waste issues.
Taught piano privately for 15 years.

List and describe any involvement you have had with groups, boards, organizations, etc.

I listed them all above.

Name the committee(s) you are interested in and explain why you think the committee issues are important

I am very interested in housing issues for the region.
I try to observe HIRAC & MIPAC as often as I can.
Am also very concerned that new communities be developed as exciting & welcoming places to live, not sterile places dependent on the auto. Metro's reputation has improved greatly from its reputation as "just another layer of gov."
But there's still a long way to go to get Metro's message out clearly to the public. Funding Metro, also urban revenue infrastructure is of great concern to me.



List any relevant experiences, skills or interests that have helped to prepare you for a position in this committee Having observed & studied CRAQ & then Metro through the League. (we've done 4 studies of USB, Metro etc. since the 70's).

I get along very well with Boards, try to arrive at well reasoned consensus through knowledge not prejudice.

List two references who are familiar with your community and volunteer work Charlie Hales, Eric Stan, Jim Francesconi, Linda Magee (cmrw), Gretchen Kafoury, Andy Cortugna, Marie Turpel.

Optional: Attach resume

Most advisory committees require meeting at least once a month. Meeting hours may be evening or day depending on the committee. Many committees also require some investment in time outside of the meetings. Will you commit to the time required to fulfill your duties if appointed to an advisory committee? yes no

Since some committees may have specific requirements for membership, please request an addendum for specific advisory committees to determine if you qualify for application. Call the Metro Office of Citizen Involvement at 797-1539 for further general information, or call the contact person listed for each individual advisory committee if you have detailed information requests.

Signature Lecanne J. MacColl Date Aug. 12, 1999

Membership on Metro advisory committees is open to all interested citizens subject to the qualifications determined by the appointing authority as necessary for the conduct of its business. Metro encourages participation in its affairs by all people, especially those who are under represented in public involvement.

Please return to:
Metro Office of Citizen Involvement
600 NE Grand Avenue
Portland, OR 97232

797-1539 (phone) 797-1799 (fax)
e-mail MCCI@metro.dst.or.us Web Site: www.metro-region.org

To receive assistance per the Americans with Disabilities Act, call the number above, or Metro teletype 797-1804

Resolution No. 99-2864, For the Purpose of Selection and Funding Allocation of \$1 Million to Transportation Management Associations for FY 2000 to FY 2003.

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SELECTION AND
FUNDING ALLOCATION OF \$1 MILLION TO
TRANSPORTATION MANAGEMENT
ASSOCIATIONS FOR FY 2000 TO FY 2003

RESOLUTION NO. 99-2864

Introduced by Jon Kvistad,
JPACT Chair

WHEREAS, Resolution 98-2676 established a policy basis and funding strategy for Transportation Management Associations (TMAs) for the MTIP/STIP development process; and

WHEREAS, The Priorities 2000/MTIP Process allocated \$1 million to TMA assistance over the next four years; and

WHEREAS, TMAs have become an important institutional option for implementing transportation demand management strategies and are a key RTP demand management strategy; and

WHEREAS, The Transportation Demand Management (TDM) Subcommittee of TPAC established criteria based on Resolution 98-2676 for ranking and allocating funding to existing and potential TMAs; and

WHEREAS, The TDM Subcommittee screened and reviewed twelve TMA applications; and

WHEREAS, the TDM Subcommittee recommends funding three existing TMAs and eight new TMAs, and proposed a funding allocation described in Exhibit 1; and

WHEREAS, The TDM Subcommittee recommends revisiting Resolution No. 99-2676 to better articulate regional funding for existing TMAs beyond the three-year formative/operations stage; now, therefore,

BE IT RESOLVED:

1. That JPACT endorse the TMA Assistance Distribution FY 2000 to FY 2003 described in Exhibit 1.
2. That existing, funded and planned TMAs will be incorporated into the current RTP update.
3. That JPACT reconsider the policy basis and funding strategy described in Resolution No. 98-2676 for existing TMAs beyond the three-year formative/operations state.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to form:

Daniel B. Cooper, General Counsel

BB:ymb
C:\Resolutions\1999\99-2864

Exhibit 1

**TMA ASSISTANCE DISTRIBUTION FY 2000 - 2003
Tri-Met/Metro Proposal on 10/29/99**

	Year				Total**	Average \$/Year
	2000	2001	2002	2003		
Tualatin TMA	\$50,250	\$24,750	\$15,000	\$0	\$90,000	\$22,500
WTA TMA	\$50,250	\$24,750	\$5,000	\$0	\$80,000	\$20,000
Lloyd TMA	\$50,250	\$24,750	\$5,000	\$0	\$80,000	\$20,000
Columbia Corridor	\$67,500	\$50,250	\$24,750	\$0	\$142,500	\$35,625
Swan Island	\$67,500	\$50,250	\$24,750	\$0	\$142,500	\$35,625
Clackamas Reg Ctr.*	\$32,000	\$67,500	\$50,250	\$24,750	\$174,500	\$43,625
Gresham Reg. Ctr.*	\$32,000	\$67,500	\$50,250	\$24,750	\$174,500	\$43,625
Ptld. Downtown (APP)	\$17,500	\$0	\$0	\$0	\$17,500	\$4,375
Col. Cor. Rivergate	\$0	\$0	\$32,000	\$0	\$32,000	\$8,000
L. Oswego/Kruse Way	\$0	\$0	\$0	\$32,000	\$32,000	\$8,000
Troutdale	\$0	\$0	\$0	\$32,000	\$32,000	\$8,000
Total	\$367,250	\$309,750	\$207,000	\$113,500	\$997,500	\$249,375
Total Available**	\$278,614	\$278,614	\$278,614	\$278,614	\$1,114,454	\$278,614
Balance	(\$88,637)	(\$31,137)	\$71,614	\$165,114	\$116,954	\$29,239

*Funding for 2001 through 2003 contingent on results of exploratory phase

**Resources - CMAQ - \$1,000,000; Tri-Met local match (89.73/10.27 ratio) - \$114,454

STAFF REPORT

CONSIDERATION OF RESOLUTION OF NO. 99-2864 FOR THE PURPOSE OF SELECTION AND FUNDING ALLOCATION OF \$1 MILLION TO TRANSPORTATION MANAGEMENT ASSOCIATIONS FOR FY 2000 TO FY 2003

Date: October 28, 1999

Presented by: Andrew Cotugno

PROPOSED ACTION

The Transportation Demand Management (TDM) Subcommittee of TPAC recommends selection of three existing and eight new Transportation Management Associations (TMA) for funding during the FY 2000 to FY 2003 allocation period. \$1,000,000 in regional CMAQ funds is available for the TMA Assistance Program. A total of \$250,000 is recommended for the three existing TMAs: the Lloyd District TMA, Tualatin TMA, and Westside Transportation Alliance. The remaining \$750,000 is recommended for exploratory and formative/operations phases of eight new TMAs, including the Columbia Corridor TMA, Swan Island TMA, Clackamas Regional Center TMA, Gresham Regional Center TMA, Portland Downtown TMA, Lake Oswego TMA and Troutdale TMA. Recommended funding and proposed annual allocation is described in Attachment A.

FACTUAL BACKGROUND AND ANALYSIS

Earlier this year, the Priorities 2000 (MTIP) funding process allocated \$1 million to TMA assistance over the next four years. TMAs are typically nonprofit coalitions of local businesses and/or public agencies dedicated to reducing traffic congestion and pollution while improving commute options for their employees. In this role, TMAs have become an important institutional option for implementing transportation demand management strategies; particularly those designed to increase the use of alternative modes of travel.

The TMA policy basis and funding strategy is described in Metro Resolution No. 98-2676. TMA development and implementation includes an exploratory and a formative/operations stage. The TDM Subcommittee established criteria based on Resolution No. 98-2676 for ranking and allocating funding to existing and potential TMAs. The TMA funding criteria is described in Attachment B. The TMA criteria were presented to TPAC on August 27, 1999, and to JPACT on September 9, 1999. On September 10, 1999, a wide range of potential applicants were notified about the TMA solicitation, and given over thirty days to submit a proposal.

Summary of the Selection Process

Applications for the formation and regional funding of TMAs were made directly to Tri-Met, the program administrator, with a due date of October 14, 1999. Tri-Met staff then copied the proposals to TDM Subcommittee members for review. The TDM Subcommittee met on October 21, 1999, for initial screening and review of the applications. At a follow-up meeting on October

26, 1999, the Subcommittee selected TMA proposals for funding and allocation. Twelve applications were submitted. The Subcommittee considered both quantitative and qualitative attributes of the applications.

Qualitative Ranking

The qualitative ranking was a group process, based on each Subcommittee member selecting his or her top six TMA proposals. Qualitative attributes included quality of the proposal as a whole, financial need and geographic equity. Table 1 shows the qualitative ranking of all TMA applications by Subcommittee votes.

Table 1
Qualitative Ranking of All TMAs

Rank	Applicant	Votes
1	Tualatin	11
2	Columbia Corridor	10
2	Clackamas	10
3	Lloyd District	9
3	Swan Island	9
4	WTA	8
4	Gresham	8
5	APP (Portland)	4
6	Lake Oswego	2
N/A	Cornelius	0
N/A	Multnomah Village	0
N/A	Troutdale	0

The qualitative ranking exercise resulted in seven applicants with eight or more votes (out of a possible 12) from TDM Subcommittee members. Five of the applicants received four or fewer votes. Upon conclusion of this exercise, the TDM Subcommittee adjourned until October 26, 1999, with instructions to submit quantitative rankings to Tri-Met and Metro staff by email or fax.

Quantitative Ranking and Analysis

Eight exploratory phase proposals were compared as group, and five of the seven formative/operations phase proposals were compared as a group. Clackamas and Gresham TMAs requested both exploratory and formation/operations funding, but were scored only on the exploratory phase. Because both Gresham and Clackamas had high qualitative rankings, the Subcommittee felt that the two TMAs should be given a high priority to receive formative funds if they successfully pass the exploratory phase.

The application from the Columbia Corridor Association was divided for quantitative scoring purposes. The exploratory phase of the application focused on the Rivergate industrial area, and was compared with other exploratory applications. The subcommittee felt that the Columbia Corridor/Airport Way area was ready to proceed into the formative/operations phase.

Table 2 shows the quantitative ranking for eight exploratory TMAs and their percent score in the quantitative ranking. The percent scores break down into high, medium and low ranges. The Gresham, Clackamas and Downtown Portland proposals scored highest (75 percent or more). The Troutdale, Columbia Corridor (Rivergate) and Lake Oswego proposals scored in the medium range (50 to 60 %). The Cornelius and Multnomah Village proposals scored lowest (30% to 44%).

Table 2
Quantitative Ranking of Exploratory TMAs

Rank	Applicant	Percent Score
1	Gresham	77.3 %
2	Clackamas	76.9 %
3	APP (Portland Downtown)	75.3 %
4	Troutdale	59.0 %
5	Columbia Corridor: Rivergate	56.3 %
6	Lake Oswego	50.3 %
7	Cornelius	44.3 %
8	Multnomah Village	30.1%

The Gresham and Clackamas TMA proposals also scored high in the qualitative ranking, and were recommended for exploratory phase funding in year 2000. Through a series of votes the TDM Subcommittee decided to fund the exploratory phase of the Portland Downtown, Troutdale, Columbia Corridor (Rivergate), and Lake Oswego proposals during the four-year allocation period. The Subcommittee voted against exploratory phase funding for the Cornelius and Multnomah Village proposals. While both proposals were good efforts, the Subcommittee suggested that Tri-Met work with Cornelius to pursue other funding sources and that Multnomah Village work with the City of Portland as a sponsoring jurisdiction in submitting future TMA proposals.

Table 3 shows the quantitative ranking and percent score for five TMAs requesting formative/operations funding. Both the existing TMAs (WTA, Lloyd District and Tualatin) and the proposed TMAs (Columbia Corridor and Swan Island) requesting formative/operational funding scored high in the quantitative ranking.

**Table 3
Quantitative Ranking of Formative/Operational TMAs**

Rank	Applicant	Percent Score
1	WTA	89.8 %
1	Lloyd District	89.8 %
3	Tualatin	83.6 %
4	Columbia Corridor	83.0 %
5	Swan Island	81.6 %

The quantitative scoring confirmed that the seven existing and proposed TMAs with a high number of “qualitative votes” as shown in Table 1 also ranked high on the TMA funding criteria described in Attachment B.

Results of the Selection Process

The TMA funding assistance distribution recommended by the TDM Subcommittee is shown in Attachment A. The total program amount of \$1 million is divided over the four-year funding period, with an average allocation of \$250,000. In 2001 and 2002 the annual allocation is higher, in order to fund start-up costs for four new TMAs. The \$1 million program total does not include a 10.27 percent Tri-Met match, which totals \$114,456 over the four-year period. The Tri-Met match could be used as a contingency fund to help cover program start-up costs in 2000 and 2001.

Based on a combined qualitative and quantitative ranking process, the TDM Subcommittee recommends funding the three existing TMAs—the Lloyd District TMA, Westside Transportation Alliance and Tualatin TMA. The Subcommittee recommends that the three existing TMAs be funded a total of \$250,000 over the four-year allocation period, with the Tualatin TMA receiving \$90,000 and the WTA and Lloyd TMA receiving \$ 80,000. The TDM Subcommittee recommends that funds for existing TMAs be equally spread over the four-year allocation period, as shown in Attachment A.

Four of the exploratory and/or formative/operations TMAs are recommended for funding, with annual funding allocations as shown in Attachment A. These four TMAs include:

- Columbia Corridor (formative/operations)
- Swan Island (formative/operations)
- Clackamas Regional Center (if the exploratory phasing leads to a yes answer)
- Gresham Regional Center (if the exploratory phasing leads to a yes answer)

Four applicants are recommended for exploratory phase funding only, including:

- Portland Downtown (APP)
- Columbia Corridor – Rivergate industrial area
- Lake Oswego/Kruse Way
- Troutdale

Annual funding allocations are shown in Attachment A. The Portland Downtown proposal was allocated to the year 2000 because it has a local match of \$17,500 for a like amount of regional funds. The remaining applicants were allocated to 2002 and 2003.

Next Steps

Completing the TMA selection process led to a number of issues for future discussion, most notably funding existing TMAs. There is an ongoing debate on the amount of public funding a TMA needs in order to survive. Also, the question of how much, if any, regional funding should be allocated to a TMA after the three-year formative/operations phase should be addressed. The TDM subcommittee stands by its recommendation to fund the three existing TMAs during this allocation period. However, Resolution No. 98-2676 should be revisited to better articulate regional funding for existing TMAs in the future.

BB:rmb

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ATTACHMENTS

- A. TMA Assistance Distribution FY2000 - 2003
- B. TMA Funding Criteria

TMA ASSISTANCE DISTRIBUTION FY 2000 - 2003
TDM Subcommittee Recommendation: October 26, 1999

	Year				Total**	Average \$/Year
	2000	2001	2002	2003		
Tualatin TMA	\$22,500	\$22,500	\$22,500	\$22,500	\$90,000	\$22,500
WTA TMA	\$20,000	\$20,000	\$20,000	\$20,000	\$80,000	\$20,000
Lloyd TMA	\$20,000	\$20,000	\$20,000	\$20,000	\$80,000	\$20,000
Columbia Corridor	\$67,500	\$50,250	\$24,750	\$0	\$142,500	\$35,625
Swan Island	\$67,500	\$50,250	\$24,750	\$0	\$142,500	\$35,625
Clackamas Reg Ctr.*	\$32,000	\$67,500	\$50,250	\$24,750	\$174,500	\$43,625
Gresham Reg. Ctr.*	\$32,000	\$67,500	\$50,250	\$24,750	\$174,500	\$43,625
Ptld. Downtown (APP)	\$17,500	\$0	\$0	\$0	\$17,500	\$4,375
Col. Cor. Rivergate	\$0	\$0	\$32,000	\$0	\$32,000	\$8,000
L. Oswego/Kruse Way	\$0	\$0	\$0	\$32,000	\$32,000	\$8,000
Troutdale	\$0	\$0	\$0	\$32,000	\$32,000	\$8,000
Contingency Fund	\$0	\$0	\$0	\$2,500	\$2,500	\$625
Total	\$279,000	\$298,000	\$244,500	\$178,500	\$1,000,000	\$250,000

* Funding for 2001 through 2003 contingent on results of exploratory phase

** Total does not include 10.27 pct. Tri-Met match, which totals \$114,456 over the 4-year period

TMA Funding Criteria

Regional Transportation Demand Management System Goal 5, Objective 2 of the RTP promotes the establishment of TMAs as a means to support programs to reduce the need to travel and to make it more convenient for people to use alternative modes for all trips throughout the region.

Does the TMA application meet the above Objective? If yes, evaluate based on the following criteria.

CRITERIA [POTENTIAL POINTS]

Applications for TMA funding will be evaluated based on the following criteria.

1. Definition of geographic area. Map required from applicant.
2. Definition of employment population.
 - Employment population that would be served by the TMA (required from applicant).
 - Employment population of the area (Metro to define).
3. Definition of transportation problem(s) or issue(s) common to the geographical area. [0-10]
 - The transportation problem should be included in, or related to, other transportation plans, particularly the Regional Transportation Plan.
4. Description that the TMA is in an area of regional significance. [0-10]
 - Population/employment density.
 - 2040 Land Use Link.
5. Demonstration of community support for a TMA. [0-15]
 - Letters of interest from area employers.
 - Letter of support from local jurisdiction.
 - Letters of support from neighborhood associations.
6. Description of financial strategy. This category should identify potential public and private funding sources for the first five years of operation. [0-10]
7. Description of the TMA's potential to assist in meeting the non-auto mode split targets established for the area by Metro and the local jurisdiction. Points will be assigned based on the applicant's intended strategies to reduce VMT and single-occupant vehicle trips, increase access and develop transportation alternatives. [0-10]
8. Description of how the TMA will benefit members and non-members in the area. [0-5]
9. Demonstrated level of support of an identified anchor patron, major employer/organization, core group, chamber of commerce, developer, etc., toward the formation of the TMA. There may be a group currently working on transportation access issues in the proposed area that would facilitate TMA development. [0-15]
10. Coordination with major capital investments, current transportation strategies and/or programs in practice in the area to reduce single-occupant vehicles. [0-5]

Q:\Share\Mendoza\TMA\Final Draft PORTLAND AREA TMA FUNDING CRITERIA.DOC

Agenda Item Number 11.6

**Resolution No. 99-2865, For the purpose of Approving the Smith and Bybee Lakes Wildlife Area
Recreation Facility Plan.**

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING) RESOLUTION NO. 99-2865
THE SMITH AND BYBEE LAKES)
WILDLIFE AREA RECREATION) Introduced by Mike Burton
FACILITY PLAN) Executive Officer

WHEREAS, In November 1990 the Metro Council adopted the Natural Resources Management Plan for Smith and Bybee Lakes which identifies the primary goal of the wildlife area is to protect and manage the area as an environmental and recreational resource for the Portland region; and

WHEREAS, The Natural Resources Management Plan stipulates that only those recreational uses that are compatible with environmental objectives of the plan will be encouraged; and

WHEREAS, The Natural Resources Management Plan states that Smith Lake and its adjacent uplands will be the principle location for recreational activities; and

WHEREAS, The Smith and Bybee Lakes Wildlife Area provides access to nature for citizens of the region by providing opportunities to view wildlife from the Interlakes Trail and by non-motorized boats; and

WHEREAS, The 40-Mile Loop Trail and the Peninsula Crossing Trail will be located adjacent to the wildlife area; and

WHEREAS, Various public involvement activities occurred throughout the development of the recreational facility that resulted in public support of the project; and

WHEREAS, The draft Recreation Facilities Plan for Smith and Bybee Lakes Wildlife Area (see Exhibit A) was approved by the Smith and Bybee Lakes Management Committee on August 24, 1999; and

WHEREAS, On October 5, 1999, the Regional Parks and Greenspaces Advisory Committee voted unanimously to recommended Council adoption of the draft recreational facilities plan; now, therefore,

BE IT RESOLVED,

1. That the Metro Council approves and adopts the Recreation Facilities Plan for Smith and Bybee Lakes Wildlife Area in its entirety as attached in Exhibit A, or as amended by Council.
2. If Council amends the Recreation Facility Plan, staff will make the requested changes prior to release of the final document to the public.

3. Staff will begin implementation of the Recreation Facility Plan in a manner consistent with current and/or future fiscal appropriations.

ADOPTED by the Metro Council this ____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2863, FOR THE PURPOSE OF APPROVING AND ADOPTING THE SMITH AND BYBEE LAKES WILDLIFE AREA RECREATION FACILITY PLAN

October 29, 1999

Presented by: Charles Ciecko
Regional Parks and Greenspaces

PROPOSED ACTION:

Resolution No. 99-2863 requests the approval and adoption of the Smith and Bybee Lakes Recreation Facility Plan for the existing 2,000 acre wildlife area located in North Portland, between the confluence of the Columbia and Willamette rivers, in the City of Portland.

FACTUAL BACKGROUND AND ANALYSIS:

Smith and Bybee Wildlife Area is a 2,000 acre natural open protected and managed as an environmental and recreational resource for the Portland region. Located in north Portland, between the confluence of the Willamette and Columbia rivers, this is a land and waterscape of sloughs, ponds, grassy wetlands, shallow lakes, and riparian forest habitat. The City of Portland, Metro Regional Government and the Port of Portland adopted the *Natural Resources Management Plan for Smith and Bybee Lakes* in November 1990. The goal of this plan is to place primary emphasis on managing the area for wildlife. Recreational uses are allowed that are compatible with wildlife protection. The plan sets forth objectives, policies and projects for activities in the wildlife area. Recreational users and environmental education students visit the wildlife area to bird watch, canoe or kayak (no gas-powered motors are allowed) fish or walk. Presently there is a parking lot and trail system located just south of North Marine Drive, 2.5 miles west of Interstate-5. Boating access is through a slough off the parking lot. A short paddle through this slough leads to a portage that allows boaters to reach the main lakes.

This Smith and Bybee Lakes Recreation Facilities Plan has been prepared to address several public issues. Primary among these is that the existing boat launch area puts recreational users into a slough that is prime habitat for western painted turtles. Additionally, boaters must portage from the slough overland into Bybee Lake. The management plan for the lakes calls for recreation to be concentrated on Smith rather than Bybee Lake, which is to be more of a wildlife reserve.

In February 1998, following a competitive bid process, Metro Regional Parks and Greenspaces Department retained Dean Apostol, a private consultant, to assist in the development of a facility plan for the wildlife area. Public involvement activities included establishing project goals and objectives, identifying and meeting with various groups with similar interests, adjacent landowners, citizens of North Portland and public agencies that work with or have oversight of the area. The object was to make the public involvement process as inclusive as possible given the timelines and limited project budget. The Smith and Bybee Lakes Management Committee reviewed the list to ensure that all potentially interested or affected groups or individuals had been included. It is important to note that this strategy did not call for an open house meeting. Instead, project planners went to where the public already was so that people would not have to dedicate yet another night out of their busy schedules for another meeting. The consultant also worked closely with the Smith and Bybee Lakes Management Committee (SBLMC). On August 24, 1999 the SBLMC voted to approve the plan. On October 5, 1999 the Regional Parks and Greenspaces Advisory Committee voted to recommend Council adoption of the Draft Recreation Facility Plan.

Other projects in the area also present an opportunity to change existing recreation patterns. The widening of North Marine Drive, scheduled for next year, will result in an extension of the 40-Mile Loop Trail, as well as construction of sound barriers between the road and wildlife area. The trail extension, along with future plans for taking the trail around the lakes, will likely result in increased recreation use of the area. The current parking area is too small to meet these anticipated needs. Because city transportation planners prefer to minimize the number of driveway entries for safety reasons, the entrance to the Smith and Bybee Lakes parking area will be re-designed as well. Additionally, the present parking area is too small for a bus turnaround.

The draft plan calls for a new gateway entry, and a multiple-use trailhead located at an area just south of the Marine Drive overpass, and west of the railroad yards. The boat launch will be located directly south of the proposed parking area. The parking area is level, relatively inexpensive to develop, and mostly sheltered from highway noise. Boaters, cyclists, walkers and anglers can share it. This will allow Metro to consolidate infrastructure at a single location (e.g. toilet, information boards, parking) with one entrance. This design concept provides a strong sense of entry that contrasts with the industrial land uses along North Marine Drive. The boat launch will provide direct access to Smith Lake without a portage. The new launch does not impact any important wildlife use areas.

A related topic addressed in this plan, at a lesser level of detail, is the need for a covered shelter to facilitate environmental educators' use of the area. Given Oregon's mild but wet weather, a covered shelter, strategically placed just off of the Interlakes Trail, will improve the user experience considerably.

FISCAL IMPACT:

Preliminary implementation cost estimates and phasing recommendations for the entranceway, parking lot and boat launch are on pages 10-13 of the plan. Improvement costs are estimated at \$332,600 if the entire project is built in at one time. If the project is split into three phases, the estimated cost is \$348,400. At this time there is money in the Smith and Bybee Lakes budget for design and engineering costs, but none for construction. The project is in the proposed CIP for Fiscal Years 2000-01 through 2004-05. Adopting this Draft Facility Plan authorizes no further appropriations. The plan is a necessary element for fundraising efforts to leverage existing or future Metro funding.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 99-2865

Agenda Item Number 12.1

Resolution No. 99-2870, For the Purpose of Authorizing Release of RFB #99-40-REM for the Construction of an Expansion to the Public Unloading Area at the Metro Central Transfer Station.

Contract Review Board

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING)
RELEASE OF RFB #99B-40-REM FOR THE)
CONSTRUCTION OF AN EXPANSION TO)
THE PUBLIC UNLOADING AREA AT THE)
METRO CENTRAL TRANSFER STATION)

RESOLUTION NO. 99-2870

Introduced by Mike Burton,
Executive Officer

WHEREAS, Metro has contracted with SJO Consulting Engineers for the design of an expansion to the public unloading area at the Metro Central Transfer Station as contained in "Exhibit A"; and

WHEREAS, The addition of three essential items during the design phase have increased the cost estimates; and

WHEREAS, The resolution was submitted to Council for consideration and was forwarded to the full Council for review and approval; now therefore,

BE IT RESOLVED, That the Metro Council authorizes release of the RFB #99B-40-REM for the construction of a Public Unloading Area Expansion at the Metro Central Transfer Station as attached in "Exhibit A", and authorize the Executive Officer to execute a contract with the most responsive and responsible bidder.

ADOPTED by the Metro Contract Review Board this ___ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

**EXECUTIVE SUMMARY
RESOLUTION NO. 99-2870
AUTHORIZING RELEASE OF RFB #99B-40-REM
FOR THE EXPANSION TO THE PUBLIC UNLOADING AREA AT
METRO CENTRAL TRANSFER STATION**

PROPOSED ACTION

- Adopt Resolution No. 99-1330, authorizing release of RFB #99B-40-REM for the construction of an expansion to the public unloading area at the Metro Central Transfer Station.

WHY NECESSARY

- The number of public customers is increasing rapidly at Metro Central. The current public area is no longer capable of handling the volume of customers.
- The use of floor space in other portions of the facility to handle public customers has reduced the space available for handling commercial waste and the space available for additional material recovery activities.
- The use of other portions of the transfer station for the public has increased the potential for conflicts between the public and commercial vehicles and may create safety concerns in the future.
- During the design process, it was determined that additional ventilation was required in the public area for the protection of the workers at the facility and the public using the facility.
- It was also determined that a significant amount of the asphalt paving in the vicinity of the expanded public unloading area needs replacement.

ISSUES/CONCERNS

- The additional ventilation and pavement replacement has increased the cost of the project above the amount shown in the Capital Improvement Plan by about \$162,000.
- In addition to the cost of the two items above, the cost of the building expansion has also increased from an estimated \$440,000 to \$469,000. Engineering costs increased by about \$8,500 for soil testing to verify the foundation design.
- These changes have increased the total project cost to \$639,500.

BUDGET/FINANCIAL IMPACTS

- Adequate funds are available for this RFB.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 99-2870, FOR THE PURPOSE OF AUTHORIZING RELEASE OF RFB #99B-40-REM FOR THE CONSTRUCTION OF AN EXPANSION TO THE PUBLIC UNLOADING AREA AT THE METRO CENTRAL TRANSFER STATION.

Date: November 17, 1999

Presented by: Terry Petersen

PROPOSED ACTION

Adopt Resolution No. 99-2870, which authorizes release of RFB #99B-40-REM and authorizes the Executive Officer to execute a contract for the construction of an expansion to the public unloading area at the Metro Central Transfer Station.

FACTUAL BACKGROUND

In 1998, Metro contracted with URS Greiner to develop a Master Facility Plan. This plan is being used to develop future requirements at the Metro Facilities. URS also developed a projection for the number of public transactions that should be observed at the station through 2010. Since completion of the report, there has been a 13% increase (versus an estimated 3.2% increase) in the number of public customers. The Facility Master Plan specifies that "the most important improvement" at the Metro Central Transfer Station is the expansion to the public unloading area because of the projected increase in these customers.

The result is an area that is too small for efficient traffic movement and does not provide adequate access for public drop off of source-separated recyclables. The proposed addition would provide additional space for vehicle maneuvering and placement of drop boxes for public delivered source-separated recyclables. It would also solve the one major deficiency in the Station's capacity to handle waste and the increase in public traffic volumes up to the year 2010.

BFI operates the facility with ideal traffic patterns given the available space and the number and type of vehicles operating at any given time. Presently, to facilitate the number of public customers, Bay 2 is closed to commercial traffic during the afternoons and on weekends. This Bay would normally be used to recovery recyclable materials from high-grade commercial loads. By providing additional public unloading space, it is possible for the operator to make this area available all day for commercial material sorting resulting in an increase in recyclable material recovery.

Providing sufficient public unloading space in one location within the facility will also keep the smaller vehicles and public customers separated from the larger commercial trucks. This will both improve safety and reduce the time commercial traffic will remain in the facility.

In March of this year, a design for the expansion was undertaken based on the Mater Facility Plan conceptual estimate. Metro contracted with SJO Consulting Engineers for the design. During design, three additional factors were included that were not contemplated in the conceptual estimate:

- The design engineer required an additional soils investigation to determine structural characteristics of the subgrade. Existing reports did not have the required information.

- The design engineer determined that ventilation is required for the public unloading area. The proposed ventilation is a least-cost option for reducing particulate matter in the immediate vicinity of the public customers.
- There is a space immediately adjacent to the proposed structure that was designated for a future hazardous waste facility. This space was covered with asphalt instead of the 12 inches of concrete that surround the asphalt space. The asphalt has deteriorated and needs to be replaced. Since this space will be an integral part of the public unloading area and impacted by the increased loading of the public vehicles, this repair was included in the design.

These three factors have an estimated value of \$170,500. The final construction estimate increased only 7% above the conceptual estimate (\$440,000 to \$469,000) without including these three additional components. The final engineers estimate for construction is \$639,500.

ANALYSIS

A construction estimate of \$440,000 was included in the Capital Improvement Plan for the public unloading area expansion. A preliminary estimate based on a conceptual design information is considered accurate if the actual costs range between -15 to +30 percent of the estimate of the work anticipated. This range is wider for work that is to be integrated into an existing facility and does not account for significant additions. Before a design is complete, conditions may be observed that seriously impact the costs. In this case, three additional items were deemed necessary that were not anticipated in the conceptual estimate.

The release of this RFB is on the critical path for construction. Over 20 weeks are required to obtain building permits and it is imperative that construction begins early in the construction season so that site work may be completed during fair weather.

CONCLUSION

The need to increase the size of the public unloading area is more important than ever. The number of public customers are increasing much faster than projected and are beginning to cause safety concerns. They also adversely impact the facility by increasing the time commercial traffic is on site and reducing the available space for resource recovery.

The two additions to the design (ventilation and concrete work) are both necessary for customer comfort, facility maintenance and safety.

BUDGET IMPACT

Adequate funds have been allocated in the 1999-2000 budget for this contract.

RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2870.

A copy of this document is
available by calling the
REM Department

Request for Bid's
for
Metro Central Transfer
Station Public
Unloading Area
Expansion

RFB #99B-40-REM

Regional Environmental Management
Engineering & Analysis Section
600 NE Grand Ave
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November 1999



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Agenda Item Number 14.1

Resolution No. 99-2866, For the Purpose of Authorizing the Executive Officer to Purchase Properties in the Forest Park Target Area

**Metro Council Meeting
Thursday, December 2, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)
EXECUTIVE OFFICER TO PURCHASE)
PROPERTY IN THE FOREST PARK)
TARGET AREA)

RESOLUTION NO. 99-2866

Introduced by Mike Burton
Executive Officer

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure (Bond Measure 26-26) which authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements; and

WHEREAS, on February 15, 1996, via Resolution 96-2274A, the Metro Council adopted a refinement plan for the Forest Park Target Area which identified property owned by Agency Creek Management Company as a Tier 1 acquisition; and

WHEREAS, Agency Creek Management Company owns approximately 340 acres ("the Property") and Metro has an Option to Purchase the Property at a price that is above Metro's appraised value; and

WHEREAS, a significant portion of the value of the property is in the approximately 300 acres of trees designated for commercial forest uses; the value of the trees is dependent on growth and timber market conditions; and timber values are at a historic low at this time; therefore the value of the property is likely to rise in the next 12 to 24 months; and

WHEREAS, acquisition of the Agency Creek property would fulfill the objective of the Forest Park refinement plan which states, "Protect additional lands along the corridor at the north end of the Park, including a buffer for the Ancient Forest, through acquisitions, easements and voluntary management agreements;" and

WHEREAS, acquisition of the Agency Creek property would facilitate and effect cost reductions to the implementation of the Ancient Forest Preserve Master Plan, adopted by the Metro Council via Resolution No. 96-2345; and

WHEREAS, acquisition of the Agency Creek property would prevent future commercial timber harvest which would negatively impact the regionally significant Burlington Bottom wetland area; and

WHEREAS, strong support for the acquisition of the Agency Creek property has been voiced by citizens and groups such as the Friends of Forest Park and The Nature Conservancy; and

WHEREAS, the Agency Creek property provides nesting and roosting habitat for numerous bird species such as neo-tropical song birds and birds of prey, including bald eagles; and

WHEREAS, a survey of the Property has disclosed some minor encroachments which may not be resolved until after the scheduled closing date, since resolution of these items may take longer than the contract period; and

WHEREAS, the minor encroachments disclosed by survey can most likely be resolved by quitclaim, easement, license, or otherwise after closing, which will not reduce the appraised value of the Property or its use as open space pursuant to the Bond Measure 26-26; and since these encroachment issues are a part of the transaction prior to closing, they should be resolved post-closing without requiring that they go through the "Easement Policy" Resolution No. 97-2539B, which generally applies to post-closing requests for easements on Metro park property; and

WHEREAS, pursuant to the Open Spaces Implementation Work Plan, paying above Metro's appraised value is an "unusual circumstance;" and

WHEREAS, the Open Spaces Implementation Work Plan requires Metro Council's specific approval for acquisitions which involve an "unusual circumstance;" now therefore

BE IT RESOLVED,

That the Metro Council authorizes the Metro Executive Officer to purchase those properties in the Forest Park Expansion target area, as identified in Exhibit A ("Property"), in accordance with the terms set forth in the Option Agreement and for the purchase price set forth in the Option Agreement; and also authorizes the Metro Executive Officer to resolve after closing, via quitclaim, easement, license, or otherwise, without going through the Easement Policy, those encroachments on the Property as disclosed by survey.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

LEGAL DESCRIPTION

PARCEL 1: Lots 1 through 5, inclusive, and Lots 12 through 18, inclusive, Block 4; Lots 1 through 12, inclusive, and Lots 15 through 18, inclusive, Block 5; Lots 1, 2, Lots 6 through 19, inclusive, and Lots 25 and 26, Block 6; Lots 1 through 4, inclusive, Block 7; Lots 4 through 9, inclusive, Lots 10 through 14, inclusive and Lots 22 through 25, inclusive, Block 10; Lots 1 through 22, inclusive, Block 11; Lots 1 through 11, inclusive and Lots 13 through 25, inclusive, Block 12, Lots 1 through 3, inclusive, Lots 9 through 14, inclusive, and Lots 16, 24 and 25, Block 15; Lots 1 through 5, inclusive and Lots 14 through 18 inclusive, Block 16; Lots 3 through 12, inclusive, Block 17; Lots 1 through 7, inclusive, Block 18; Block 19; Block 20; Lots 1 through 16, inclusive, Block 21; Lots 1 through 10, inclusive, Block 22; Lots 1 through 5, inclusive, and Lots 7 through 13, Block 23; Lots 1, 2 and Lots 4 through 11, inclusive, Block 24; Lot 8 and Lots 10 through 19, Block 25, inclusive, Block 25; Block 26; Lots 1 and 2, Block 27; Lots 1 through 14, inclusive, Block 28; Lots 1 through 17, inclusive, Block 29, Lots 1 through 14, inclusive, Block 36; Lots 1 through 7, inclusive, Block 37; Lots 1 through 5, inclusive, Block 38; Lots 1 through 13, inclusive, Block 39; Lots 1 through 15, inclusive, and Lots 17 through 19, inclusive, Block 40; Lots 1 through 5, inclusive, Block 41; Lots 1, 2 and 3, Block 42; Lots 1 through 8, inclusive, Block 43; Lots 1 and 2, Block 44; Lots 1 through 16, inclusive, Block 45, except that portion of Lots 6 through 9 taken for the widening of McNamee Road. Lots 1 through 5, inclusive, Block 46; Lots 1 through 6, inclusive, Block 47; Lots 1 through 28, inclusive, Block 48; except that poriton of Lots 1, 8 and 9 taken for the widening of McNamee Road. Lots 1 through 43, inclusive, Block 49; Lots 1 through 12, inclusive, Block 50; Lots 1 through 10, inclusive, and Lots 12 and 13, Block 51; Lots 1 through 7, inclusive, Block 52; Lots 1 through 7, inclusive, Block 53; all in BURLINGTON, in the County of Multnomah and State of Oregon;

EXCEPT those portions described in deeds to The State of Oregon, by and through its State Highway Commission, recorded August 23, 1932 in Book 183, page 502 and recorded January 6, 1967 in book 542, page 188.

PARCEL 2: A tract of land in the Northeast one-quarter of Section 19, Township 2 North, Range 1 West, described as follows:

Beginning at the one-quarter corner between Sections 19 and 20, Township 2 North, Range 1 West Willamette Meridian; running thence South 89° 23' West 1233.7 feet to the Southwest corner of Southeast one-quarter of Northeast one-quarter of Section 19; thence North 0° 36' East 1300.2 feet to the Northwest corner of Southeast one-quarter of Northeast one-quarter of Section 19; thence South 89° 20' West on the South line of the Northwest one-quarter of the Northeast one-quarter of Section 19, 538.79 feet to the Southeasterly line of the United Railway Comany's right of way; thence following the Southeasterly and Southerly line of said right of way on a curve to the right of 1287.3 foot radius, 1908.3 feet to the line between Sections 19 and 20; thence South 1° 47' West on said line between Section 19 and 20, 1700.06 feet to the place of beginning.

PARCEL 3: A tract of land described as follows: Beginning at the section corner of 19, 20, 29, 30 in Township 2 North, Range 1 West, this being the Southwest corner of Section 20; thence North 1642.0 feet; to the South line of the John G. Tomlinson Donation Land Claim which is also the South line of Burlington, thence East along South line of said claim, 1,213.04 feet to the East line of Lanoche Drive as platted in plat of Burlington, thence Northeasterly along Easterly line of Lanoche

Drive, 1,744.0 feet to the United Railway Company's right of way Westerly boundary thence Southeasterly along said right of way to point where right of way boundary intersects the South line of Section 20, thence West 4501.95 feet to the Southwest corner of Section 20 to place of beginning;

EXCEPT that portion described in deed to The Friends of Forest Park, an Oregon nonprofit Corporation recorded July 7, 1993 in Book 2719, page 1631, more particularly described as follows:

Beginning at the Southwest corner of said Section 20; thence South $88^{\circ} 43' 46''$ East along the South line of said Section 20, 1,455.40 feet to an iron rod; thence North $0^{\circ} 50' 41''$ East 308.33 feet to an iron rod; thence North $18^{\circ} 31' 04''$ West 954.64 feet to an iron rod; thence North $89^{\circ} 38' 15''$ West 1,226.02 feet to an iron rod on the West line of said Section 20; thence South $3^{\circ} 21' 00''$ East along said West line 1191.03 feet to the point of beginning.

Staff Report

CONSIDERATION OF RESOLUTION NO. 99-2866 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO PURCHASE PROPERTY IN THE FOREST PARK TARGET AREA

Date: November 5, 1999

**Presented by: Charles Ciecko
Jim Desmond**

Proposed Action

Resolution No. 99-2866 requests authorization for the Executive Officer to purchase properties in the Forest Park Target Area.

BACKGROUND AND ANALYSIS

In May 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure that authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements. On February 9, 1996, via Resolution 96-2274A, the Metro Council adopted a refinement plan that outlined a land protection strategy for the Forest Park regional target area.

One of the objectives of the refinement plan is to:
"Protect additional lands along the corridor at the north end of the Park, including a buffer for the Ancient Forest, through acquisitions, easements and voluntary management agreements."

After nearly three years of negotiations, Metro has acquired an option from the Agency Creek Management Company to purchase its 340-acre property, located west of St. Helen's Highway in the Linnton and Burlington areas (See attached map). The property was identified as a Tier 1 site in the refinement plan. During the due diligence process, an appraisal issue emerged which constitutes "unusual circumstances," as defined in the Open Space Implementation Work Plan, and which require Metro Council approval before Metro can exercise its option to purchase. There are also minor encroachments on the property, which are not "unusual circumstances" as they do not materially affect value or impair the property's use as open space, but which may need to be resolved after closing, and which therefore should be exempted from the "Easement Policy," Resolution No. 97-2539B.

Valuation

The Agency Creek property is suitable for two to three homesites, and zoned for Commercial Forestry uses. The site borders the Ancient Forest Preserve, owned by the Friends of Forest Park, on two sides. Ancient Forest Preserve capital improvements were identified by Multnomah County as a "local share" project site in the Open Spaces, Parks and Streams bond measure. The subject property contains approximately 250 acres of ten-year-old trees (future merchantable timber) and approximately 65 acres of merchantable timber remain. Approximately 44 acres of the merchantable timber contains scattered old growth trees that are in excess of 100 years old. Due primarily to changes in the zoning laws of Multnomah County since Metro and the landowner

entered into negotiations, and the current recession in timber prices, the appraised value of the property is below the negotiated option price.

The seller is unwilling to sell the property to Metro for the appraised value because a rebound in timber prices will likely occur and thereby enhance the value of the property, and because Agency Creek's holding costs related to the property are minimal, thereby allowing the company to hold the property and "wait out" the current devalued timber prices. Metro staff wishes to close on the property at the negotiated option price now for the following reasons:

- a) Metro has spent nearly three years negotiating with the seller to come to an agreed price and Metro's option to purchase the property expires soon;
- b) the property is significant in terms of its size, resource value and connectivity to other open space areas of importance;
- c) the Multnomah County Local Share component of the Ancient Forest Preserve Master Plan will be facilitated and expedited by allowing more flexibility in trail and parking lot placement; and
- d) cost reductions in parking lot and trail construction at the Ancient Forest Preserve will be realized as a result of acquiring the Agency Creek property, which cost reductions were not considered in the appraised value of the property.

Exemption from Easement Policy

Metro commissioned a survey of the property, which survey disclosed that several neighboring landowners encroached across lot lines onto the Agency Creek property. These sorts of minor encroachments do not constitute "unusual circumstances," as they are not uncommon for a property of this size, particularly where one side of the property borders a residential neighborhood. The encroachments, which together total less than one acre of land, and do not reduce the appraised value of the property, consist of some storage sheds, a hot tub, a septic field, a deck addition to a house, and some dog cages. Metro staff is working with Agency Creek and the landowners to resolve these issues, but the process could take longer than the time remaining in the option period. Therefore, Metro staff is requesting Council approval to resolve these issues post-closing, via quitclaim, easement, license, or otherwise, without requiring that such actions go through the Easement Policy, which generally applies to post-closing requests for easements on Metro park property. Because these encroachments are "part of the deal," they should be exempted from the Easement Policy.

In accordance with the Open Spaces Implementation Work Plan adopted by Metro Council, the Open Spaces Acquisition Committee met on November 15, 1999 and recommended that the property be purchased by Metro on these terms.

FINDINGS

Acquisition of this property with above-stated terms is recommended based on the following:

- The lowest purchase price at which the landowner will agree to sell is above current appraised value. Approximately 40% of the appraised value of the property is based on current timber prices, which are at a historic recession point. One of the "public interest" factors cited in the Work Plan which should be considered is "the likelihood

that the market value of the property will rise quickly within the subsequent 12-24 month period, rendering the purchase price a reasonable one within a relatively short time frame." Although the market value of the property may come up to equal the purchase price within the next 12 to 24 months, Metro's option on the property expires within the next 30 days and the opportunity to acquire the land may be permanently lost.

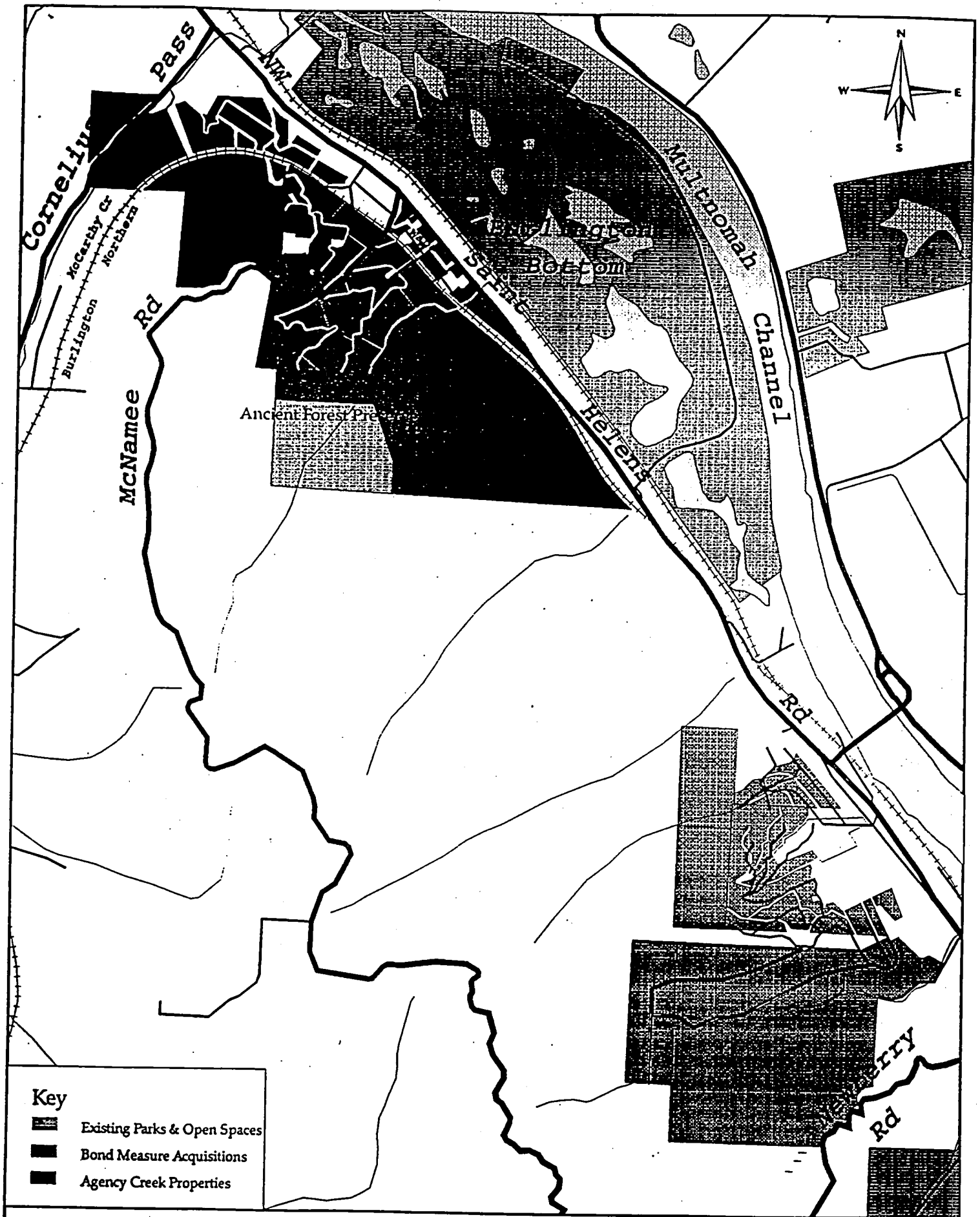
- The Agency Creek property lies in Tier 1 and fulfills the stated objectives of the Forest Park Expansion Refinement Plan. It also helps to fulfill some objectives of the Multnomah Channel Target Area Refinement Plan, including the Tier III objective of "Acquire land or otherwise protect specific Tualatin Mountain streams which drain to Multnomah Channel...." McCarthy and Burlington Creeks run through the property.
- Acquisition of the Agency Creek property would facilitate the implementation of the Ancient Forest Preserve local share project. Implementation costs would be reduced, as the current logging road system and level areas suitable for parking on the property would reduce the need for a significant portion of the \$169,000 trail and parking area construction costs identified by the Master Plan adopted by the Metro Council via Resolution No. 96-2345 in June 1996.
- Future timber harvest on the property will negatively impact the water quality of the regionally significant wetland areas managed by the Oregon Department of Fish and Wildlife which lie directly below the Agency Creek property (Burlington Bottom).
- The acquisition has strong support from the Friends of Forest Park, The Nature Conservancy, and other citizens and organizations. Russell Hoefflich of The Nature Conservancy stated in a letter to Metro, "We strongly urge you and the Metro Council to take whatever action is necessary to acquire this [the Agency Creek] property."
- The property is also in the Tualatin Range bird flyway and the trees provide valuable habitat and protection for numerous species. The site provides nesting and roosting habitat for a variety of neo-tropical songbirds and birds of prey such as bald eagles.
- The encroachments are not significant and will not affect Metro's ability to use the property as open space, and should be exempted from the Easement Policy when resolved post-closing.
- The Acquisition Committee met on November 15, 1999 and recommended purchase of the property for the purchase price set forth in the purchase and sale agreement and the terms set forth herein.

BUDGET IMPACT

Bond funds would supply acquisition money. As this site has been reforested and achieved the "free to grow" stage, landbanking costs are expected to be similar or below those of other unimproved forested properties.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Resolution No. 99-2866.



Open Spaces, Parks and Streams Bond Measure
 Forest Park and Vicinity - Agency Creek Properties Attachment A



#13 Agenda Item

Remarks by Presiding Officer Rod Monroe
Opening a Public Hearing on Urban Growth Boundary Issues
Metro Council Meeting
11/2/99

I am opening a public hearing on several items relating to the management of the urban growth boundary. This hearing is continued from the hearing at the November 18, 1999 Council meeting.

I. Today will mark the final public evidentiary public hearing before the Council on two ordinances to move the urban growth boundary:

- Ordinance 99-812 concerning part of urban reserve area 65 in the Bethany area;
- Ordinance 99-834 concerning urban reserve area 39 and part of urban reserve area 41, in the Wilsonville area.

These ordinances will also be considered at the Growth Management Committee on December 7th and 9th. The deadline for submission of written material into the record will close at 5 PM on Thursday, December 9, 1999.

The two ordinances will be shown on the Council Agenda on December 9, 1999 for the purpose of a possible work session only.

Final Council consideration of these ordinances will take place on December 16, 1999. Public testimony will be accepted at that time in relation to facts on the record as of December 9, 1999.

II. The public hearing relative to other growth management related items, such as other sites being considered for urban growth boundary amendment, subregional need, and consideration of development of Title 3 is carried over to January 20, 2000.

1999 UGB RECORD

Doc. Date	Document Description	Submitted By
11/30/1999	Letter to Rod Monroe re: 3 additional articles in reference to Res. No. 99-2855	Mark D. Hylland, Home Builders Assoc
11/30/1999	Fax to Rod Monroe RE: need for manufactured dwelling parks inside the UGB	Don Miner, Oregon Manufactured Housing Association
11/28/1999	e-mail to Council RE: lot size, quality of life, mass transit, taxes, poor community services.	Michael and Rebecca DeCesaro
11/26/1999	Letter to Chris Billington RE: URA sites 51 – 55. Includes spiral bound draft copy of Hillsboro South Concept Plan for URA Site 55 dated June 1999, spiral bound South Urban Reserve Concept Plan and South Urban Reserve Concept Plan Appendices, UR 51-55, dated 11/16/1999, and 3-ring binder, concept plan testimony and findings. Hand delivered.	Pat Ribellia, AICP, Esq., City of Hillsboro Long-Range Planning Dept.
11/24/1999	Letter to Jim Jones RE: requested info for UR 51 – 55 (South Hillsboro area)	Beth Anne Steele
11/24/1999	Letter to Rod Monroe RE: Metro Annexation Petition, UR 44. Includes petition signed by 12 property owners in support of annexation.	Lee Leighton, Westlake Consultants, Inc.
11/18/1999	Testimony RE: Malinowski Farm land inappropriately included in UGB	Fern E. Malinowski, Gregory P. Malinowski, Richard A. Malinowski, Jon T. Malinowski
11/18/1999	News Release RE: Metro Council Asks State for Extension of UGB Work	Beth Anne Steele
11/18/1999	Letter RE: Metro Council Urban Growth Boundary Public Hearing, includes bound copy of City of Hillsboro Metro Functional Plan Final Compliance Report, City's testimony from 9/23/1999 at Hillsboro, and a chart showing Hillsboro 2040 design types	John Godsey, Hillsboro City Council
11/18/1999	Testimony RE: highest and best use for UR 42	Stacey Rungay
11/18/1999	Testimony RE: support of South Hillsboro addition (URA 54 – 55)	Doug Draper, Genstar
11/18/1999	Statement RE: UR 53, support of south Hillsboro plan	Joe Hanauer, managing partner, Butternut Creek
11/18/1999	Testimony RE: Hillsboro's commitment to Region 2040 concepts and Finding a South Hillsboro UGB expansion solution	Darlene Greene, Hillsboro City Council
11/18/1999	Annexation Application packet for Metro District Boundary for Pacific Capital LLC	Leigh Leighton, Westlake Consultants
11/18/1999	Testimony RE: support of adding land to Urban Growth Boundary	Betty Atteberry, Partnership for Sensible Growth
11/18/1999	Testimony RE: support of adding land to Urban Growth Boundary	Ernie Platt, Home Builders Association of Metropolitan Portland
11/18/1999	Testimony RE: Urban Growth Report, need for balance between transportation and land use	Steve Clark, Community Newspapers, Inc.
11/18/1999	Testimony RE: flaws in Urban Growth Report	Ron Crutcher, Partnership for Sensible Growth
11/18/1999	Letter to Council RE: Urban Growth Boundary and Urban Growth Report	Mary Kyle McCurdy, 1000 Friends of Oregon
11/18/1999	Memo to Metro RE: Metro Annexation Petition UR 49, includes map of proposed annexation and double majority worksheet verification form.	Lee D Leighton, Westlake Consultants, Inc.
11/18/1999	Agenda packet for Council regular meeting 11/18/1999 including attachments	Staff

11/17/1999	Memo to Local Jurisdictions & All Interested Parties RE: Metro Council Urban Growth Boundary Consideration and Public Hearing	Susan McLain, Chair, Growth Management Committee
11/17/1999	Spiral bound "Alternative Sites Analysis for South Hillsboro Urban Growth Boundary Amendment"	Doug Draper, Genstar Development Co.
11/17/1999	Spiral bound "Alternative Sites Analysis for South Hillsboro Urban Growth Boundary Amendment – Companion Report – Data Bases"	Doug Draper, Genstar Development Co.
11/17/1999	Letter to Rod Monroe & Susan McLain RE: Request to delay UGB expansion decision	Leeanne MacColl, League of Wmn Voters
11/16/1999	Memo to Growth Management Committee RE: the Effect of Passage of Resolution No. 99-2855A on Metro's Legislative Urban Growth Boundary (UGB) Process	Michael Morrissey, Council Analyst
11/16/1999	Fax copy of Letter to Council RE: MPAC subcommittee to craft task specific workscope & schedule through October 2000	Mayor Lou Ogden, City of Tualatin
11/16/1999	Letter to Patrick Ribellia, City of Hillsboro RE: time extension UGM Functional Plan from Mary Weber	Staff
11/15/1999	Letter to Metro RE: Sherwood UGB	Carol Zarzana
11/12/1999	Packet including letter from Lee Leighton, City of Tigard Resolution No. 99-73, and 14 page owner & elector petition requesting inclusion into UR 49	Westlake Consultants, Inc. (Lee Leighton)
11/12/1999	Letter to Metro Transportation Committee RE: concern for effect of RTP on businesses on TV Hwy projects, including Beaverton-Hillsboro Industrial Park on Cornelius Pass Rd/TV Hwy	Bettina Uris
11/10/1999	Packet including Tigard Resolution No. 99-73, requesting annexation into UR 49	Cathy Wheatley, City of Tigard
11/04/1999	Comments to Metro Council RE: Agriculture in Washington County, opposing adding farmland into UGB	Marcus Simantel
11/02/1999	Agenda packet for Growth Management regular meeting 11/2/1999 including attachments	Staff
10/27/1999	Letter to Rod Monroe RE: UGB and HB 2709 includes copy of HB 2709 testimony of Jon Chandler 5/18/1995 and memo to Senate Rules Committee dated 6/11/1997	Jon A Chandler, Oregon Building Industry Assn.
10/27/1999	Memo to Lou Ogden, Chair of MPAC from Elaine Wilkerson RE: Letter from Kelly Ross to PO Monroe dated 10/25/1999 1997 UGR Update	Staff
10/25/1999	Letter to Rod Monroe re: confirmation and supplement verbal testimony on 1997 Urban Growth Report Update	Kelly Ross, Home Builders Association of Metropolitan Portland
10/25/1999	Cover Letter to Rod Monroe RE: legality and methodology of Urban Growth Report update. Includes: <ul style="list-style-type: none"> • Zoning Codes from cities of Portland, Tigard, Lake Oswego, Gresham, Hillsboro, & Oregon City, and Clackamas County, • Oregonian article RE: States Population Growth Rate Slows (11/18/1999) • Anecdotal Evidence from City of Wilsonville • Oversize exhibits (7 maps) 	Kelly Ross, Home Builders Association of Metropolitan Portland
10/21/1999	Agenda for regular Council regular meeting 10/21/1999 (1 page)	Staff
10/20/1999	Fax to Susan McLain RE: support of including Area 65, includes Memo on URSA 51 – 55 and memo on URSA 65/Ryland Homes Urban Reserve Plan	Hillsboro Mayor Gordon Faber and Beaverton Mayor Rob Drake
10/19/1999	Agenda packet for Growth Management regular meeting 10/19/1999 including attachments	Staff

10/18/1999	Letter to Susan McLain and GM Committee RE: jobs/housing balance and copy of memo from Jerald Johnson Hobson Johnson & Assoc RE: UR 51-55	Gordon Faber, Mayor City of Hillsboro and Rob Drake, Mayor City of Beaverton
10/18/1999	Letter to Councilor Atherton re: Port of Portland plans to develop the west end of Hayden Island	John Diehnel
10/15/1999	Fax to Jon Kvistad RE: affordable housing testimony on UGB expansion 10/14/1999 hearing	Debi Laue
10/14/1999	Testimony from UGB Public Hearing 10/14/1999, urging evaluation of affordable housing	David Rohr, Partnership for Sensible Growth
10/14/1999	Testimony from Public Hearing 10/14/1999 RE: UGB process	John Godsey, HBA and Partnership for Sensible Growth
10/14/1999	Testimony from Public Hearing 10/14/1999 RE: support of adding land to UGB and 2040 concept.	Steven Clark, Westside Economic Alliance
10/14/1999	Letter to Council RE: need for Title 3 work	Scott Forrester
10/14/1999	Agenda packet for regular Council regular meeting 10/14/1999	Staff
10/14/1999	Minutes of the Regular Metro Council Meeting	Staff
10/14/1999	Box of UGB related documents for the record.	Wendie Kellington, Schwabe Williamson & Wyatt
10/13/1999	Executive Summary ECONorthwest Review of Metro's UGR Update and copy of letter to Betty Atteberry, Westside Economic Alliance	Randall J Pozdena, PhD
10/12/1999	Agenda packet for regular Council regular meeting 10/12/1999	Staff
10/12/1999	Minutes of the Regular Metro Council Meeting - Milwaukie	Staff
10/08/1999	Memo to Mayor Lou Ogden, MPAC RE: UGR Update -MTAC Review & Recommendations with attachments: <ul style="list-style-type: none"> • ECONorthwest Memo dated 11/6/1999 to Coalition for Sensible Growth from Randall Pozdena PhD RE: Review of Metro's UGR 9/1999 Update • Memo dated 10/6/1999 to Elaine Wilkerson from Mark Turpel RE: UGR-Further Information 	Elaine Wilkerson
10/07/1999	Letter to Metro RE: UGB	Mary Kyle McCurdy, 1000 Friends of Oregon
10/07/1999	Metro Council Regular Meeting agenda	Staff
10/07/1999	Minutes of the Regular Metro Council Meeting	Staff
10/06/1999	Letter and Development Brief RE: Elderquist Affordable Senior Housing Community, support of adding area into UGB	Robert Baker, Baker Affordable Housing, LLC
10/06/1999	Letter to Rod Monroe RE: support of adding Area 22	Barry Rotrock, Superintendent Oregon City Public Schools
10/05/1999	Agenda packet for Growth Management regular meeting 10/5/1999 including attachments	Staff
10/04/1999	Agenda packet for regular Council regular meeting 10/04/1999, includes copies of public testimony cards for UGB issues	Staff
10/04/1999	Minutes of the Regular Metro Council Meeting - Gresham	Staff
10/01/1999	Agenda packet for regular Council regular meeting 10/01/1999	Staff
09/30/1999	Copy of letter to Washington County Planning Commission RE: Raleigh Hills Town Center Plan	Patty Lee, Southwest Neighborhoods, Inc.
09/30/1999	Memo of call from Reita Hribernick RE: Gresham request for time extension	Staff

09/30/1999	Agenda packet for regular Council regular meeting 9/30/1999	Staff
09/30/1999	Minutes of the Regular Metro Council Meeting	Staff
09/23/1999	Letter to Pat Ribellia RE: Category 3 TGM Grant Applications, 1999-2001	William B. Adams, AICP
09/23/1999	Packet of testimony from Hillsboro Mayor Gordon Faber, City Manager Tim Erwert Planning Director Winslow Brooks, and City Attorney Tim Sercombe RE: inclusion of URA Sites 51 – 55 “Resolution Lands” into the UGB, Metro Council Public Hearing in Hillsboro	Mayor Gordon Faber et al
09/23/1999	Agenda packet for regular Council regular meeting 9/23/1999	Staff
09/23/1999	Minutes of the Regular Metro Council Meeting Washington County	Staff
09/21/1999	Agenda packet for Growth Management regular meeting 9/21/1999 including attachments	Staff
09/19/1999	Memo of call from Peter & Becky McGovern RE: Bethany farmland into UGB	Staff
09/16/1999	Minutes of the Regular Metro Council Meeting	Staff
09/14/1999	Agenda packet for Growth Management regular meeting 9/14/1999 including attachments	Staff
09/07/1999	Agenda packet for Growth Management regular meeting 9/7/1999 including attachments	Staff
08/11/1999	Faxed copy of letter to Rod Monroe RE: Metro updating 1997 UGR	Kelly Ross, Home Builders Assn. Of Metropolitan Portland
08/03/1999	Agenda packet for Growth Management regular meeting 8/3/1999 including attachments	Staff
08/02/1999	e-mail to Becky Shoemaker RE: noticing 27 local jurisdictions on Ordinance No. 99-809	Christina Billington, Clerk of the Council
07/28/1999	Letter to Rod Monroe RE: concern for assumptions in 1999 Urban Growth Report analysis	Betty Atteberry, Westside Economic Alliance
07/20/1999	Agenda packet for Growth Management regular meeting 7/20/1999 including attachments	Staff
07/13/1999	Letter to Rod Monroe RE: UR Concept Plan – Site 55 Exception Lands (Hillsboro)	Winslow Brooks, City of Hillsboro
07/07/1999	Letter to Rod Monroe RE: Enhanced Funding for Land Use Planning	Mayor Rob Drake, City of Beaverton
06/25/1999	Letter to Chuck Thompson RE: Dwelling Unit Capacity NW 114 th	Brenda Bernards
06/22/1999	Statement RE: 1999 Urban Growth Report	Mike Burton
02/08/1999	Letter to Council RE: opposition to 50’ setbacks vs 200’ setbacks, URA 15	Robert A. Vrillakas, Col., USAF (Ret)
01/20/1999	Letter to Rod Monroe RE: Reserve Areas 14 and 15 and the City of Happy Valley in opposition to withdrawing areas from UGB	Mayor Eugene Grant
12/17/1998	Metro Data Resource Center Map of Urban Growth Boundaries and Reserve Areas.	
12/00/1998	Urban Growth Boundary and Urban Reserves map dated 12/1998	Staff
11/24/1998	Proposed Urban Growth Boundary Expansion Staff Reports on URAs 4 and 5, 14 and 15, 31 through 34, 39, 41 and 42, 43, 45, 47, 55, 51 through 55 (except first tier portion of Site 55 inside Metro Boundary), 62 and 63 and 65	Staff
10/26/1998	Memo to Mark Turpel re: Exception Lands Not Considered as Alternative Sites for UGB Expansion	Glen Bolen
10/27/1997	Packet of Maps +of Urban Reserves Tax Lot Boundaries	Metro
01/28/1997	Packet including letter to Jon Kvistad from State of Oregon RE:	Bruce Andrews, William

	URs, w/ appendix mentioning URs 39, 41, 54, 55, 56, 59, 62, 65, 18, 35, 51, 52, and one mentioning URs 60, 46, 20, 66, 60, 50, 49, 48, 47, 43, 42, 35, 30, 25, 26, 18, 19, 20, 17, 15, and Memo to Jim Sitzman from Patrick Allen	Scott, Richard Benner, Grace Crunican
Undated	Note RE: announcement of official opening of UGB record and availability of table of contents in council office	Staff
Undated	Testimony RE: Resolution No. 99-2855B, time extension, need to consider impacts on non-residential land supply. (This testimony was received at November 18, 1999 council meeting)	Mark Fraser, Commercial Real Estate Economic Coalition (CREEC)
Undated	Letter RE: opposition to including St. Mary's property (UR 51 – 55) in UGB	Dolores Raymond
Undated	Testimony RE: UGB West Linn area	David Adams
Undated	Packet RE: Recent Actions of Lake Oswego City Council, including City of Lake Oswego Community Assessment survey research report dated 1/1998 and letter from David Smith, attorney for Rosemont Property Owners Association,	Rosemont Property Owners Association
Undated	Letter re: urban reserve 45	Jean Allen

Updated: 2-Dec-99

1999 UGB RECORD – AREA 65

Doc Date	Document Description	Submitted By
12/02/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Betsy Pitschka
12/01/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Karey Duffens
12/01/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Kassem & Rihals Hamze
12/01/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Phil Shamloo
12/01/1999	Fax to Council RE: opposition to the expansion of Urban Reserve 65 into the Urban Growth Boundary (letter dated 11/30)	John & Janette Basco
12/01/1999	e-mail to Metro Council RE: Citizen Testimony in opposition to inclusion of URA 65 within the Urban Growth Boundary	Lee Grunes & Susan Nolte
12/01/1999	e-mail to Metro Council RE: Delay Expansion of Urban Growth Boundary in URA 65	George & Eugenia Geannopoulos
12/01/1999	Letter to Metro Council re: Delay expansion of UGB in URA 65	Anne and Andy Miller
12/01/1999	Letter to Metro Council re: Delay expansion of UGB in URA 65	K.Patel
12/01/1999	Letter to Metro Council re: Delay expansion of UGB in URA 65	Rietze
11/30/1999	e-mail to Council RE: Metro rapid growth issues, opposition to URA 65	Jeff & Katrin Grant
11/30/1999	Fax to Metro Council re: Delay expansion of UGB in URA 65	Lisa K. Walker
11/29/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Doug & Synova Reed
11/29/1999	Fax to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Victoria L. Kubitz
11/27/1999	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Kerrin Houser
11/27/1999	Letter to Council RE: opposition to expansion of UGB 65, includes letter to parents from Westview High School	Doug Nealeigh
11/26/1999	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Carol & Rick Anderson
11/26/1999	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Neeta & Sailesh Suthar
11/26/1999	e-mail to Council RE: delay expansion of UR 65	Marlene Baines
11/26/1999	e-mail to Council RE: delay of UR 65	Rhonda Christie Rautio
11/26/1999	Fax to Council RE: delay expansion of UR 65	Kathie Knowlton
11/25/1999	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Patricia Gleason-Heilman
11/24/1999	Letter to Council RE: opposition to expansion of Urban Growth Boundary in URA 65	The Nguyen Family
11/23/1999	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Robin Wright & John Pierce
11/22/1999	Letter to Council RE: opposition to including UR 65	Clare Rathbone
11/22/1999	e-mail to Councilors RE: opposition to expansion of UR 65	Todd Ulmer
11/18/1999	Letter to Council RE: Urban Reserve Area 65	Steven M. Ladd, Asst. Superintendent of Beaverton School District
11/18/1999	Fax copy of letter to Rod Monroe RE: support for UGB Amendment for URA 65	Tom Brian, Chair, Washington County Commission
11/17/1999	e-mail to Chris Billington RE: opposition to inclusion of UR 65 in	Susan Nolte

Doc Date	Document Description	Submitted By
	UGB	Lee Grunes
11/17/1999	Letter to Rod Monroe & Councilors RE: support of URA 65	Mayor Rob Drake, Beaverton
11/10/1999	Property Owner Public Hearing Notice for URA 65 , with map and mailing list	Council Staff .
11/05/1999	Letter RE: opposition to including area 65 in UGB	Hustad Funeral Home
11/03/1999	Cover letter for 2 notebooks of documents for record RE: URA 65 Notebook entitled "Alternative Site Report For Site 65 UGB Expansion Updated September 1999" has no table of contents. Notebook entitled "Site 65 at Bethany UGB Amendment Updated October 1999" has the following table of contents: 1. Beaverton-Washington County Urban Services Intergovernmental Agreement, February 1999 2. Addendum to Natural Resource Evaluation and Protection Plan, September, 1999 3. Transportation System Review for Site 65, September 24, 1999 4. Hobson Johnson & Associates Economic Analysis and Supplemental Memorandum, August 1999 (Supplement October 1999) 5. Washington County Ordinance No. 546, October 26, 1999 6. Washington County Resolution and Order No. 99-186, with Exhibit "A: and Approved Site 65 at Bethany Conceptual Plan, October 26, 1999 7. Site 65 at Bethany Farming Practice and Impact Analysis 8. Miscellaneous Correspondence and Documents, including: Multnomah County Zoning Map Washington Rural/Natural Resource Plan Map 100-Year Flood Plain Map (1996) Title 3 Draft Section 1n1w18Map Tapes of Metro Council Hearing November 10, 1998 Alternative Site Report ;and Supporting Documentation (Updated September 1999) - submitted in a separate volume	Jeff Bachrach, atty, Ramis Crew Corrigan & Bachrach, LLP for Ryland Homes & Springville Road Joint Venture
10/20/1999	Fax to Susan McLain RE: support of including Area 65, includes Memo on URSAs 51 – 55 and memo on URSA 65/Ryland Homes Urban Reserve Plan	Hillsboro Mayor Gordon Faber and Beaverton Mayor Rob Drake
10/11/1999	Packet of documents for the record RE: Washington County Ordinance No. 546 and Comprehensive Plan Amendments for URA 65	Jeff Bachrach, atty, Ramis Crew Corrigan & Bachrach, LLP for Ryland Homes & Springville Road Joint Venture
10/05/1999	Metro Council Growth Management Committee meeting agenda packet.	Staff
10/04/1999	Letter to Susan McLain RE: opposition to including URA 65	Frank L. Buehler
10/04/1999	Letter to Susan McLain re: URA 65 supporting a park on Fishback property	Pamela L. Triplett
10/04/1999	Letter to Susan McLain re: URA 65 and a copy of letter to Hillsboro Park and Recreation Dept. supporting park on Fishback property	Mark E. LaHaie

Doc Date	Document Description	Submitted By
09/24/1999	e-mail RE: opposition to URA 65	Chal Landgren
09/23/1999	Agenda packet for regular Council meeting 9/23/1999	Staff
09/23/1999	Phone Memo to Jim Desmond RE: what's happening with Fishback property, UR 65. Doesn't think money should be spent for park there.	Joanne Premer
09/22/1999	e-mail RE: Ordinance No. 99-812, in opposition to URA 65	George Geannopoulos
09/21/1999	Ad copy from Hillsboro Argus ad noticing Public Hearing at Washington County chamber in Hillsboro on URA 65, the UGR and changes to Metro's code. Also appeared in Beaverton Valley, Tigard and Tualatin Times 9/16/1999	Staff
09/21/1999	Metro Council Growth Management Committee meeting agenda packet	Staff
09/19/1999	Phone Call Memo RE: opposition to including URA 65	Peter and Becky McGovern
09/19/1999	e-mail in opposition to adding URA 65 to UGB	Lee Grunes & Susan Nolte
09/16/1999	Request to Council to consider CPO 7 motion to NOT include area 65 into UGB	Maurine A. Warneking
09/16/1999	Copy of informational form letter sent to property owners in/near URA 65 RE: public hearings for UGB and code changes	Staff
09/15/1999	Cover letter to Mayor Rob Drake, ODOT/Region 1, Mayor Gordon Faber, Commissioner Tom Brian RE: copies of letters/maps sent to property owners regarding area 65 and list of upcoming public hearings. Includes list of recipients	Beth Anne Steele
09/15/1999	List of recipients of URA 65 Notice List mailed 9/15/1999	Staff
09/09/1999	Letter from Malinowski Farm RE: opposition to proposed addition of area 65 to UGB, including photographs. (Photographs stored in permanent Council Agenda/Minute file.)	Gregory P. Malinowski
09/09/1999	Testimony RE: opposition to proposed addition of area 65 to UGB, including photographs. (Photographs stored in permanent Council Agenda/Minute file.)	David P. Miller
09/09/1999	Letter RE: opposition to proposed addition of area 65 to UGB	Mary Kyle McCurdy, 1000 Friends of Oregon
09/09/1999	e-mail RE: opposition to proposed addition of area 65 to UGB	regnier@pacifier.com
09/09/1999	Letter RE: opposition to proposed addition of area 65 to UGB	Steven M. Claussen, atty, for WA County Farm Bureau
09/07/1999	Agenda packet for 9/7/1999 Growth Management Committee meeting including: 1997 Urban Growth Report Update, Metro Master Calendar for September - December, 1999	Staff
09/01/1999	e-mail to Becky Shoemaker RE: list of items Mary Kyle McCurdy asked to have included in the record	Staff
08/03/1999	Letter to Susan McLain RE: UR 65	Mayor Rob Drake, City of Beaverton
08/03/1999	Letter to Susan McLain RE: Agenda Item 2, Ordinance No. 99-812 Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map, Ordinance No. 95-625A; Urban Reserve 65	Meg Fernekees, Department of Land Conservation and Development (DLCD)
08/03/1999	Agenda packet for regular Growth Management Committee including: Letter from Mary Kyle McCurdy dated 8/3/1999 re:	Staff

Doc Date	Document Description	Submitted By
	URA 65 and Ord. 99-812; fax to Council from Grunes and Geannopoulos; letter from Mayor City of Beaverton supporting URA 65, Donald Guthrie Community and Development Awards, Meg Fernekees letter re: Ord. 99-812 and testimony cards from public hearing	
08/03/1999	Minutes from 8/3/1999 Growth Management committee meeting	Staff
08/01/1999	Letter to Growth Management Committee RE: UR 65	George & Eugenia Geannopoulos, Dr. Susan & Lee Grunes
07/29/1999	e-mail to Jeff Stone RE: LUBA opinion and UR 65	Ken Helm
07/29/1999	Letter to Susan McLain RE: support of Ordinance No. 99-812, UGB Amendment for Area 65	Washington County Commissioners Tom Brian & Delna Jones
07/20/1999	Staff Report RE: Ordinance No. 99-812 to amend UGB and 2040 Growth Concept Map of area 65	Lydia Neill
07/20/1999	Copy of agenda packet and Public Hearing cards, Growth Management Committee meeting	Staff
07/20/1999	Letter to GM Committee RE: opposition to including area 65 into UGB	David P. Miller
07/20/1999	Testimony to Growth Management Committee RE: support for including area 65 in UGB	Representative of Ryland Homes
07/17/1999	Ad copy from Oregonian ad noticing public hearings on UGB amendment, area 65	Staff
07/01/1999	Revised Agenda packet for 7/1/1999 regular Council Meeting	Staff
06/22/1999	Minutes for 6/22/1999 Growth Management Committee meeting	Staff
12/17/1998	Resolution No. 98-2726B, For the Purpose of Expressing Council Intent to Amend the Urban Growth Boundary to Add Urban Reserve Area 65 in Washington County, introduced by Growth Management Committee	Staff
11/24/1998	Proposed Urban Growth Boundary Expansion Staff Report dated November 24, 1998 - Urban Reserve Area 65	Growth Management Services Department
01/28/1997	Packet including letter to Jon Kvistad from State of Oregon RE: URs, w/ appendix mentioning URs 39, 41, 54, 55, 56, 59, 62, 65, 18, 35, 51, 52, and one mentioning URs 60, 46, 20, 66, 60, 50, 49, 48, 47, 43, 42, 35, 30, 25, 26, 18, 19, 20, 17, 15, and Memo to Jim Sitzman from Patrick Allen	Bruce Andrews, William Scott, Richard Benner, Grace Crunican
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Ellen Colwell
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Lori Uhl
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Lesle L. Witham
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Kathryn Aschmond
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Julie & Jeffrey Glover
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Linda Nyman
Undated	Letter to Council RE: Delay Expansion of Urban Growth	Sean Carney

Doc Date	Document Description	Submitted By
	Boundary in URA 65	
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Linda Carney
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Camilla Shin
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Shelli Von Dreckmann
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Rose Marie R. Salehi
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Wanqing Cao
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Kathleen & Terry Tobin
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Dottie & Kevin Quinn
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Robert & Nicolette Steele
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Lisa Murray
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Lawrence Bell
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Steve & Kathleen High
Undated	Letter to Council RE: delay expansion in UR 65	Wendy Reimann
Undated	Letter to Council RE: opposition to including URA 65 into UGB	Dana Robinson
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Karen Eskeldson
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Megan Schnell
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Josephine & Krishna Kant
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Craig & Jeanne Baldwin
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	John P. Richards
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Melissa & Karl Friedrich
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Rebecca Decesaro
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Sylvia & James Rhodes
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Kyle Morgan
Undated	Letter to Council RE: Delay Expansion of Urban Growth Boundary in URA 65	Beth & Dyer Davis

Updated: 12/2/1999

1999 UGB RECORD - AREA 45

Doc. Date	Document Description	Submitted By
12/01/1999	e-mail to Council of Letter to Adam Bless, Oregon Office of Energy RE: NW Natural, NOI and Metro URA 45 (Sherwood)	Dale R and Sheryl L. Lissner
11/30/1999	Fax to Metro Council of Letter to Adam Bless, Oregon Office of Energy RE: NW Natural, NOI and Metro URA 45 (Sherwood)	Dale R and Sheryl L. Lissner
11/27/1999	Letter to Council RE: Sherwood Urban Reserve Area #45	Linda L. & Stephen B. Moore
11/26/1999	e-mail to Clerk of Council RE: UR 45, Notice of meetings	Cliff Cannon
11/18/1999	Testimony RE: opposition to including area 45 into UGB	Tom Aufenthie
11/13/1999	Letter to Council RE: letter/petition in opposition to UR 45 inclusion into UGB	Paul S and Patricia A Garstka
11/10/1999	Form letter sent to property owners in URA 45 noticing upcoming public hearings, includes map of area and list of property owners to whom the letter was sent.	Staff
11/01/1999	Petition of lot owners in Area 45 who DO NOT wish to be included within the UGB. Submitted to Growth Management Committee.	Property owners in area 45
10/11/1999	Letter RE: opposition to adding UR 45	Linda L and Stephen B Moore
10/02/1999	Petition signed by 25 property owners to NOT be added into Area 45, includes memo to property owners in area 45 from Adelle Jenike and Joseph Fennerl	Dan Tatman
09/24/1999	Letter to Jon Kvistad RE: UR 45, includes petition of Ladd Hill property owners opposing including area in UGB,	Jeff Bertalotto
09/16/1999	Letter to Jon Kvistad RE: UR 45 Ladd Hill annexation into City of Sherwood with petition	Jeff Bertalotto and other land owners
07/02/1999	Letter to Mayor Walt Hitchcock, City of Sherwood, supporting the inclusion of Urban Reserve 45 into the UGB	19 property owners in UR #45

Updated: 12/2/1999

1999 UGB RECORD – AREA 41

Doc. Date	Document Description	Submitted By
11/18/1999	e-mail to Council RE: Urban Reserve Area 41	Dave Knierim
11/10/1999	Form letter sent to property owners in URA 41 noticing upcoming public hearings, includes map of area and list of property owners to whom the letter was sent.	Staff
10/13/1999	Letter of commitment to Council RE: URAs 39 and 41	Stephan Lashbrook, AICP, City of Wilsonville
09/21/1999	Fax copy to Susan McLain of letter of support of areas 39, 41, and 42 from Wilsonville Mayor Charlotte Lehan	Stephan Lashbrook, AICP, City of Wilsonville
09/20/1999	Letter to Susan McLain RE: UR 39, 41, 42 to UGB	Mayor Charlotte Lehan, City of Wilsonville
01/28/1997	Packet including letter to Jon Kvistad from State of Oregon RE: URs, w/ appendix mentioning URs 39, 41, 54, 55, 56, 59, 62, 65, 18, 35, 51, 52, and one mentioning URs 60, 46, 20, 66, 60, 50, 49, 48, 47, 43, 42, 35, 30, 25, 26, 18, 19, 20, 17, 15, and Memo to Jim Sitzman from Patrick Allen	Bruce Andrews, William Scott, Richard Benner, Grace Crunican

Updated: 2-Dec-99

1999 UGB RECORD – AREA 39

Doc. Date	Document Description	Submitted By
11/18/1999	Testimony RE: UGB expansion in UR 39	Mike Gates, West Linn-Wilsonville School Board
11/18/1999	Letter to Rod Monroe & Council RE: subregional jobs/housing balance and addition of UR 39 to UGB	Mayor Charlotte Lehan, City of Wilsonville
11/10/1999	Form letter sent to property owners in URA 39 noticing upcoming public hearings, includes map of area and list of property owners to whom the letter was sent.	Staff
10/21/1999	Letter to Metro RE: UR 39, Wilsonville School Site (39), permission to West Linn-Wilsonville School district to submit applications and information for construction	John E Lilly, DSL
10/14/1999	Memo to Council RE: support of adding area.39 to UGB	Keith Liden, McKeever/Morris Inc.
10/13/1999	Letter of commitment to Council RE: URAs 39 and 41	Stephan Lashbrook, AICP, City of Wilsonville
09/21/1999	Fax copy to Susan McLain of letter of support of areas 39, 41, and 42 from Wilsonville Mayor Charlotte Lehan	Stephan Lashbrook, AICP, City of Wilsonville
09/20/1999	Letter to Susan McLain RE: UR 39, 41, 42 to UGB	Mayor Charlotte Lehan, City of Wilsonville
01/28/1997	Packet including letter to Jon Kvistad from State of Oregon RE: URs, w/ appendix mentioning URs 39, 41, 54, 55, 56, 59, 62, 65, 18, 35, 51, 52, and one mentioning URs 60, 46, 20, 66, 60, 50, 49, 48, 47, 43, 42, 35, 30, 25, 26, 18, 19, 20, 17, 15, and Memo to Jim Sitzman from Patrick Allen	Bruce Andrews, William Scott, Richard Benner, Grace Crunican

Updated: 2-Dec-99