

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: December 9, 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'S ENDANGERED SPECIES ACT PRESENTATION**
7. **CONSENT AGENDA**
- 7.1 Consideration of Minutes for the December 2, 1999 Metro Council Regular Meeting.
8. **ORDINANCES - FIRST READING**
- 8.1 **Ordinance No. 99-829**, For the Purpose of Annexing Lands within Urban Reserve Area 41 to the Metro Jurisdictional Boundary.
- 8.2 **Ordinance No. 99-830**, For the Purpose of Annexing Lands within Urban Reserve Area 39 to the Metro Jurisdictional Boundary.
- 8.3 **Ordinance No. 99-833**, For the Purpose of Amending the Section of the Metro Code, Chapter 3.08 on the Work Program of the Affordable Housing Technical Advisory Committee to Complete its Recommendation for the Regional Affordable Housing Strategy Plan.

9. ORDINANCES - SECOND READING

- 9.1 **Ordinance No. 99-831**, For the Purpose of Repealing Metro Ordinance No. 99-824A and Declaring an Emergency. Park
- 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. Metro Op Committee

10. ORDINANCES - WORK SESSION

- 10.1 **Ordinance No. 99-812**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept in Ordinance No. 95-625A in Urban Reserve Area 65 of Washington County. Monroe
- 10.2 **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. McLain

11. RESOLUTIONS

- 11.1 **Resolution No. 99-2845**, For the Purpose of Appointing Karen Lewotsky to the Water Resources Policy Advisory Committee. Growth Mngmt Committee
- 11.2 **Resolution No. 99-2860**, For the Purpose of Appointing Jennifer Allen, Ron Hernandez, and Juliet Hyams to the Metro Central Station Community Enhancement Committee. REM Committee
- 11.3 **Resolution No. 99-2862**, For the purpose of Appointing Jim Johnson, Clifton Deal and Todd Heidergerken to the Water Resources Policy Advisory Committee. Growth Mngmt Committee
- 11.4 **Resolution No. 99-2869**, For the Purpose of Adopting the Capital Improvement Plan for Fiscal Year 2000-01 through 2004-5. Metro Op Committee
- 11.5 **Resolution No. 99-2877**, For the Purpose of Granting a Time Extension to the Cities of Fairview and Wilsonville for Compliance with Title 3 of the Urban Growth Management Functional Plan. Growth Mngmnt Committee

12. CONTRACT REVIEW BOARD

- 12.1 **Resolution No. 99-2875**, For the Purpose of Authorizing the Executive Officer to Execute a Contract with URS Corporation for the Design of a Public Unloading Area at Metro South Station. REM Committee

13. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for December 9, 1999 Metro Council Meeting

	Sunday (12/12)	Monday (12/13)	Tuesday (12/14)	Wednesday (12/15)	Thursday (12/9)	Friday (12/10)	Saturday (12/11)
CHANNEL 11 (Community Access Network) (most of Portland area)		4:00 P.M.					
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)							
CHANNEL 30 (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)							
CHANNEL 30 (CityNet 30) (most of City of Portland)	8:30 P.M.						
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)

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).

Metro's Endangered Species Act Activities in Compliance with Resolution No. 99-2815A

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**



METRO
Memorandum

To: Metro Council
Fr: Mike Burton, Metro Executive Officer *BURTON for*
Dt: December 2, 1999
Re: Initial Report to the Metro Council on Metro's Endangered Species Act
Activities in compliance with Metro Council Resolution No. 99-2815A

Enclosed is Metro's initial report on our efforts to restore healthy populations of wild salmon, steelhead and cutthroat trout to the region's waterways. This report is intended to provide a "baseline" of Metro's current accomplishments, and to identify several future workplan issues.

I am pleased with the results of compiling Metro's fine efforts to date. I believe you will find it a useful milestone document, and a helpful tool to share with our local partners and the public.

However, this report demonstrates that we have some important work to complete. Metro's work under Title 3 of the Urban Growth Management Functional Plan (Water Quality and Floodplain Protection, and Goal 5 Fish and Wildlife Riparian Project) are particularly important. This will become even more obvious once the National Marine Fisheries Service (NMFS) issues its draft section 4(d) rules later this month. Metro's urban development planning focus likely will provide a critical cornerstone for the integration of future urban development and natural resource protection throughout the West Coast.

Growth management and transportation issues are not the only programs of importance. Solid and hazardous waste reduction, collection and education must play an even stronger role in protecting water quality. Our Recycling Information Hotline already is fielding more questions about salmon and watersheds. Our Parks and Greenspaces program gives us the ability to protect outright key portions of the region's watersheds. Future open space acquisitions will be needed to help us realize our watershed health goals. Watershed health and recovery also are being integrated into regional transportation planning; we need to continue to improve the connection between healthy watersheds and transportation planning, operation and maintenance.

I will need to work closely with you to ensure that current and future budgets are able to meet our workplan needs.

I expect to report to you again in March 2000.

Agenda Item Number 7.1

Consideration of the December 2, 1999 Regular Metro Council Meeting minutes.

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

Agenda Item Number 8.1

Ordinance No. 99-829, For the purpose of Annexing Lands within Urban Reserve Area 41 to the Metro Jurisdictional Boundary.

First Reading

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING) ORDINANCE NO 99-829
LANDS WITHIN URBAN RESERVE)
AREA 41 TO THE METRO)
JURISDICTIONAL BOUNDARY) Introduced by Executive Officer,
) Mike Burton
)

WHEREAS, on December 31, 1998, the duty and authority to review and approve city and county annexations in Clackamas, Multnomah and Washington Counties under ORS 199.425 was transferred to Metro pursuant to Chapter 516, Oregon Laws 1997; and

WHEREAS, on October 23, 1999, the duty and authority to review and approve annexations to the Metro jurisdictional boundary was granted to Metro pursuant to Chapter 282, Oregon Laws 1999; and

WHEREAS, petitioners are owners of property in urban reserve area 41 which was designated by the Metro Council in 1997 by Ordinance 96-655E; and

WHEREAS, annexation to the Metro jurisdictional boundary of the territory described in Exhibit A would constitute a contiguous boundary change under ORS 222.111, initiated by a petition of the owners of property in the territory; and

WHEREAS, notice as required by Metro Code 3.09.030 was published on November 24 and December 1, 1999; and

WHEREAS, Metro received consents to the proposed annexation from 100 percent of the owners of land in the territory; and

THE METRO COUNCIL ORDAINS:

1. The territory described in Exhibit A is hereby annexed to the Metro jurisdictional boundary.
2. This annexation to the Metro jurisdictional boundary is based on the findings and conclusions set forth in Exhibit B, attached hereto and incorporated by reference herein.
3. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption of this ordinance.

4. This ordinance is necessary for the immediate preservation of public health, safety and welfare because annexation should be effective immediately to allow the Council to consider Urban Growth Boundary amendments to comply with the State of Oregon mandate to move the Urban Growth Boundary pursuant to ORS 197.299; an emergency is therefore 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

Approved as to Form:

ATTEST:

Recording Secretary

Daniel B. Cooper, General Counsel

i:\r-0\99-829.doc
OGC/KDH/kvw 12/01/99

Exhibit A

A tract of land in Sections 14 and 15, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at the Northeast corner of said Section 15; thence West, along the North line thereof, to a point of being the North one-quarter corner of said Section 15; thence continuing West, along said North line, a distance of 479.82 feet; more or less, to a point on the Northerly extension of the East line of that tract conveyed to Jay R. Nims, et ux, by Warranty Deed recorded September 25, 1973 as fee number 73-30518 of the Clackamas County Records; thence South, along said extension and East line, a distance of 504.00 feet, more or less, to the Southeast corner of said Nims tract; thence West, along the South line thereof, a distance of 90.00 feet to the Southwest corner of said Nims tract; thence North, along the West line of said Nims tract and the extension thereof, a distance of 504.00 feet, more or less, to a point on the North line of said Section 15; thence West, along said North line, a distance of 160.00 feet, more or less to a point on the Northerly extension of the East line of that tract conveyed to Charles E. Taber, et ux, by Bargain and Sale Deed recorded October 30, 1990 as fee number 90-53949 of the Clackamas County Records; thence

South, along said extension and Eastline, a distance of 435.00 feet, more or less, to the Southeast corner of said Taber tract; thence West, along the South line of said Taber tract and the extension thereof, a distance of 105.00 feet, more or less, to a point on the West line of that tract conveyed to Charles E. Taber, et ux, by Warranty Deed recorded October 12, 1973 as fee number 73-32457 of the Clackamas County Records; thence North, along the West line of said Taber tract and the extension thereof, a distance of 435.00 feet, more or less, to a point on the North line of said Section 15; thence West, along said North line, to a point on the centerline of Grahams Ferry Road (c.r. #13); thence South, along said centerline, a distance of 3600 feet, more or less to a point being the Westerly corner of that tract described on Page 1 of 2 of Exhibit "A" of that Warranty Deed conveyed to the State of Oregon, recorded January 2, 1998 as Fee No.98-000106, of the Clackamas County Records; thence East, along the Westerly South line of said State of Oregon tract and the Easterly extension thereof, a distance of 1075 feet; thence North 21 degrees 32' 32" East a distance of 1050 feet; thence North 09 degrees 45' 25" East a distance of 1600 feet, more or less, to a point on the North line of said State of Oregon tract; thence East, along said North line, a distance of 1684.98 feet, more or less, to the Northeast

corner of said State of Oregon tract, being a point on the East line of the Samuel B. Franklin Donation Land Claim No. 50; thence South along said East line, a distance of 2697.06 feet to the Southeast corner of said Franklin claim, being a point on the North line of the Robert V. Short Donation Land Claim, No. 46; thence East , along said North line, a distance of 2589.84 feet, more or less, to the Southeast corner of that tract described as Parcel 2 of that Warranty Deed conveyed to Arthur C. Piculell, et ux, recorded September 23, 1993 as Fee No. 93-69118 of the Clackamas County Records; thence North 07 degrees East, along the East line thereof , a distance of 6.47 chains; thence North 05 degrees East, continuing along said East line, a distance of 2.85 chains, thence North 20 degrees 30' West continuing along said East line a distance of 7.66 chains to a point being the Easterly corner of that tract describe as Parcel 1 of said Piculell Tract; thence South 72 degrees 16' West, along the Southeasterly line thereof, a distance of 481.8 feet to the Southerly corner of said Parcel 1; thence North 26 degrees 20' West, along the Southwesterly line thereof, a distance of 604.68 feet to the Westerly corner of said Parcel 1, being a point on the Southeasterly line of that tract conveyed to the Wetlands Conservancy Inc., by Bargain and Sale Deed recorded March 15, 1996 as Fee no. 96018244 of the

Clackamas County Records; thence South 72 degrees 16' West along said Southeasterly line, a distance of 195.5 feet to the Southerly corner of said Wetlands Conservancy Tract; thence North 10 degrees 30' East, along the West line thereof, a distance of 178.13 feet, more or less, to an angle corner in said West line; thence North 14 degrees West, continuing along said West line a distance of 3.00 chains; thence North 26 degrees West, continuing along said West line, a distance of 1.77 chains; thence North 52 degrees West, continuing along said West line, a distance of 100 feet, more or less, to a point of intersection of said West line with the East line of said Section 15; thence North, along said East line, to the point of beginning.

Date: November 9, 1999

**STAFF REPORT TO THE
METRO COUNCIL**

SECTION I: APPLICATION SUMMARY

CASE: FILE NAME: Fasano
Annexation to the Metro Jurisdictional Boundary Case 99-829

APPLICANT/
PETITIONER: Louis J. Fasano¹
2455 SW Gregory Drive
West Linn, OR 97068

PROPOSAL: The petitioners request annexation of a 247.92-acre group of parcels located within a portion of Urban Reserve (URA) #41.

LOCATION: The property is located between Tooze Road and 110th Street and east of Grahams Ferry Road (Attachment A).

PLAN/ZONING
DESIGNATION: *Clackamas County Zoning: Exclusive Farm Use (EFU)- 198.5 acres, Rural Residential/ Farm Forest Use (RRFF-5)- 49.17 acres.*
Clackamas County Comprehensive Plan Designation: Rural, Agricultural

APPLICABLE
REVIEW CRITERIA: Metro Code section 3.09.050

SECTION II: STAFF RECOMMENDATION

Staff recommends that the Metro Council APPROVE Case 99-829: Fasano.

SECTION III: BACKGROUND INFORMATION

Site Information: The 247.92 -acre site is located within Clackamas County adjacent to Tooze Road to the north, Grahams Ferry Road to the west and Evergreen Road to the south. The subject properties are located on Map No. 31W15, tax lots: 2990, 1200, 1205, 1101, 1100, 1000, 900, 800, 700, 100, 300, 500, 501, 502, 380, 390, 490 and Map No. 31W10, tax lot 1490. The site is located adjacent to the

¹ Representing property owners in the subject area

Wilsonville City limits to the south and east. The uses surrounding the subject site are agricultural, rural residential, industrial and urban residential. The subject area contains 8 single-family units.

Case History: The petitioners submitted a petition for annexation of the subject property on October 12, 1999. The application was deemed substantially complete on October 21, 1999. A letter was sent to the applicant on October 21, 1999 discussing the need for additional information and providing a tentative timeline for the required notice and a public hearing before the Metro Council.

Proposal Description: The petitioners propose to annex 247.92 acres of land to the Metro jurisdictional boundary. The subject site comprises the majority of URA #41. The subject site does not include tax lots 1202 and 1203 of map 31W15. The applicant has indicated that the property owner and electors on tax lots 1202 and 1203 do not wish to be part of this proposal. These tax lots are part of URA #41 and correspond to the area included in Resolution 98-2729 that stated Metro Council's intent to bring this entire area into the Urban Growth Boundary.

A master plan has been developed and adopted by the City of Wilsonville for this portion of URA #41 within the last three years and is titled: "The Dammasch Area Transportation- Efficient Land Use Plan". The master plan covers 520 acres (half of which is located within the current Wilsonville City limits). The Dammasch plan was developed to improve the jobs/housing balance in the City of Wilsonville by adding 2300 dwelling units to this area. The plan calls for an average residential density greater than 10 dwelling units per net acre, a commercial node to service the surrounding neighborhood, preservation of over 100 acres of wetlands through open space designation and improved street connectivity. The City, in a letter dated October 13, 1999 to the Metro Council has indicated its support to complete the necessary steps toward inclusion in the UGB and eventual urbanization.

SECTION IV: APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro jurisdictional boundary are contained in Metro Code 3.09.050. The criteria with citation in (**bold**), petitioner responses in (*italics*), and staff analysis follow.

Petitions to add land to the Metro jurisdictional boundary may be approved under the following conditions:

1. **The extent to which urban services presently are available to serve the affected territory including any extraterritorial extensions of service. [3.09.050(b)(1)]**

Because the territory proposed for annexation to Metro is rural land, no urban-level services are presently provided to the territory. However, urban services will be available to serve it upon its eventual conversion to urban land. These services include the following:

Water

The City of Wilsonville will provide water service. The City is currently experiencing a water shortage due to declining levels in the City's wells. A citywide election in September, 1999 established the Willamette River as the City's new water source, and provided \$25 million for needed improvements to the City's water system. Future annexation to the City of Wilsonville will be tied to the completion of the water system improvements.

Sanitary Sewer

The City of Wilsonville will provide sanitary sewer service. Collection system improvements are planned to accommodate future development in the area. The City of Wilsonville recently expanded and improved its wastewater treatment plant to accommodate community growth.

Exhibit "B"
Page 2 of 6

Storm Sewer

The City of Wilsonville will provide storm sewer service. The subject property drains into three creeks in the area. A combination of the on-site storm water detention and use of the natural drainageways is expected to meet the future storm sewer demands of the area. The City has a consultant under contract to prepare an updated Storm Water Master Plan to address the needs of the area.

Transportation

The primary transportation service provider will be the City of Wilsonville. This includes the responsibility for improving and maintaining streets in the vicinity, as well as the provision of transit services through South Metro Rapid Transit (SMART), a City operation. Transportation services are also coordinated with Clackamas County (with continuing responsibility for the roads near the subject property) and with the Oregon Department of Transportation, dealing with freeway access.

Fire and Police

The Tualatin Valley Fire and Rescue District provide fire protection services to the subject property and all properties in the community. The District operates under contract with the City with a fire station located on Kinsman Road, approximately one mile from the subject property.

Schools

The West Linn-Wilsonville School District primarily provides school services in the area. A small part of the subject property is within the Sherwood School District.

The petitioners state, no extraterritorial extension of services will be required to serve the territory proposed for annexation to Metro.

Staff Response

The City of Wilsonville can reasonably provide the necessary urban services in the near future. The City has indicated that it has plans in place to solve the water shortage problem and expand its wastewater treatment facilities to service the subject site. The City has hired a consultant to update the City's stormwater master to include this area. The existing providers can provide police and fire services. The school districts of West-Linn and Sherwood were consulted during the master plan process. As a result, an elementary school has been included in the master plan.

No extra-territorial extensions of services are necessary to serve this property because the property is not located within the UGB, is under rural residential or agricultural use and does not require urban type services. The rural residential and agricultural uses within the subject site are expected to continue until such time as the site is included within the UGB and the City limits of Wilsonville. Prior to urbanization, there is no need to extend urban services to the subject site. The petitioners are requesting no extra-territorial extension of services.

Because there is no need to extend urban services to this site at this time and the City has taken steps to provide these services in the future and there is no extra-territorial extension of services requested, this criterion has been satisfied.

- 2. A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties. [3.09.050(b)(2)]**

The petitioners state, there are no adopted ORS 197.065 urban service provider agreements between Metro and the identified providers of urban services.

Staff Response

There are currently no urban service agreements that apply to the subject site or in place between any adjacent providers therefore this criterion does not apply.

- 3. A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties. [3.09.050(b)(3)]**

Under state law, Metro is the entity responsible for establishing and amending the Urban Growth Boundary (UGB) for the Portland metropolitan region. It is Metro's position that its ability to amend the UGB extends only to territories that are already located within Metro's jurisdictional boundaries. This annexation petition would annex the subject property to Metro, thereby allowing Metro to then add the subject territory to its UGB. See attached Metro Resolution No. 98-2729C.

At such time as Metro amends its Urban Growth Boundary to include the subject territory, it will adopt an ordinance and findings addressing how the amendment complies with the applicable criteria governing UGB amendments in Metro's Code, including the Metro Regional Urban growth Goals and Objectives. The current proposal for annexation to Metro is authorized by and is consistent with Metro Code Section 3.01.015(h)(5). Metro's Resolution No. 98-2729C expressly supports and endorses this proposed annexation to Metro.

Following annexation to Metro and Metro Council's adoption of a land use decision to add the subject territory to its UGB, the subject territory will be annexed by the City of Wilsonville in a manner consistent with ORS 222.

Staff Response

The Dammasch Master Plan, which has been completed and adopted by the City of Wilsonville, is a mixed-use urban village concept that includes an overall density of 10.2 dwelling units per net acre. This village concept includes areas set aside for commercial/retail activity, civic uses, neighborhood parks, elementary schools, open space and natural areas. The plan's goals are to provide a variety of housing types for this area and to assist in satisfying the housing needs of the region. The plan recognizes that there is a jobs/ housing imbalance in this sub-region and the City of Wilsonville could benefit from providing more housing. The plan places a heavy emphasis on transportation by developing strategies to improve connectivity with developed portions of Wilsonville and the surrounding area, providing circulation through primary roads serving the site and alignments with existing streets.

The Dammasch Master Plan is acknowledged in the 2040 Growth Concept Plan. The 2040 Growth Concept designation for this subject area is inner neighborhood. The plan is not in conflict with this designation and is actually a refinement of this concept.

The subject property is currently located within Clackamas County. The County Comprehensive plan designations for the subject area are Agricultural and Rural. County policies addressing Urbanization (1.0) identify the need to designate urban areas within Metro's jurisdiction and coordinate with affected cities in the designation of urban areas outside of Metro. Policy 2.0 states- "the following areas may be designated as urban; a) land needed to accommodate 20-years of future urban population; b) land needed for increasing housing and employment opportunities and livability from both a regional and a subregional view; c) land to which public facilities and services can be provided in an orderly and

economic way; h) land where the strategic location of employment and living opportunities can minimize community distance, traffic congestion, pollution and energy needs." The planned use in this area reflect the Country's comprehensive plan goals relative to future urbanization.

Staff finds that the existing plans support the inclusion of this area within the Metro jurisdictional boundary and are a necessary step towards urbanization of this area.

4. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party. [3.09.050(b)(4)]

The proposed boundary change will not result in the withdrawal of the affected territory from the legal boundary of any necessary party.

Staff Response

The proposed boundary change does not result in a withdrawal from the district, therefore this criterion does not apply.

5. The proposed effective date of the decision. [3.09.050(b)(5)]

Petitioners seeking annexation to Metro request that an order approving this annexation take effect immediately upon its adoption, so that the Metro Council can proceed to adopt an ordinance amending its Urban Growth Boundary to include the annexed territory in the manner set out in paragraph 1 of Metro Resolution 98-2729C.

Staff Response

An effective date of the annexation is proposed to take effect immediately upon adoption. Staff concludes that this criterion has been satisfied because the applicant has proposed an effective date.

SECTION V: SUMMARY AND RECOMMENDATION

This petition seeks to annex 247.92 acres of land into the Metro jurisdictional boundary for the purpose of allowing expansion of the UGB into this area and eventual urbanization. The petitioners have provided sufficient evidence to demonstrate that the subject area can eventually be provided with urban services in an orderly and efficient manner. The petitioners have demonstrated that the annexation is not in conflict with the regional framework plan, functional plan or any other applicable plans. The site can be adequately served with sewer, storm, water, police, fire, park and open space and transportation services after inclusion of the area into the UGB and the City limits of Wilsonville (require subsequent actions).

Based on the above analysis, staff recommends that the Metro Council approve this petition for annexation to the Metro jurisdictional boundary.

Attachments:

Site Map
Double Majority Worksheet- Property Owners
Double Majority Worksheet- Registered Voters
Petition Signatures
Letter from City of Wilsonville, dated October 13, 1999

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Agenda Item Number 8.2

Ordinance No. 99-830, For the Purpose of Annexing Lands within Urban Reserve Area 39 to the Metro Jurisdictional Boundary.

First Reading

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING) ORDINANCE NO 99-830
LANDS WITHIN URBAN RESERVE)
AREA 39 TO THE METRO)
JURISDICTIONAL BOUNDARY) Introduced by Executive Officer,
) Mike Burton
)

WHEREAS, on December 31, 1998, the duty and authority to review and approve city and county annexations in Clackamas, Multnomah and Washington Counties under ORS 199.425 was transferred to Metro pursuant to Chapter 516, Oregon Laws 1997; and

WHEREAS, on October 23, 1999, the duty and authority to review and approve annexations to the Metro jurisdictional boundary was granted to Metro pursuant to Chapter 282, Oregon Laws 1999; and

WHEREAS, petitioners are owners of property in urban reserve area 39 which was designated by the Metro Council in 1997 by Ordinance 96-655E; and

WHEREAS, annexation to the Metro jurisdictional boundary of the territory described in Exhibit A would constitute a contiguous boundary change under ORS 222.111, initiated by a petition of the owners of property in the territory; and

WHEREAS, notice as required by Metro Code 3.09.030 was published on November 24 and December 1, 1999; and

WHEREAS, Metro received consents to the proposed annexation from 100 percent of the owners of land in the territory; and

THE METRO COUNCIL ORDAINS:

1. The territory described in Exhibit A is hereby annexed to the Metro jurisdictional boundary.
2. This annexation to the Metro jurisdictional boundary is based on the findings and conclusions set forth in Exhibit B, attached hereto and incorporated by reference herein.
3. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption of this ordinance.

4. This ordinance is necessary for the immediate preservation of public health, safety and welfare because annexation should be effective immediately to allow the Council to consider Urban Growth Boundary amendments to comply with the State of Oregon mandate to move the Urban Growth Boundary pursuant to ORS 197.299; an emergency is therefore 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

Approved as to Form:

ATTEST:

Recording Secretary

Daniel B. Cooper, General Counsel

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OGC/KDH/kvw 12/01/99

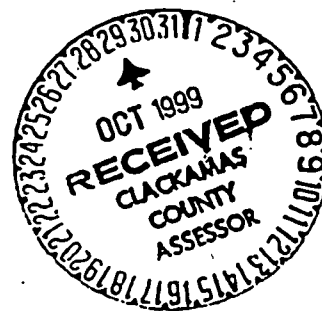
LEGAL DESCRIPTION
20 ACRE PARCEL
BEING A PORTION OF TAX LOT 2201 (MAP 3-1W-22)
FOR THE WOOD MIDDLE SCHOOL SITE
WILSONVILLE, OREGON

JOB NO 4326
6/10/99 MAR

EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER AND THE
NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY,
OREGON, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO
THE STATE OF OREGON, RECORDED JULY 1, 1993, RECORDER'S FEE NO. 94-29363,
CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 22, T.3S., R.1W., W.M.;
THENCE ALONG THE NORTH LINE THEREOF, S.89°37'45"W., 2,319.21 FEET TO A 1/4"
IRON PIPE INSIDE A 2" IRON PIPE; THENCE S.00°17'37"W., 127.61 FEET TO THE
NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN FEE NO. 79-5357,
CLACKAMAS COUNTY DEED RECORDS, AND THE TRUE POINT-OF-BEGINNING;
THENCE ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED
TO THE STATE OF OREGON, RECORDED JULY 1, 1993, RECORDER'S FEE NO. 94-
29363, CLACKAMAS COUNTY DEED RECORDS, S.00°17'37"W., 1,580.05 FEET TO THE
NORTH RIGHT-OF-WAY LINE OF WILSONVILLE ROAD (MARKET ROAD NO. 6) (30.00
FEET FROM CENTERLINE); THENCE ALONG SAID RIGHT-OF-WAY LINE THE
FOLLOWING TWO (2) COURSES: THENCE 22.90 FEET ALONG THE ARC OF A 543.00
FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02°24'57"
(THE LONG CHORD BEARS S.63°18'58"W., 22.89 FEET); THENCE S.64°31'27"W., 288.84
FEET; THENCE N.32°52'28"W., 1,200.45 FEET; THENCE N.56°36'30"E., 569.00 FEET;
THENCE N.74°27'30"E., 271.50 FEET; THENCE N.32°31'00"E., 380.00 FEET TO THE
POINT-OF-BEGINNING, CONTAINING 871,200 SQUARE FEET (20.00 ACRES) MORE
OR LESS.



Date: November 23, 1999

**STAFF REPORT TO THE
METRO COUNCIL**

SECTION I: APPLICATION SUMMARY

CASE: FILE NAME: West Linn-Wilsonville School District
Annexation to the Metro Jurisdictional Boundary Case 99-830

APPLICANT: West Linn- Wilsonville School District¹
Wilsonville, OR 97068

PROPOSAL: The petitioner is requesting annexation of a 20 acre parcel that is designated by Metro as Urban Reserve (URA) #39.

LOCATION: The property is located off of SW Wilsonville Road and adjacent to the Wood Middle School (Attachment A).

PLAN/ZONING DESIGNATION: *Clackamas County Zoning: Exclusive Farm Use (EFU)*
Clackamas County Comprehensive Plan Designations: Agricultural

APPLICABLE REVIEW CRITERIA: Metro Code 3.09.050

SECTION II: STAFF RECOMMENDATION

Staff recommends that the Metro Council APPROVE Case 99-830: West Linn-Wilsonville School District.

SECTION III: BACKGROUND INFORMATION

Site Information: The 20-acre site is located within Clackamas County off of SW Wilsonville Road and adjacent to Wood Middle School to the north. The subject property is located on Map No. 31W22, a portion of tax lot 2201. The site is located adjacent to the Wilsonville City limits to the west. The uses

¹ The Division of State Lands has indicated in a letter dated October 21, 1999 to the Executive Officer that they are in support of the application and permit the West Linn- Wilsonville School District to make this application during the property transfer process.

surrounding the subject site are agricultural, rural/future urban, and residential. The subject area is currently vacant.

Case History: The applicants submitted a petition for annexation of the subject property on November 4, 1999. The application was deemed substantially complete on November 11, 1999.

Proposal Description: The petitioners propose to annex approximately 20-acres of land to the Metro jurisdictional boundary. The 20-acre portion of tax lot 2201 comprises the boundary of URA #39 and corresponds to the area included in Resolution 98-2729 that stated Metro Council's intent to bring URA #39 into the Urban Growth Boundary (UGB).

The West Linn – Wilsonville School District has prepared a basic design plan for the construction of a new elementary school on the subject property. For this school the district has secured funding and intends to begin construction in 1999. The City of Wilsonville has completed much of the infrastructure planning necessary to develop the site.

SECTION IV: APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro jurisdictional boundary are contained in Metro Code 3.09.050. The criteria with citation (**bold**), petitioner responses (*italics*), and staff analysis follow.

Petitions to add land to the Metro jurisdictional boundary may be approved under the following conditions:

- 1. The extent to which urban services presently are available to serve the affected territory including any extraterritorial extensions of service. [3.09.050(b)(1)]**

Because the territory proposed for annexation to Metro is rural land, no urban-level services are presently provided to the territory. However, urban services will be available to serve it upon its eventual conversion to urban uses. These services include the following:

Water:

Water service will be provided by the City of Wilsonville. The City has made special arrangements with the School District to assure that adequate water will be available in spite of the City's current water shortage. The school district has agreed to curtail water use on the site during summer months in order to assist the community in conserving water until the new water treatment facility is finished. Major pipeline improvements are planned for the coming fiscal year in order to serve the site.

Sanitary Sewer:

Sanitary sewer service will be provided by the City of Wilsonville. Collection system improvements are planned to accommodate new school construction on the subject property. The City of Wilsonville recently expanded and improved its wastewater treatment plant to accommodate community growth.

Storm drainage:

Storm sewer service will be provided by the City of Wilsonville. The subject property is located between two creeks and near a system of wetlands. A combination of on-site stormwater detention and use of the natural drainageways is expected to meet the storm sewer needs of the site. Flooding is not a problem in the area.

Transportation:

The primary transportation service provider will be the City of Wilsonville. This includes the responsibility for improving and maintaining Wilsonville Road and other streets in the vicinity, as well as the provision of transit services through South Metro Rapid Transit (SMART), a City operation. Transportation services are also coordinated with Clackamas County (with continuing responsibility for the roads near the subject property) and with the Oregon Department of Transportation (I-5 crosses Wilsonville Road approximately 1.5 miles to the east of the subject site.)

Fire and Police:

Fire protection services are provided to the subject property and all properties in the community by the Tualatin Valley Fire and Rescue District. The District operates under contract with the City with a fire station located on Kinsman Road, approximately one mile from the site.

Police services are provided to the subject property and all properties in the community by the Clackamas County Sheriff's Department. This service is provided under contract between the County and the City of Wilsonville. The Clackamas County Sheriff's Department maintains a station in Wilsonville, with officers specifically assigned to the community. A sheriff's lieutenant serves and the City's Chief of Police.

Schools:

School services are and will continue to be provided to the site by the West Linn-Wilsonville School District. Note that the School District is acquiring the subject property for the purpose of new school construction.

Staff Response

The necessary urban services can be reasonably provided by the City of Wilsonville in the near future. The City has indicated that it has plans in place to solve the water shortage problem and expand its wastewater treatment facilities to service this subject site. The City has hired a consultant to update the City's stormwater master to include this area. The existing providers can provide police and fire services.

No extra-territorial extensions of services are necessary to serve this property because the property is not located within the UGB and is in agricultural use so that it does not currently require urban type services. The agricultural uses within the subject site are expected to continue until such time as the site is included within the UGB and the city limits of Wilsonville. Prior to urbanization, there is no need to extend urban services to the subject site. The petitioners are requesting no extra-territorial extension of services.

Because there is no need to extend urban services to this site at this time and the City has taken steps to provide these services in the future and there is no extra-territorial extension of services requested, this criterion has been satisfied.

2. A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties. [3.09.050(b)(2)]

The petitioners state, there are no urban planning or other agreements which apply to the territory.

Staff Response

There are currently no urban service agreements required to serve this subject site or in place between any adjacent providers therefore this criterion does not apply.

- 3. A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties . [3.09.050(b)(3)]**

Presently, the property is designated as rural in the Clackamas County Comprehensive Plan. The zoning is EFU – Exclusive Farm Use. The territory is outside of the area covered by the Wilsonville Comprehensive Plan. The comprehensive plans for Wilsonville and Clackamas County will need to be amended once the territory is annexed into the City.

Wilsonville Comprehensive Plan Objective 2.1.5. states:

Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.

The West Linn – Wilsonville School District has demonstrated to Metro, Wilsonville, and Clackamas County that a need presently exists for a new primary school to serve the western portion of the city and the District. As a result, the territory has been designated by Metro as Urban Reserve (URA #39).

Staff Response

The Dammasch Master Plan which has been completed and adopted by the City of Wilsonville is a mixed-use urban village concept that includes an overall density of 10.2 dwelling units per acre. This village concept includes areas set aside for commercial/retail, civic uses, neighborhood parks, elementary schools, open space and natural areas. The elementary school that is planned to be constructed on URA #39 is not specifically mentioned in this plan but according to the City of Wilsonville, will help satisfy the need for schools from the population located within the city limits and within the area covered by the Dammasch plan.

The Dammasch plan places a heavy emphasis on transportation by developing strategies to improve connectivity with developed portions of Wilsonville and the surrounding area, providing circulation through primary roads serving the site and alignments with existing streets. Transportation considerations in the area of Urban Reserve #39 are factored into the overall transportation plan for the Dammasch area.

The subject property is currently located within Clackamas County. The current County Comprehensive Plan designations for the subject area are Agricultural. The school that is planned for the subject area qualifies as an urban use that will require urban services. Schools are a necessary land use element in the Clackamas County Comprehensive Plan to accompany urbanization. Clackamas County policies addressing urbanization are policy: (1.0) identify the need to designate urban areas within Metro's jurisdiction and coordinate with affected cities in the designation of urban areas outside of Metro. Policy 2.0 states- "the following areas may be designated as urban; a) land needed to accommodate 20-years of future urban population; b) land needed for increasing housing and employment opportunities and livability from both a regional and a subregional view; c) land to which public facilities and services can be provided in an orderly and economic way; h) land where the strategic location of employment and living opportunities can minimize community distance, traffic congestion, pollution and

energy needs." The planned use of this area reflects the Country's Comprehensive Plan goals relative to future urbanization.

The 2040 Growth Concept designation for this area is inner neighborhood. Upon annexation, zoning would be applied by the City of Wilsonville that will be consistent with this 2040 design type. Schools are typically located in residential areas in order to serve the adjacent population. Therefore, locating a school in this area is interpreted as consistent with Metro's 2040 Growth Concept and RUGGOS.

Staff finds that the existing plans support the inclusion of this area within the Metro jurisdictional boundary and are a necessary step towards urbanization of this area.

4. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party. [3.09.050(b)(4)]

Because all necessary parties are aware of and have supported the proposal, objections to a decision to annex the territory into the Metro District Boundary is not expected.

Staff Response

There are presently no urban service provider agreements in this area. Metro staff has received no comments from any affected agencies that would result in a conflict between providers or a withdrawal from a district. This criterion does not apply.

5. The proposed effective date of the decision. [3.09.050(b)(5)]

The Metro Council has determined that the territory should be within the UGB (Resolution No. 98-2729C). ODSL and West Linn-Wilsonville School District, the present and future owners of all of the territory, herein propose annexation to Metro. They request that an order approving this annexation take effect immediately upon its adoption, so that the Metro Council can proceed to adopt an ordinance amending its Urban Growth Boundary to include the annexed territory.

Staff Response

An effective date of the annexation is proposed to take effect immediately upon adoption. Staff concludes that this criterion has been satisfied because the applicant has proposed an effective date.

SECTION V: SUMMARY AND RECOMMENDATION

This petition seeks to annex approximately 20 acres of land into the Metro jurisdictional boundary for the purpose of allowing expansion of the UGB for the development of a school. The petitioners have provided sufficient evidence to demonstrate that the subject area can eventually be provided urban services in an orderly and efficient manner. The petitioners have demonstrated that the annexation is not in conflict with the Regional Framework Plan, the Urban Growth Management Functional Plan or any other applicable plans. The site can be adequately served with sewer, storm, water, police, fire, park and open space and transportation services after inclusion of the area into the UGB and the City limits of Wilsonville (require subsequent actions).

Based on the above analysis, staff recommends that the Metro Council approve this petition for annexation to the Metro jurisdictional boundary.

I:\GM\Long_range_planning\staff\weddie\lura39annexsr.doc

SECTION 22 T.3S. R.1W. W.M.
CLACKAMAS COUNTY

JEFFERSON R.

1"=400'

11500

SEE MAP 3 IW 15

SEE

--S.89°48'W 8010 CL. (GLO)--

Ac.

D.L.C. NO. 46

DAMMASCH STATE HOSPITAL

APPROX. LOCATION OF 20 AC

3 IV

5 38.20

R.V. SHORT

MAP

SEE

3-28

20.39

R. SHAW D.L.C. NO. 51
19.16 CA (GLO)

My NE Cor. D.L.C. 51

SUPPL.

CHANNERY MAP

SEE

22AC

1100 51.18 Ac. TRACTS 11850

Exhibit "B"
Page 9 of 9

E.F.U.

WLY SW Cor.
R.V. Short
D.L.C. No. 46

1003 4.61 Ac

1001 2.43 Ac
12370

1002 5.37 Ac.
12340

SEE MAP

22DB

INTELL Cor. D.L.C. 46

BELNAP CT.

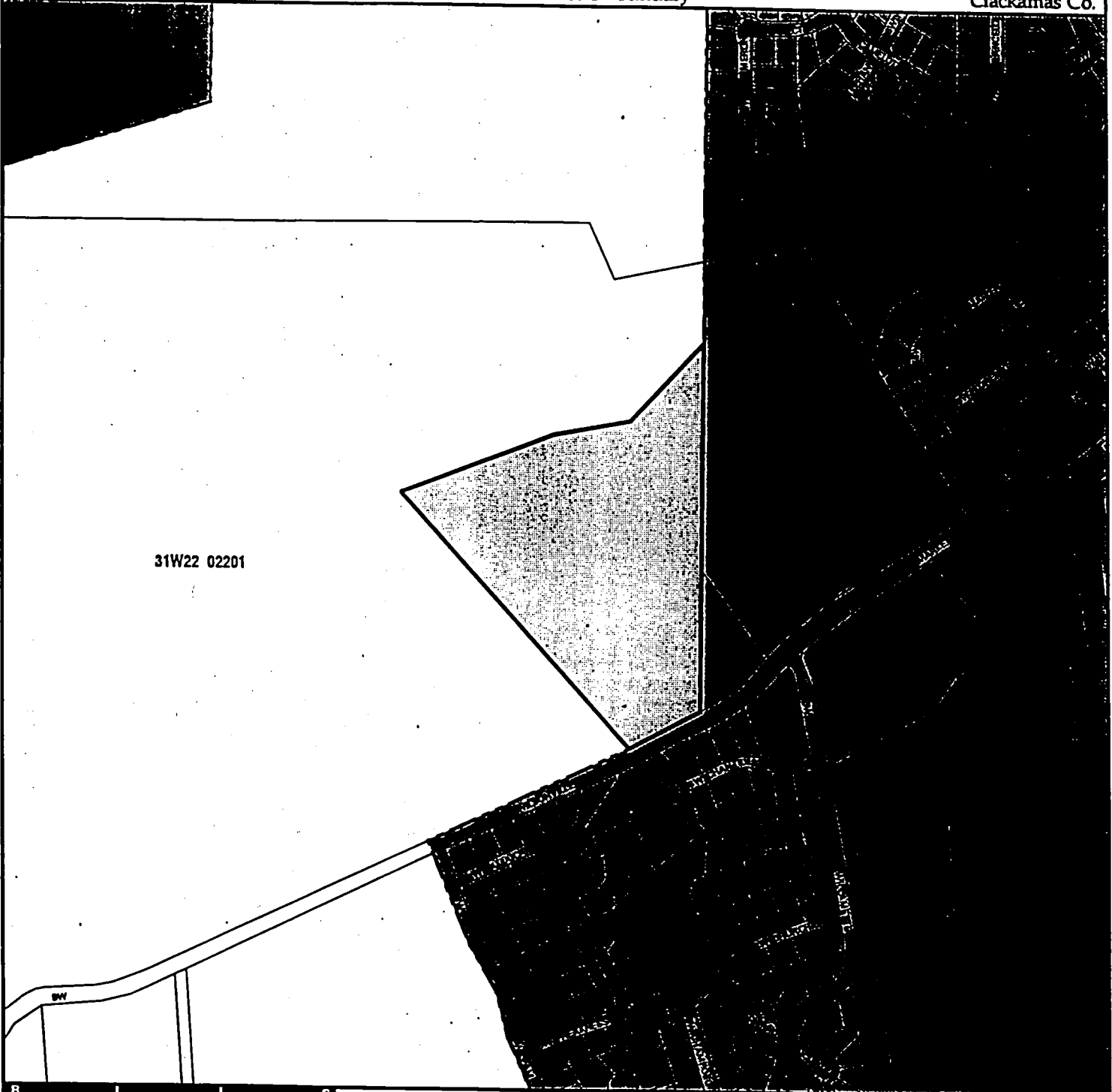
1000

Proposal No. MU0999

3S1W22

Annexation to Metro Boundary

Clackamas Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 787-1742
FAX 503 787-1909
Email drc@metro-region.org

METRO

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the accuracy of boundaries or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.




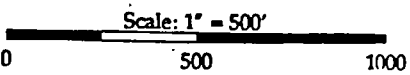
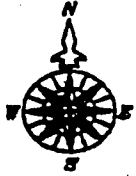
-  Metro boundary
-  Annexation boundary
-  Area to be annexed

Exhibit "B"
Page 7 of 9

PROPOSAL NO. MU0999
METRO BOUNDARY
Figure 1





Scale: 1" = 200'

15	14
22	23

S. 89° 37' 45" W.
2319.21'

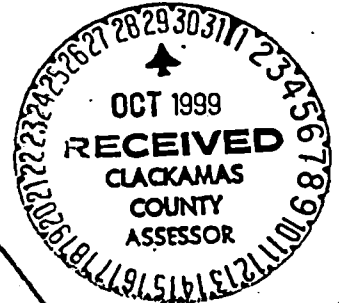
S. 00° 17' 37" W.
127.81'

POINT-OF-BEGINNING

WOOD MIDDLE SCHOOL

TAX LOT 500
MAP 3-1W-22A
ROBERT STETZEL

TAX LOT 2201
MAP 3-1W-22
STATE OF OREGON
20.00 ACRES



TAX LOT 600
MAP 3-1W-22A
JOAN B. HULL

L-2290'
P-343.00'
Δ-022457

Exhibit "B"
Page 8 of 9

MAP PREPARED BY:
COMPASS ENGINEERING
8584 S.E. LAKE ROAD
MILWAUKIE, OR 97222
(503) 653-9093

SW WILSONVILLE ROAD

EXHIBIT MAP
A PORTION OF TAX LOT 2201
IN THE NW 1/4 AND NE 1/4 OF SECTION 22
T.09, R.1W, W.M.
CITY OF WILSONVILLE
CLACKAMAS COUNTY, OREGON

Agenda Item Number 8.3

Ordinance No. 99-833, For the Purpose of Amending the Section of the Metro Code, Chapter 3.08 on the Work Program of the Affordable Housing Technical Advisory Committee to Complete its Recommendation for the Regional Affordable Housing Strategy Plan.

First Reading

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
THE SECTION OF THE METRO CODE,)
CHAPTER 3.08, ON THE WORK)
PROGRAM OF THE AFFORDABLE)
HOUSING TECHNICAL ADVISORY)
COMMITTEE TO EXTEND THE TIME)
FOR THE COMMITTEE TO COMPLETE)
ITS RECOMMENDATION FOR THE)
REGIONAL AFFORDABLE HOUSING)
STRATEGY PLAN)

ORDINANCE NO 99-833
Introduced by Councilor Washington

WHEREAS, the Affordable Housing Technical Advisory Committee (H-TAC) was established in Ordinance No. 98-769, adopted September 10, 1998, and codified in Metro Code 3.08; and

WHEREAS, the Metro Code 3.08.030 states that no later than 15 months after the date of adoption of Ordinance No. 98-769, the H-TAC shall report to the Metro Council with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan; and

WHEREAS, the recommendation must be first submitted to MPAC as a preliminary recommendation for review and comment consistent with Metro Code 3.08.040; and

WHEREAS, prior to the recommendation to the Metro Council, the H-TAC shall conduct at least one public hearing; and

WHEREAS, H-TAC created and utilized a Fair Share Subcommittee, meeting twice a month, from October 1998 to May 1999, to analyze housing data, develop a fair share affordable housing distribution model, make consistent with the Regional Framework Plan requirements; and

WHEREAS, H-TAC has reviewed the preliminary recommendations of the Fair Share ; and

WHEREAS, H-TAC presented the Options for Fair Share Housing Targets to the Metro Council Growth Management Committee on June 8, 1999 and to the MPAC on June 9, 1999, for review and comment; and

WHEREAS, MPAC and the Metro Council Growth Management Committee advised the H-TAC to withhold public hearing on the Options for Fair Share Housing Targets, to develop strategies for achieving more affordable housing and upon completion, H-TAC should present both the options for fair share targets and strategies to the MPAC and Metro Council; and

WHEREAS, the H-TAC has created and utilized three additional Subcommittees (Cost Reduction Subcommittee, Land Use & Regulatory Subcommittee, Regional Funding Subcommittee), since July 1999 to address the strategies and tools in the Regional Framework Plan; and

WHEREAS, the Cost Reduction Subcommittee has developed draft reports and recommendations based on factual information for five of the fifteen strategies and tools included in its work program, and the Land Use & Regulatory Subcommittee has developed draft reports and recommendations based on factual information for three of the twelve strategies and tools included in its work program, and the Regional Funding Subcommittee has additional work to complete a regional funding strategy; and

WHEREAS, H-TAC has reviewed all the eight draft strategy reports prepared by the Cost Reduction Subcommittee and Land Use & Regulatory Subcommittee and granted approval to seven of the strategy reports as preliminary recommendations – see Exhibit A – *Work Products of the Affordable Housing Technical Advisory Committee, December 1999*; and

WHEREAS, by motion and unanimous vote, the H-TAC reached a decision to forward request for an extension of time for the completion of the Regional Affordable Housing Strategy Plan from December 1999 to June 2000; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That Metro Code 3.08.030 is hereby amended to read
“Prior to making recommendation, the Committee shall conduct at least one public hearing and invite interested citizens and government officials to testify. The Committee shall consider all matters referred to it pursuant to Section 1.3 of the Regional Framework Plan and shall make a recommendation to the Council for the adoption of affordable housing (fair share) targets for each jurisdiction, and the Regional Affordable Housing Strategy Plan. This recommendation shall first be submitted to MPAC as a preliminary Committee recommendation for review and comment in accordance with Section 3.08.040 prior to its submittal to the Council. The Committee shall report to the Council and MPAC with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan no later than June 2000. Thereafter, in accordance with Section 3.08.040, the Committee shall make recommendation to the Council and MPAC on Matters referred to it pursuant to this Section . The Committee shall review the effectiveness of the Regional Affordable Housing Strategy in accordance with timeliness as set forth in the Strategy itself.”

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

HIGHLIGHTED CHANGES SHOWN

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That Metro Code 3.08.030 is hereby amended to read

“Prior to making a recommendation, the Committee shall conduct at least one public hearing and invite interested citizens and government officials to testify. The Committee shall consider all matters referred to it pursuant to Section 1.3 of the Regional Framework Plan and, ~~prior to nine months after the date of adoption of this ordinance,~~ shall make a recommendation to the Council for the adoption of ~~fair share~~ affordable housing (fair share) targets for each jurisdiction. and the Regional Affordable Housing Strategy Plan. This recommendation shall first be submitted to MPAC as a preliminary Committee recommendation for review and comment in accordance with Section 3.08.040 prior to its submittal to the Council.

~~No later than 15 months after the date of adoption of this Ordinance, t~~The Committee shall report to the Council and MPAC with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan. no later than June 2000. Thereafter, in accordance with Section 3.08.040, the Committee shall make recommendation to the Council and MPAC on Matters referred to it pursuant to this Section . The Committee shall review the effectiveness of the Regional Affordable Housing Strategy in accordance with timeliness as set forth in the Strategy itself.”

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

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary
Page 4 – Ordinance No. 99-833

Daniel B. Cooper, General Counsel

Staff Report

CONSIDERATION OF ORDINANCE NO. 99-833 FOR THE PURPOSE OF AMENDING THE SECTION OF THE METRO CODE, CHAPTER 3.08, ON THE WORK PROGRAM OF THE AFFORDABLE HOUSING TECHNICAL ADVISORY COMMITTEE TO COMPLETE ITS RECOMMENDATION FOR THE REGIONAL AFFORDABLE HOUSING STRATEGY PLAN.

Date: November 24, 1999

Presented by: Councilor Ed Washington

PROPOSED ACTION

This resolution would change the work program schedule for the Affordable Housing Technical Advisory Committee to report to the Metro Council and MPAC with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan.

FACTUAL BACKGROUND

The Council established H-TAC on November 20, 1997 (Resolution 97-2583B) and included it in the Regional Framework Plan, adopted by the Council on December 11, 1997 (Ordinance 97-715B). The appeal of the Regional Framework Plan provisions by some local governments resulted in a settlement agreement that amended Section 1.3 of the Regional Framework Plan regarding housing and affordable housing. The settlement also added a new chapter to the Metro Code that amended the composition of the H-TAC and confirmed the appointment of initial members to the committee. On September 10, 1998, the Council adopted Ordinance 98-769 that amended the Regional Framework Plan provisions, appointed the initial members of H-TAC, and stated the schedule for the H-TAC to submit its recommendation to the MPAC and Metro Council.

The Metro Code stated as follows:

- Prior to nine months after the adoption of Ordinance 98-769, the H-TAC shall submit preliminary recommendation to MPAC of fair share affordable housing targets for each jurisdiction in the Metro region. This schedule translates into a June 1999 deadline;
- Within this schedule, the H-TAC shall conduct at least one public hearing and invite citizens and government officials to testify;
- Within this schedule, the H-TAC shall make a recommendation to the Council for the adoption of fair share affordable housing targets for each jurisdiction; and
- No more than fifteen months after the adoption of Ordinance 98-769, the H-TAC shall report to MPAC and Council with recommendation for the adoption of the Regional Affordable Housing Strategy Plan. This schedule translates into a December 1999 deadline.

The H-TAC created a Fair Share Subcommittee that met twice a month from October 1998 to May 1999 to analyze housing data and developed information on housing need and fair share affordable housing distribution model. The H-TAC presented the Options for Fair Share Housing Targets to the Metro Council Growth Management Committee on June 8, 1999 and to the MPAC on June 9, 1999 for their review and comments. The MPAC and Metro Council Growth Management Committee advised

the H-TAC to:

- a) withhold the public hearing on the Options for Fair Share Housing Targets until it develops the strategies and tools that will be used to achieve the targets;
- b) go ahead and develop the strategies and tools for achieving more affordable housing in the region; and
- c) upon completing the strategies, it should come back and present the fair share housing targets and strategies.

In July 1999, the H-TAC created three additional subcommittees to develop the strategies and tools for affordable housing. The subcommittees and their charge are the:

1. Cost Reduction – develop programmatic approaches for addressing and developing strategies for implementation of the cost factors affecting affordability, as well as address and develop strategies for other tools as assigned in the Regional Framework Plan;
2. Land Use & Regulation – develop strategies for implementing the land use and regulatory approaches outlined in the Regional Framework Plan Policy 1.3; and
3. Regional Funding – develop options for the regional funding of affordable housing, considering possibilities outlined in the Regional Framework Plan.

The H-TAC has reviewed eight strategy reports developed by the subcommittees and approved seven of them as preliminary recommendations. As shown in Exhibit A to Ordinance 99-833 containing the strategy reports, there are approximately 18 additional strategies that need to be addressed.

At its meeting on November 15, 1999, the H-TAC voted unanimously to request the extension of time for the completion of its work program to June 2000. At this new deadline, the H-TAC will report to the Council and MPAC with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan.

Exhibit A

Work Products

Of the

Affordable Housing Technical Advisory Committee (H-TAC)

December, 1999



METRO

Agenda Item Number 9.1

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

Second Reading

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPEALING)
METRO ORDINANCE NO. 99-824A AND)
DECLARING AN EMERGENCY)
)
ORDINANCE NO. 99-831
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
I:\DOCS\09 SW\13RATES FIN\11amends 99\ord99-824Arepeal.doc

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.

Second Reading

**Metro Council Meeting
Thursday, December 9, 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 10.1

Ordinance No. 99-812, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance No. 95-625A in Urban Reserve Area 65 in Washington County.

Work Session

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO 99-812
METRO URBAN GROWTH BOUNDARY)
AND THE 2040 GROWTH CONCEPT) Introduced by Councilor Monroe
MAP IN ORDINANCE 95-625A)
IN URBAN RESERVE AREA 65 IN)
WASHINGTON COUNTY)

WHEREAS, the Metro Council designated urban reserve areas in Ordinance No. 96-655E, including Urban Reserve Area 65; 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 to be included in the Metro Urban Growth Boundary (UGB); and

WHEREAS, the Metro Council initiated a series of legislative amendments to the Urban Growth Boundary in 1998 which included Urban Reserve Area 65 which was the subject of a Metro Council resolution of intent pursuant Metro Code 3.01.015(h)(5) for lands outside the Metro jurisdictional boundary; and

WHEREAS, a series of hearings was held before the Council Growth Management Committee on October 6, 13, 20 and 27, and before the full Metro Council on November 10, 12, 16, 17, 19 and December 3, 1998; and

WHEREAS, notice of Proposed Amendment for Urban Reserve Area 65, 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 3, 1998 hearing; and

WHEREAS, on December 17, 1998 the Metro Council adopted Resolution No. 98-2726B expressing Council intent to amend the urban growth boundary to add land in Urban Reserve Area 65 to the urban growth boundary within 30 calendar days of receiving notification that the property outside the jurisdictional boundary had been annexed to Metro, provided such notification was received within six (6) months of the date on which the resolution was adopted; and

WHEREAS, on May 13, 1999, in Order 99-82, the Multnomah Board of County Commissioners approved annexation of approximately __ acres in Urban Reserve 65 as shown on the map in Exhibit B to the Metro jurisdictional boundary; and

WHEREAS, the Metro Council received notice of the annexation on June 15, 1999 within six months of adoption of Resolution 98-2726B; and

WHEREAS, after the first reading of this ordinance, the Metro Council scheduled hearings before _____ in July, 1999; and

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

WHEREAS, the staff report for these areas was available at least seven days prior to the final hearing on adoption of Resolution 98-2726B and the Metro Council's final hearing and final adoption of this ordinance on ____, 1999; and

WHEREAS, Metro Code 3.01.012(c)(3) requires designation of regional design types consistent with the 2040 Growth Concept for the land added to the UGB; and

WHEREAS, the Metro Council considered all the evidence in the record, including public testimony in October, November, December, 1998 and July, 1999 to decide proposed amendments to the Urban Growth Boundary; and

WHEREAS, conditions of approval are necessary to assure that the lands in Urban Reserve Area 65 added to the Urban Growth Boundary are used to meet the need for housing consistent with the acknowledged 2040 Growth Concept; now therefore,

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. Regional design types consistent with 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.

2. The Metro Urban Growth Boundary is hereby amended to include land in Urban Reserve Area 65 as shown on the map in Exhibit B, attached, and incorporated by reference herein.

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

5. In support of Findings and Conclusions adopted in Exhibit C 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 6, 1998 Growth Management hearing, the December 3, 1998 Metro Council hearing on Resolution 98-2726B and the ____, 1999 final hearing and final adoption of this ordinance.

7. The following conditions of approval are needed to assure compliance of the developed use with statewide planning goals and Metro's acknowledged regional goals and objectives:

A. The land added to the Urban Growth Boundary by this ordinance shall be planned and zoned for housing uses to the extent and in a manner consistent with the acknowledged 2040 Growth Concept text and the regional design types shown on Exhibit A.

B. Prior to conversion of the new urbanizable land in this ordinance to urban land available for development, an urban reserve plan shall be completed for the lands added to the Urban Growth Boundary by this ordinance consistent with Metro Code 3.01.012, as amended by Ordinance No. 98-772B, including Title 11 of the Urban Growth Management Functional Plan.

C. Urban development consistent with Goal 14, Factor 3 on orderly provision of stormwater urban service is feasible with the condition that the urban reserve plan shall require that a stormwater management plan be adopted for this area to assure that the velocity, temperature, sedimentation and chemical composition of stormwater runoff from the form of approved development meets state and federal water quality standards.

D. Urban development consistent with Title 3 of the Urban Growth Management Functional Plan on Flooding is feasible with the condition that the urban reserve plan and subsequent urban zoning provide for stormwater management to assure that the quantity of stormwater runoff leaving each site after urban development is no greater than before urban development.

E. Urban development consistent with Title 3 on Water Quality is feasible with the condition that Title 3 water quality setbacks and revegetation requirements shall be adopted prior to adoption of urban comprehensive plan and zoning designations for this area.

8. Consistent with ORS 268.390(3) and ORS 195.025(1), Washington County and the City of Beaverton 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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(6/25/99)

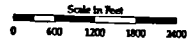
Designated Urban Reserves

Metro Council 3/6/97
DRAFT 2040 Design Types
Index number 15

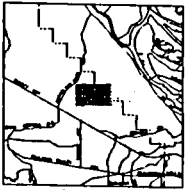
- Central City
- Regional Centers
- Town Centers
- Inner Neighborhoods
- Outer Neighborhoods
- Employment Areas
- Industrial Areas
- ~ Corridors
- ~ Main Streets
- ~ Proposed Regional Thoroughways
- ~ Potential Regional Thoroughways
- ~ Green Corridors
- ~ Planned & Existing Light Rail Lines
- ~ Proposed Light Rail Alignments
- ~ Potential HCT Facilities
- Light Rail Stations
- Potential Light Rail Stations
- International Airports
- Regional Airports
- Seaports
- ~ Intermodal Rail Yards
- ~ Rail Distribution Network
- ~ Exclusive Farm Use
- ~ Exception Land in Urban Reserves
- Reserve Land in Urban Reserves
- Urban Reserves not in Legislative Amendment
- Rural Reserves
- Open Space
- ~ Urban Growth Boundary
- ~ Urban Reserve Boundaries
- ~ Areas added to Reserves by Metro Council Ordinance
- Neighboring Cities
- Public Parks



Scale in Feet



Metropolitan Area Planning Council
1000 North 10th Street, Suite 1000
Denver, Colorado 80202
Phone: 303.733.1000
Fax: 303.733.1001






Location map

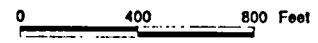
Exhibit A
Ordinance 9
812



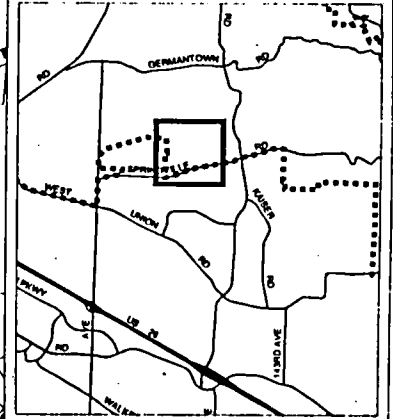
Exhibit B
Ordinance 99-812

-  Urban growth boundary
-  Land annexed to Metro
-  Urban reserve area 65

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

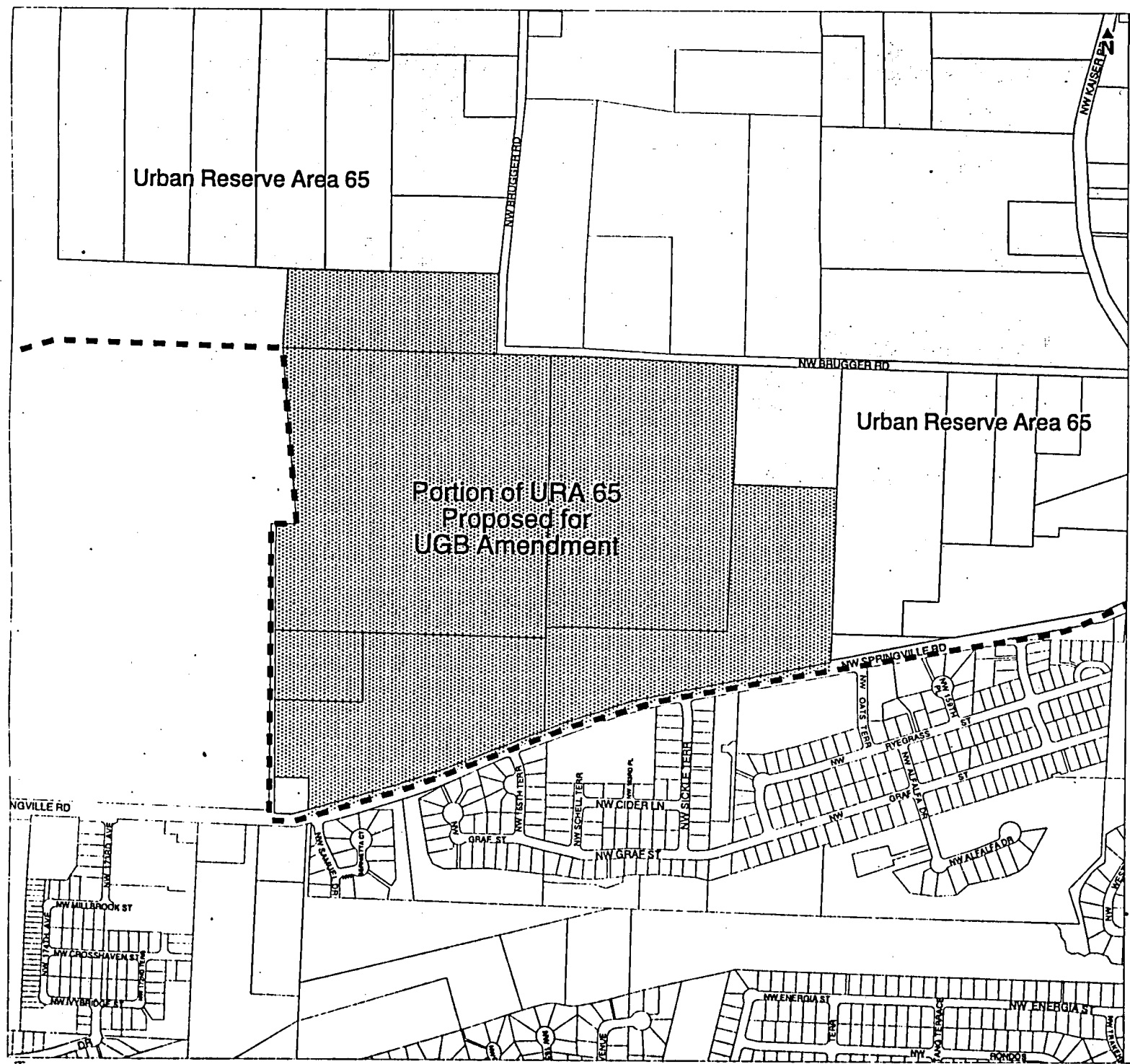


1" = 650 feet



METRO

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



ORDINANCE NO. 99-812 EXHIBIT C

**FINDINGS AND CONCLUSIONS WILL BE AVAILABLE PRIOR TO
THE FINAL DECISION**

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 99-812 TO AMEND THE URBAN GROWTH BOUNDARY AND THE 2040 GROWTH CONCEPT MAP IN ORDINANCE 95-625A URBAN RESERVE AREA 65 IN WASHINGTON COUNTY

Date: July 20, 1999

Presented by: Lydia Neill

Proposed Action

Ordinance No. 99-812, if adopted by Metro Council would amend the urban growth boundary and approve the urban reserve plan for a portion of urban reserve area 65.

Factual Background and Analysis

On December 17, 1998, the Metro Council adopted Resolution 98-2726B for the purpose of expressing intent to amend the urban growth boundary to include a portion of area 65. The portion of urban reserve 65 represented in this ordinance includes approximately 109 acres of the 488 total acres. The Executive Officer does not recommend inclusion of this area because of the EFU designation.

The Multnomah Board of County Commissioners approved annexation to Metro's jurisdictional boundary on May 13, 1999 by Order No. 99-82 for the expressed purpose of expanding the urban growth boundary. Several changes to the original 116-acre area were a result of right of way adjustments and a request from a property owner to be excluded (Tax Lot 900) leaving an area of 109 acres.

Ryland Homes submitted a preliminary urban reserve plan for approximately 116 acres of urban reserve area 65 in the fall of 1998. The 116-acre reserve plan area is composed of Class 2, 3 and 4 soils. All of the acreage within this reserve area is designated EFU by Washington County. At this time, agriculture is the dominant land use activity in this area. The urban reserve plan included a variety of housing types and densities and a school site. The site is projected to provide 704 dwelling units and 180 jobs. Metro staff reviewed this urban reserve plan and stated in a staff report issued on November 24, 1998 that all urban reserve plan requirements have been met.

The City of Beaverton and Washington County have signed a Memorandum of Understanding (MOU) dated October 28, 1998 to provide governance and planning for urban reserve 65. An Addendum to the MOU signed on November 11, 1998 provided for zoning and the orderly provision of urban services to this reserve area.

An Urban Services Intergovernmental Agreement (IA) signed on February 22, 1999 between the City of Beaverton and Washington County includes the area within urban

reserve 65. The IA formalizes the preliminary understanding outlined in the MOU dated November 11, 1998 and provides greater detail on the roles the city and county will play in planning, implementing the 2040 Growth Concept and provision of urban services to this area.

Budget Analysis

There is no budget impact.

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contact Suzanne Myers, 797-1543, for copy.

Proposed Urban Growth Boundary Expansion
Staff Report
November 24, 1998

Urban Reserve Area 65
(Beaverton Area, north of Highway 26)



METRO

Growth Management Services Department
600 N.E. Grand Avenue
Portland, OR 97232
503/797-1839

Agenda Item Number 10.2

Ordinance No. 99-834, For the Purpose of Amending 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

Work Session

**Metro Council Meeting
Thursday, December 9, 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 11.1

**Resolution No. 99-2845, For the purpose of Appointing Karen Lewotsky to the Water Resources Policy
Advisory Committee.**

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING) RESOLUTION NO. 99-2845
KAREN LEWOTSKY TO THE WATER)
RESOURCES POLICY ADVISORY) Introduced by Councilor Susan McLain
COMMITTEE) Chair, WRPAC

WHEREAS, The Water Resource Policy Advisory Committee (WRPAC) unanimously approved proposed revisions to the WRPAC bylaws at their March 27, 1996 meeting; and

WHEREAS, The Metro Council approved the revisions to the Bylaws as approved by WRPAC via adoption of Resolution No. 96-2321B and directed WRPAC to seek nominations for voting and non-voting positions (WRPAC Bylaws subsequently amended by Resolution 99-2780); and

WHEREAS, Resolution Nos. 96-2418A, 97-2517, 97-2588, 97-2717, 98-2733, 99-2767, 99-2793, 99-2797, 99-2823 and 99-2829 have subsequently established and appointed voting and non-voting members to serve on WRPAC; and

WHEREAS, Hilary Abraham, Oregon Environmental Council, has sent a letter stating that her duties have substantially changed and she is no longer able to serve on WRPAC; and

WHEREAS, Per the same letter, OEC has nominated Karen Lewotsky, their Director of Water Programs, to serve on WRPAC instead;

WHEREAS, Per WRPAC Bylaws Section 2(A)(i), WRPAC was notified of this membership change via a memo from the Chair, Councilor Susan McLain which was published in the agenda packet for the WRPAC meeting of October 18, 1999 and no objections or comments were raised at that time; now, therefore,

BE IT RESOLVED, That the Metro Council appoints Karen Lewotsky as the new member for the Oregon Environmental Council seat on WRPAC.

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

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Clean air
Clean water
Clear thinking



Oregon Environmental Council

RESOLUTION NO. 99-2845
EXHIBIT A

23 August 1999

Ms. Susan McLain
WRPAC Chair
Deputy Presiding Officer
600 NE Grand Avenue
Portland, Or 97232-2736

Dear Ms. McLain,

My schedule and commitments here at the Oregon Environmental Council (OEC) have changed substantially in the last year. As a result, it would be more appropriate for Karen Lewotsky, our Director of Water Programs, to serve as OEC's representative on WRPAC. Please add her name to your mailing list, and remove mine.

Thank you.

Sincerely,

Hilary Abraham
Drinking Water and Legislative Affairs Program Director
Oregon Environmental Council
520 SW 6th Ave., Suite 940
Portland, OR 97204 1535

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520 SW 6th Avenue, Suite 940
Portland, Oregon 97204-1535
Voice (503) 222-1963 Fax (503) 222-1405
oec@orcouncil.org www.orcouncil.org

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2845, FOR THE PURPOSE OF APPOINTING KAREN LEWOTSKY TO THE WATER RESOURCES POLICY ADVISORY COMMITTEE

Date: October 18, 1999

Prepared by: Rosemary Furfey

BACKGROUND INFORMATION

The Metro Water Resources Policy Advisory Committee (WRPAC) was formed in the early 1980s to advise the Metro Council on technical matters related to regional water resource planning.

WRPAC was formally organized and re-formed via Resolution No. 96-2418A which adopted a membership list of entities/persons to serve on WRPAC.

WRPAC's bylaws were revised and adopted by the Metro Council via Resolution No. 96-2321B. Section 2(B) of the Bylaws states: "Representatives and their alternates will be formally appointed by the Metro Council." (Those bylaws were updated also via Resolution No. 99-2780.)

Metro has been informed that Hilary Abraham, Oregon Environmental Council, is no longer able to serve on WRPAC as the OEC representative. The OEC has nominated Karen Lewotsky, OEC Director of Water Programs, to serve instead.

Per the WRPAC Bylaws, WRPAC was notified of these proposed membership changes with a memo from Councilor Susan McLain, WRPAC Chair that was printed in the WRPAC agenda packet for the October 18, 1999 meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2845.

Agenda Item Number 11.2

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 9, 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 29 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



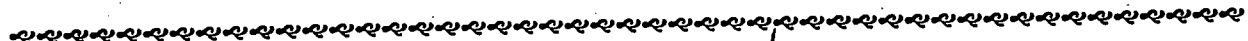
METRO

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>Germantown 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's Environ. St.</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 Cons
7/98 - 7/99	International Sustainable Development Foundation	"
6/97 - 5/98	Ecotrust, (Portland OR)	Executive Vice President
6/88 - 5/97	The World Bank, Wash. DC	environmental con
10/98 -	Board member, Forest Park Neighborhood Ass.	
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 applicant for MCEC grant

Have you volunteered for any minority organizations?

no

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 PTLD OR 97203
STREET CITY STATE ZIP

BUSINESS ADDRESS: 910 NW HOYT PTLD OR 97209
STREET CITY STATE 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 Texx 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
Punahou School	Honolulu, HI	high school
U of Oregon	Eugene, OR	BA Journalism

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

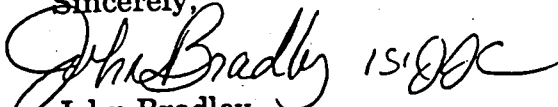
Dear Mr. Burton:

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,


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.

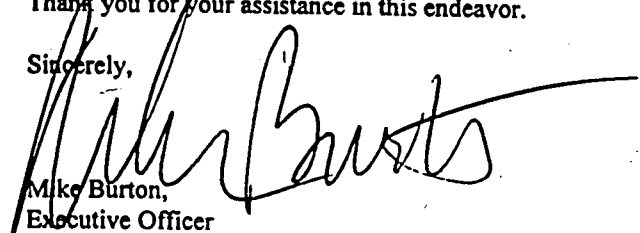
The Metro Council on February 27, 1992 adopted Resolution No. 92-1560 for the purpose of appointing members to the Metro Central Enhancement Committee. Members are nominated from their respective neighborhood association: Forest Park; Friends of Cathedral Park; Linnton; Northwest District Neighborhood 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

MB\KD: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



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.

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

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

MBKD: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

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.

**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.

Agenda Item Number 11.3

Resolution No. 99-2862, For the Purpose of Appointing Jim Johnson, Clifton Deal and Todd Heidgerken to the Water Resources Policy Advisory Committee.

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING JIM) RESOLUTION NO. 99-2862
JOHNSON, CLIFTON DEAL AND TODD)
HEIDGERKEN TO THE WATER) Introduced by Councilor Susan McLain
RESOURCES POLICY ADVISORY) Chair, WRPAC
COMMITTEE

WHEREAS, The Water Resource Policy Advisory Committee (WRPAC) unanimously approved proposed revisions to the WRPAC bylaws at their March 27, 1996 meeting; and

WHEREAS, The Metro Council approved the revisions to the Bylaws as approved by WRPAC via adoption of Resolution No. 96-2321B and directed WRPAC to seek nominations for voting and non-voting positions (WRPAC Bylaws subsequently amended by Resolution 99-2780); and

WHEREAS, Resolution Nos. 96-2418A, 97-2517, 97-2588, 97-2717, 98-2733, 99-2767, 99-2793, 99-2797, 99-2823 and 99-2829 (99-2845 to appoint Karen Lewotsky of the Oregon Environmental Council is pending before the Metro Council also) have subsequently established and appointed voting and non-voting members to serve on WRPAC; and

WHEREAS, Jim Johnson, Oregon Dept. of Agriculture has informed the WRPAC Chair that he has been selected to replace Marc Peters as their representative. This is a non-voting position.

WHEREAS, The East Multnomah Soil and Water Conservation District has informed the WRPAC Chair that Marty Mitchell's alternate, Patt Opdyke, has been replaced by Clifton Deal.

WHEREAS, The Tualatin Valley Water District has informed the WRPAC Chair that their new member will be Todd Heidgerken and Greg DiLoreto remains as their alternate.

WHEREAS, Per WRPAC Bylaws Section 2(A)(i), WRPAC was notified of this membership change via a memo from the Chair, Councilor Susan McLain, which was published in the agenda packet for the WRPAC meeting of November 8, 1999 and no objections or comments were raised at that time; now, therefore,

BE IT RESOLVED, That the Metro Council appoints Jim Johnson as the new, non-voting member for the Oregon Dept. of Agriculture; appoints Clifton Deal as the new alternate member for the East Multnomah Soil and Water Conservation District and Todd Heidgerken as the new member for the Tualatin Valley Water District.

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

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

RESOLUTION NO. 99-2862
EXHIBIT A-1

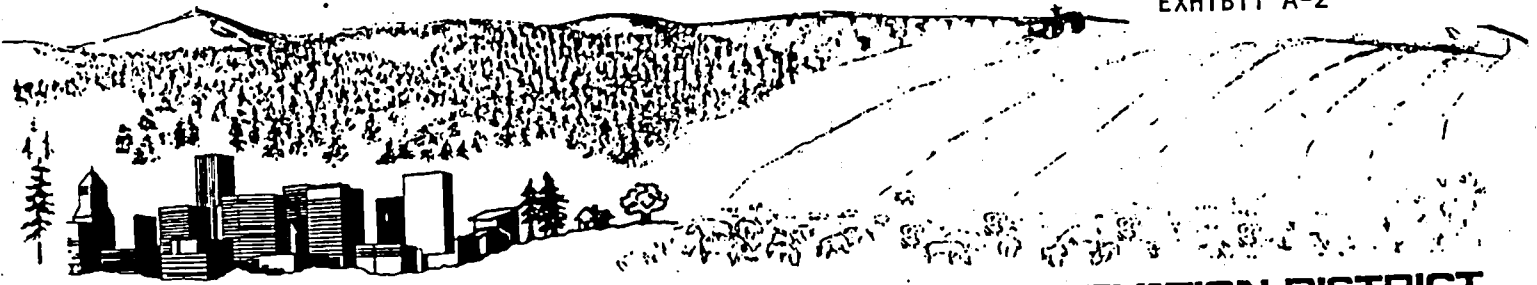
From: Jim Johnson <jjohnson@oda.state.or.us>
To: MetCen.MRC-PO(copperstonep)
Date: Wed, Oct 20, 1999 1:11 PM
Subject: WRPAC Membership

Below is a copy of the email sent to Councilor McClain by Ray Jaindl, Asst. Administrator. If you need anything further, please don't hesitate to contact me.

Jim Johnson
Land Use and Water Planning Coordinator
Oregon Department of Agriculture
Natural Resources Division
635 Capitol St. NE
Salem, OR 97301

jjohnson@oda.state.or.us
(503)986-4706
Fax: (503)986-4730

>
>X-Sender: rjaindl@mh.oda.state.or.us
>Mime-Version: 1.0
>Date: Mon, 30 Aug 1999 15:21:57 +0100
>To: mclains@metro.dst.or.us
>From: Ray Jaindl <rjaindl@oda.state.or.us>
>Subject: Water Resources Policy Advisory Committee
>Cc: dgorham@wiley, jjohnson@wiley, mpeters@wiley
>
>Recently, Marc Peters brought to my attention your letter in regard to his
>attendance at the WRPAC meetings. Since being appointed to represent the
>Oregon Department of Agriculture on this committee, Marc has taken a
>different position within the division. In talking to other staff in our
>division, it has become apparent that Marc is probably not the best person
>within the division to be a member of the WRPAC.
>
>Thus, I would like to propose that Jim Johnson be the contact within our
>agency for this committee. Please remove Marc Peters' name from the
>mailing list and add Jim Johnson as the person to mail all correspondence
>associated with this committee. Jim's alternate will be our water quality
>planner for the Willamette Valley. We are recruiting for the water quality
>planner position at this time but plan on having a person on board by
>October.
>
>Sincerely,
>
>Ray Jaindl
>Assistant Administrator
>Natural Resources Division.
>
>
>
>Ray Jaindl
>rjaindl@oda.state.or.us



EAST MULTNOMAH SOIL AND WATER CONSERVATION DISTRICT

2115 S.E. Morrison

Portland, Oregon 97214

Phone (503) 231-2270

October 14, 1999

Councilor Susan McLain
Water Resources Policy Advisory Committee
METRO
600 NE Grand Avenue
Portland, OR 97232

Re: Appointing new alternate to WRPAC

Dear Councilor McLain:

As you know, Marty Mitchell represents the East Multnomah Soil and Water Conservation District at meetings of Metro's Water Resources Policy Advisory Committee and its subcommittee on Fish and Wildlife Habitat. This is to inform you that, due to staffing changes at the district, Patt Opdyke will no longer be serving as Marty's alternate. Board member Clifton Deal will now be serving as alternate. Mr. Deal is a registered geotechnical engineer with more than 38 years experience in the field, primarily for the Natural Resources Conservation Service. He has nationwide experience in management, design, and preparation of educational materials in geotechnical fields.

You may reach Clifton Deal at:
735 SE Hale Place
Gresham, OR 97080
503/ 661-4392 (phone and fax)

Thank you for the opportunity to continue to provide technical input to the important work Metro is doing to protect soil and water resources in the region.

Sincerely,

Eann Rains
District Administrator





1850 SW 170th Ave. • P.O. Box 745 • Beaverton, Oregon 97075 • 503/642-1511 • FAX: 503/649-2733

October 28, 1999

Ms. Susan McLain
WRPAC Chair
Deputy Presiding Officer
600 NE Grand Avenue
Portland, Oregon 97232-2736

Dear Ms. McLain:

I have recently been selected as the Intergovernmental Relations Coordinator for the Tualatin Valley Water District (TVWD). In this capacity, I will be participating in future WRPAC meetings as a representative of TVWD. Please include my name and the following information on your mailing list:

P.O. Box 745
Beaverton, Oregon 97075
Phone: (503) 642-1511
Fax: (503) 848-3013
E-mail: toddh@tvwd.org

Thank you for your attentions to my request. I look forward to meeting you at the November 8th meeting. Please contact me if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Heidgerken", written over a horizontal line.

Todd Heidgerken
Intergovernmental Relations Coordinator

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2862, FOR THE PURPOSE OF APPOINTING JIM JOHNSON, CLIFTON DEAL AND TODD HEIDGERKEN TO THE WATER RESOURCES POLICY ADVISORY COMMITTEE

Date: November 16, 1999

Prepared by: Elaine Wilkerson

BACKGROUND INFORMATION

The Metro Water Resources Policy Advisory Committee (WRPAC) was formed in the early 1980s to advise the Metro Council on technical matters related to regional water resource planning.

WRPAC was formally organized and re-formed via Resolution No. 96-2418A which adopted a membership list of entities/persons to serve on WRPAC.

WRPAC's bylaws were revised and adopted by the Metro Council via Resolution No. 96-2321B. Section 2(B) of the Bylaws states: "Representatives and their alternates will be formally appointed by the Metro Council." (Those bylaws were updated also via Resolution No. 99-2780.)

This resolution would appoint Jim Johnson, Oregon Dept. of Agriculture, as their member in a non-voting position; appoint Clifton Deal to be the East Multnomah Soil and Water Conservation District alternate member and appoint Todd Heidgerken as the Tualatin Valley Water District member.

Per the WRPAC Bylaws, WRPAC was notified of these proposed membership changes with a memo from Deputy Presiding Officer Susan McLain, WRPAC Chair, that was printed in the WRPAC agenda packet for the November 8, 1999 WRPAC meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2862.

Agenda Item Number 11.4

**Resolution No. 99-2869, For the Purpose of Adopting the Capital Improvement Plan for Fiscal year
2000-01 through 2004-5.**

Public Hearing

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE)
CAPITAL IMPROVEMENT PLAN FOR FISCAL)
YEARS 2000-01 THROUGH 2004-05)

RESOLUTION NO. 99-2869
Introduced by
Mike Burton, Executive Officer

WHEREAS, Metro recognizes the need to prepare a long-range plan estimating the timing, scale and cost of its major capital assets;

WHEREAS, Metro departments have inventoried existing major capital assets, prepared status reports on current capital projects and assessed future capital needs;

WHEREAS, Metro's Executive Officer has directed the preparation of a Capital Improvement Plan for fiscal years 2000-01 through 2004-05 that projects Metro major capital spending needs over the next five years, assesses the impact of capital projects on the forecasted financial condition of Metro funds, and assesses the impact on operating costs;

WHEREAS, The Metro Council has reviewed the FY 2000-01 through FY 2004-05 Capital Improvement Plan; and

WHEREAS, The Council has conducted a public hearing on the FY 2000-01 through FY 2004-05 Capital Improvement Plan; and, therefore

BE IT RESOLVED,

1. That the Proposed FY 2000-01 through 2004-05 Capital Improvement Plan as amended with capital project changes approved by the Metro Council Finance Committee, which is on file at the Metro offices, is hereby adopted.

2. That the Executive Officer is requested to include the FY 2000-01 capital projects from the FY 2000-01 through 2004-05 Capital Improvement Plan in his proposed FY 2000-01 budget.

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 99-2869 ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2000-01 THROUGH 2004-05

Date: November 8, 1999

Presented by: Mike Burton, Executive Officer

FACTUAL BACKGROUND AND ANALYSIS

The Proposed Capital Improvement Plan for Fiscal Years 2000-01 through 2004-05 represents the fourth year of Metro's long-range capital improvement planning process. Over the past four years, Metro has established a sound base to forecast the agency's capital needs and balance those needs with available resources. As a result, Metro has been able to coordinate the financing and timing of its capital improvements in a way that maximizes the benefits to the public and provides opportunities to save money.

Within the 87 projects planned during the five years covered by this CIP are projects for replacing or improving existing facilities, projects purchasing new equipment, and projects that create new facilities. The total cost for these projects during the five years is projected to be \$188.2 million. Three capital projects - Oregon Convention Center Expansion, the reconstruction of Expo Hall D, and Open Spaces Acquisitions (including Local Share Acquisitions) - account for a total of \$149.9 million or over 79 percent of Metro's proposed capital expenditures for the next five years.

This Resolution is the formal instrument by which the plan will be adopted. Final action to adopt the plan will need to occur by January 1, 2000 to allow sufficient time to incorporate the plan's FY 2000-01 capital projects into the Executive Officer's proposed FY 2000-01 budget. Worksessions to review the CIP with staff are being planned for upcoming Council/Executive Officer informal meetings.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 99-2869.

Agenda Item Number 11.5

Resolution No. 99-2877, For the Purpose of Granting a Time Extension to the Cities of Fairview and Wilsonville for Compliance with Title 3 of the Urban Growth Management Functional Plan.

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A TIME) RESOLUTION NO. 99-2877
EXTENSION TO THE CITIES OF FAIRVIEW)
AND WILSONVILLE FOR COMPLIANCE) Introduced by Executive Officer
WITH TITLE 3 OF THE URBAN GROWTH) Mike Burton
MANAGEMENT FUNCTIONAL PLAN)

WHEREAS, the Metro Council adopted the Urban Growth Management Functional Plan for early implementation of the 2040 Growth Concept on November 21, 1996, by Ordinance No. 96-647C; and

WHEREAS, the Metro Council amended Ordinance No. 96-647C to amend Title 3 of the Urban Growth Management Functional Plan and adopted the Title 3 Model Ordinance and Water Quality and Flood Management Maps on June 18, 1998; and

WHEREAS, the Urban Growth Management Functional Plan requires that all jurisdictions in the region make comprehensive plan and implementing ordinance changes needed to come into compliance with Title 3 of the Functional Plan by December 18, 1999; and

WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extension to timelines under the Functional Plan "if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time;" and

WHEREAS, the cities of Fairview and Wilsonville have requested time extensions to complete Title 3 compliance work based on evidence showing "substantial progress or proof of good cause" for failing to meet the December 18, 1999 deadline for compliance with Title 3 of the Functional Plan and have submitted timelines showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That the cities of Fairview and Wilsonville shall receive time extensions for compliance with Title 3 of the Functional Plan as shown in Exhibit A.
2. That any further requests for time extensions or requests for Functional Plan exceptions made by the above named jurisdictions shall be determined as delineated in Metro Code 3.07.820, Sections B and C.

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

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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EXHIBIT A

Title 3 Functional Plan time extensions have been requested by the Cities of Fairview and Wilsonville.

City of Fairview October 2000

The City of Fairview has in place a number of protection regulations for wetlands, flood management and conservation areas. This includes a Riparian Buffer Overlay ranging from 26 to 35 feet in width, a Floodplain Overlay and a Significant Environmental Concern Zone. An analysis of the work necessary to modify Fairview's regulations to come into compliance with the Title 3 requirements has been completed. The City anticipates completing the policy work by April 2000, completing the inventory work for the stream and wetlands buffers and flood management areas by June 2000 and completing the adoption process by October 2000.

City of Wilsonville June 2000

The City of Wilsonville has entered into a contract with the Fishman Environmental Services and CDA Consulting Group to complete a natural resources inventory and protection plan for all land within the City limits and adjacent urban reserve areas. This will bring the City into compliance with Title 3. In addition, the City is in final hearings to amend its Development Code to address balanced cut and fill in the floodplains and to prohibit the creation of new building lots in floodplains. The City has erosion controls in place.

STAFF REPORT

*CONSIDERATION OF RESOLUTION NO. 99-2877
GRANTING TIME EXTENSIONS FOR THE CITIES OF
FAIRVIEW AND WILSONVILLE FOR COMPLIANCE WITH
TITLE 3 OF THE URBAN GROWTH MANAGEMENT
FUNCTIONAL PLAN*

Date: November 22, 1999

**Presented by: Mary Weber
Prepared by: Brenda Bernards**

PROPOSED ACTION

Adoption of Resolution No. 99-2877 granting timeline extensions to the Functional Plan compliance deadline for the Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation for the cities of Fairview and Wilsonville.

BACKGROUND AND ANALYSIS

Metro Code 3.07.820.C (Title 8 of the Functional Plan) provides that Metro Council may grant time extensions to Functional Plan requirements if a jurisdiction can demonstrate "substantial progress or proof of good cause for failing to complete the requirements on time."

On June 18, 1999, the cities and counties reported on their progress for compliance with the requirements of Title 3 of the Functional Plan. Throughout the region, the local jurisdictions have made considerable progress in dealing with flood management, erosion and sediment control and protection of the water quality resource areas. Each jurisdiction has elements of the requirements in place and is working towards amending current standards to be consistent with Title 3. The cities of Fairview and Wilsonville had anticipated meeting the requirements of Title 3 by the December 18, 1999 deadline for implementation. However, as the cities progressed in their work, it became clear that the deadline could not be met. The letters requesting the time extensions are attached to this report.

Compliance Progress

Although these jurisdictions have requested time extensions to complete the requirements of Title 3, both Fairview and Wilsonville have some of the requirements of this Title currently in place. The following summarizes the progress of the cities. Both have met the Metro Code criterion for "substantial progress or proof of good cause for failing to complete" Functional Plan compliance (Metro Code 3.07.820.C).

City of Fairview

Extension Request: October 2000

The City of Fairview has in place a number of protection regulations for wetlands, flood management and conservation areas. This includes a Riparian Buffer Overlay ranging from 26 to 35 feet in width, a Floodplain Overlay and a Significant Environmental Concern Zone. An analysis of the work necessary to modify Fairview's regulations to come into compliance with the Title 3 requirements has been completed. The City anticipates completing the policy work by April 2000, completing the inventory work for the stream and wetland buffers and flood management areas by June 2000 and completing the adoption process by October 2000.

City of Wilsonville

Extension Request: June 2000

The City of Wilsonville has entered into a contract with the Fishman Environmental Services and CDA Consulting Group to complete a natural resources inventory and protection plan for all land within the City limits and adjacent urban reserve areas. This will bring the City into compliance with Title 3. In addition, the City is in final hearings to amend its Development Code to address balanced cut and fill in the floodplains and to prohibit the creation of new building lots in floodplains. The City has erosion controls in place.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

The Functional Plan implementation time extension requests for the requirements of Title 3 from Fairview and Wilsonville are recommended for approval. Any further requests for time extensions or requests for Functional Plan exceptions made by these jurisdictions would be determined as delineated in Metro Code 3.07.820, Sections B and C.

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CITY
OF

FAIRVIEW

Metro Growth Management

NOV 19 1999

300 HARRISON ST., P.O. BOX 337
FAIRVIEW, OREGON 97024
(503) 665-7929 FAX 666-0888

November 18, 1999

Ms. Brenda Bernards
Senior Planner
Metro
600 N.E. Grand Avenue
Portland, Oregon 97232-2736

Dear Brenda:

In your letter of November 15, 1999 you asked that we provide additional information regarding our request for extension of our timeline for complying with Title 3.

It seems appropriate to mention that the City of Fairview has had in-place for some time a number of significant protection regulations for wetlands, flood management and conservation areas. Our Riparian Buffer Overlay Zone protects lands within 35 feet of Fairview Creek, No-Name Creek, Columbia Slough and Fairview Lake, and lands within 26 feet of Osburn Creek. This riparian zone was one of the first such protective regulations in the region and has been effective in protecting our riparian areas for many years. In addition, we have a separate Floodplain Overlay that protects floodplains from adverse development, along with our Significant Environmental Concern Zone that identifies areas of special concern and limits development therein. I am attaching copies of those regulations for your reference.

Also attached is your analysis of work that needs to occur to modify our regulations to satisfy Title 3. We would propose to complete the policy/definitional work on the first two pages by April, 2000, with inventory work for the riparian areas and flood management areas completed by June. Notice to Metro and State regarding post acknowledgement would occur in July. Adoption of new standards would begin in September and be completed in October, 2000.

If you have any further questions please do not hesitate to ask.

Sincerely,



John Andersen, AICP

Director, Community Development Department

Attachments: FMC 19.100, 19.105, 19.106
Bernard's Title 3 Analysis



City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

October 4, 1999

OCT - 6 1999

Mr. Ray Valone, Senior Planner
Metro Growth Management Services
600 NE Grand Avenue
Portland, OR 97232

Mr. Valone:

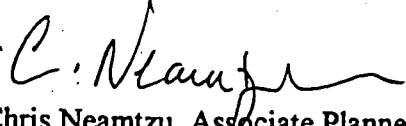
The City of Wilsonville would like to formally request a six-month extension (June 18, 2000) to comply with the requirements of Title 3 of the Metro Urban Growth Management Functional Plan. We have begun work on this project in conjunction with other significant natural resource-related planning issues. Recently we entered into a contract with Fishman Environmental Services and CDA Consulting Group to complete a natural resources inventory and protection plan for all land within the City limits, and adjacent urban reserve areas. This is obviously an ambitious work program that will bring the City into compliance with not only Title 3 but also Statewide Planning Goal 5 and the Endangered Species Act.

The consulting team will be completing the inventory work in the next week and we will be holding the first in a series of public workshops on October 12, 1999. The complexity of this combination of regulatory requirements will undoubtedly create the need for lengthy discussion and substantial public input. We had originally hoped to meet the December deadline for Title 3 compliance, but the reality of the situation is dictating a longer timeline than originally anticipated.

Additional to the work that is now being done by consultants and City staff on this project, we are making progress in some other ways as well. Revisions to many parts of the City's Development Code are already being reviewed in public hearings before our Planning Commission. These revisions include a balanced cut and fill standard for flood plain development and a prohibition of the creation of additional building lots in flood plains. Both of those provisions are expected to assist in our efforts to implement Title 3. It should also be noted that the City has regulated development in primary and secondary open space areas since 1980, and most areas governed by Title 3 are already regulated by those open space standards.

We intend to keep the work program for Title 3, Goal 5, and the Endangered Species Act intact as one large project for fear of losing momentum and creating confusion and the possibility of conflicting policy. The good news is we are well underway with our compliance project and will meet the requirements of Title 3 of the Urban Growth Management Functional Plan in the timeline described above. We appreciate your cooperation in helping the City to receive a six-month extension to meet these requirements. If you have any questions or concerns, please contact me at 570-1574.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Neamtzu". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Neamtzu, Associate Planner

cc: Arlene Loble, City Manager
Mayor Lehan and City Council
Planning Commission
Stephan Lashbrook AICP, Planning Director

Agenda Item Number 12.1

Resolution No. 99-2875, For the Purpose of Authorizing the Executive Officer to Execute a Contract with URS Corporation for the Design of a Public Unloading Area at Metro South Station.

Contract Review Board

**Metro Council Meeting
Thursday, December 9, 1999
Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING)
THE EXECUTIVE OFFICER TO EXECUTE A)
CONTRACT WITH URS CORPORATION FOR)
THE DESIGN OF A PUBLIC UNLOADING) :
AREA AT METRO SOUTH STATION)

Resolution No. 99-2875

Introduced by Mike Burton
Executive Officer

WHEREAS, For reasons of safety, efficiency and growth in the region as described in the accompanying staff report, Metro requires the construction of a public unloading area at Metro South Station; and

WHEREAS, As described in the accompanying staff report, and as contained in Metro's Adopted Capital Improvement Plan, construction of a public unloading area at Metro South will result in an increase in materials recovery; and

WHEREAS, As described in the accompanying staff report, and as contained in Metro's Adopted Capital Improvement Plan, construction of a public unloading area is needed to increase safety and reduce traffic problems; and

WHEREAS, Metro requires the services of a design contractor as described in the contract attached as Exhibit "A" is necessary to proceed with this project; and

WHEREAS, for the reasons set forth in the Staff Report, the Council finds it appropriate to waive the requirements of Metro Code 2.04.026 (c); 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 authorizes the Executive Officer to execute a contract with the most qualified proposer.

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

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

RRS:clk
\\MRC-FILES\FILES\OLDNET\METRO1\REM\SHARE\SMOOT\MSSPUBLIC\99.RES.DOC

Contract No:

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, located at 600 NE Grand Avenue, Portland, Oregon 97232, and URS Corporation referred to herein as "Contractor," located at 111 SW Columbia, Suite 900, Portland, Oregon 97201-4014.

In exchange for the promises and other consideration set forth below, the parties agree as follows:

1. Duration.. This personal services agreement shall be effective on the last signature date below and shall remain in effect until and including June 30, 2001, unless terminated or extended as provided in this Agreement.
2. Scope of Work. Contractor shall provide all services and materials specified in the attached "Exhibit A -- Scope of Work," which is incorporated into this Agreement by reference. All services and materials shall be provided by Contractor in accordance with the Scope of Work, in a competent and professional manner. To the extent that the Scope of Work contains additional contract provisions or waives any provision in the body of this Agreement, the Scope of Work shall control.
3. Payment.. Metro shall pay Contractor for services performed and materials delivered in the amounts, manner and at the times specified in the Scope of Work for a maximum sum not to exceed Two Hundred Thirty-Three Thousand Eight Hundred and Eighty-Six DOLLARS (\$233,886.00).
4. Insurance.. CONTRACTOR shall provide METRO with a certificate of insurance complying with this article and naming METRO as an insured within fifteen (15) days of execution of this Contract or twenty-four (24) hours before services under this Contract commence, whichever date is earlier.
 - a. Contractor shall purchase and maintain at the Contractor's expense, the following types of insurance, covering the Contractor, its employees, and agents:
 - (1) Broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and
 - (2) Automobile bodily injury and property damage liability insurance.
 - b. 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.
 - c. Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS. Notice of any material change or policy cancellation shall be provided to Metro 30 days prior to the change or cancellation.
 - d. Contractor, its subcontractors, if any, and all employers working under this Agreement that 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. Contractor shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If Contractor has no employees and shall perform the work without the assistance of others, a certificate to that effect may be attached, as Exhibit B, in lieu of the certificate showing current Workers' Compensation.
 - e. Contractor shall maintain for the duration of this Agreement professional liability insurance covering personal injury and property damage arising from errors, omissions, or malpractice. Coverage shall be in the minimum

amount of \$500,000. Contractor shall provide to Metro a certificate of this insurance, and 30 days' advance notice of material change or cancellation.

5. Indemnification. Contractor shall indemnify and hold Metro, its agents, employees and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, or with any patent infringement or copyright claims arising out of the use of Contractor's designs or other materials by Metro and for any claims or disputes involving subcontractors.

6. Maintenance of Records. Contractor shall maintain all of its records relating to the Scope of Work on a generally recognized accounting basis and allow Metro the opportunity to inspect and/or copy such records at a convenient place during normal business hours. All required records shall be maintained by Contractor for three years after Metro makes final payment and all other pending matters are closed.

7. Ownership of Documents. All documents of any nature including, but not limited to, reports, drawings, works of art and photographs, produced by Contractor pursuant to this Agreement are the property of Metro, and it is agreed by the parties that such documents are works made for hire. Contractor hereby conveys, transfers, and grants to Metro all rights of reproduction and the copyright to all such documents.

8. Project Information. Contractor shall share all project information and fully cooperate with Metro, informing Metro of all aspects of the project including actual or potential problems or defects. Contractor shall abstain from releasing any information or project news without the prior and specific written approval of Metro.

9. Independent Contractor Status. Contractor shall be an independent contractor for all purposes and shall be entitled only to the compensation provided for in this Agreement. Under no circumstances shall Contractor be considered an employee of Metro. Contractor shall provide all tools or equipment necessary to carry out this Agreement, and shall exercise complete control in achieving the results specified in the Scope of Work. Contractor is solely responsible for its performance under this Agreement and the quality of its work; for obtaining and maintaining all licenses and certifications necessary to carry out this Agreement; for payment of any fees, taxes, royalties, or other expenses necessary to complete the work except as otherwise specified in the Scope of Work; and for meeting all other requirements of law in carrying out this Agreement. Contractor shall identify and certify tax status and identification number through execution of IRS form W-9 prior to submitting any request for payment to Metro.

10. Right to Withhold Payments. Metro shall have the right to withhold from payments due to Contractor such sums as necessary, in Metro's sole opinion, to protect Metro against any loss, damage, or claim which may result from Contractor's performance or failure to perform under this Agreement or the failure of Contractor to make proper payment to any suppliers or subcontractors.

11. State and Federal Law Constraints. Both parties shall comply with the public contracting provisions of ORS chapter 279, and the recycling provisions of ORS 279.545 - 279.650, to the extent those provisions apply to this Agreement. All such provisions required to be included in this Agreement are incorporated herein by reference. Contractor shall comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations including those of the Americans with Disabilities Act.

12. Situs. The situs of this Agreement is Portland, Oregon. Any litigation over this agreement shall be governed by the laws of the state of Oregon and shall be conducted in the circuit court of the state of Oregon, for Multnomah County, or, if jurisdiction is proper, in the U.S. District Court for the District of Oregon.

13. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstance, be assigned or transferred by either party.

14. Termination. This Agreement may be terminated by mutual consent of the parties. In addition, Metro may terminate this Agreement by giving Contractor five days prior written notice of intent to terminate, without waiving any claims or remedies it may have against Contractor. Termination shall not excuse payment for expenses properly

incurred prior to notice of termination, but neither party shall be liable for indirect or consequential damages arising from termination under this section.

15. No Waiver of Claims. The failure to enforce any provision of this Agreement shall not constitute a waiver by Metro of that or any other provision.

16. Modification. Notwithstanding any and all prior agreements or practices, this Agreement constitutes the entire Agreement between the parties, and may only be modified in writing signed by both parties.

URS Corporation

METRO

Signature

Signature

Print name and title

Print name and title

Date

Date

Contract No:

Exhibit A

Scope of Work

1. Payment, Billing and Term.

Contractor shall provide engineering services for a maximum price not to exceed Two Hundred Thirty-Three Thousand Eight Hundred and Eighty-Six DOLLARS (\$233,886.00). The maximum price includes all fees, costs and expenses of whatever nature.

In the event Metro requests Contractor to provide services or materials after the maximum contract price has been reached, Contractor such services or materials shall be provided, pursuant to an amendment, at the same unit prices that Contractor utilized as of the date of this Agreement (fee schedule attached). Metro may, in its sole discretion and upon written notice to Contractor, extend the term of this contract for a period not to exceed 12 months. During such extended term all terms and conditions of this contract shall continue in full force and effect.

Each of Metro's payments to Contractor shall equal the percentage of the work Contractor accomplished during the billing period. Contractor's billing statements will include an itemized statement of labor, materials, and equipment, will include an update on the total amount spent on the project, a description of work complete during the billing period and a status report on the project schedule (attached) and budget (attached). Billing statements will not be submitted more frequently than once a month, and will be sent to Metro, Attention Rob Smoot, Regional Environmental Management Department. Metro will pay Contractor within 30 days of receipt of an approved billing statement.

2. Schedule

Contractor shall perform work in accordance with the schedule attached.

3. Statement of Work.

Phase 1 – Preliminary Design

Task 1 – Kick-off Meeting

Prior to the meeting URS will prepare and distribute an agenda. The agenda will include a list of questions and data required to establish design parameters.

In general, the goals of this meeting will be to establish the following:

- Communication links between Metro, URS, and the Station operators
- Project budget and schedule including key milestone dates
- Specific design criteria such as codes, traffic counts, waste types and volumes
- Operations requirements including scalehouse, hours of operation, and preferred traffic patterns
- Determination as to what additional information or data may be required

Task 2 – Design Criteria Memorandum

Based on the results from the kick-off meeting and the data collected, URS will prepare a Design Criteria Memorandum (DCM). In general, the DCM will contain, but not be limited to, the following:

- Number of vehicles per day and peak hourly arrival rates
- Volume and type of waste streams
- Hours of operation and days of operation
- How collected wastes will be stored and where is their final destination
- Types of recyclables to be collected
- Storage of recyclables and where is their final destination
- Civil, structural, mechanical and electrical design criteria

The DCM will be issued in draft form to Metro for review, comments received, and a final document issued.

Task 3 – Development of Site and Building Arrangements

Utilizing the Design Criteria Memorandum. URS will develop a minimum of three alternatives for review and comments by Metro. Important in the development of these alternatives will be the following:

- Existing transfer station operations and transfer trailer operations must be kept operating throughout the construction of the public unloading area.
- Volume of vehicles to be handled during peak hours and peak days.
- Safe and effective traffic circulation and maneuvering.
- Safety of the general public at all times.
- Types and sizes of bins or trailers to receive wastes and recyclables.
- Overall capital cost.

For each alternative, a construction cost estimate will be prepared. URS has included one of their specialized project controls engineers to prepare the construction costs.

The alternatives, cost estimates, and subjective analysis will be given to Metro for review. URS will then meet with Metro to determine the final selected alternative. The minutes of the meeting will be prepared by URS and distributed to all participants for review and approval.

Task 4 – Value Engineering

Metro plans to contract with a separate firm to provide value-engineering services at key points in the project. URS's role will be to supply the necessary drawings and documentation, meet with Metro and the value-engineering consultant to discuss the project prior to their review, and again after their review. Make any changes to the drawings that may result from the value engineering process.

Task 5 – Meetings

Throughout the preliminary design phase, URS and Metro will agree to meet at least once every two weeks to review progress and key items.

Task 6 – Progress Reports

URS will invoice Metro on a monthly basis. With the invoice submittal, URS will also provide the following progress report:

- Monthly total, amount spent to date, and comparison to an established budget.
- Two copies of the project schedule. The schedule will be accompanied by a description of work completed that month, work to be done in the coming month, status of work in comparison to schedule and steps to be taken, if necessary, to maintain schedule, and a discussion of problem areas and schedule revisions, if any.

Phase 2 – Detail Design

Task 1 – Detail Design and Drawings

Following the approval of the preliminary design–Phase 1–by Metro, URS will prepare the detail designs, and contract drawings at the 30%, 70% and 100% completion levels. Drawings, estimates and schedules will be submitted to Metro for review and comments. Each submittal shall contain the following:

- Four 11 x 17 sets and one 22 x 34 set of drawings
- One electronic copy of all drawings
- Four copies of specifications plus one electronic copy
- Construction cost estimate
- Construction schedule
- List of suppliers for specialized material and equipment, and copies of material and equipment brochures.
- For the 100% completion level and the drawings approved for construction, URS will provide an additional five sets of 22 x 34 drawings.

After comments are prepared by Metro, URS will hold a meeting to review the comments, make any necessary changes, and then proceed to the next phase of completion.

Task 2 – Value Engineering

At the 30% completion stage, URS will provide the necessary drawings and documentation, meet with Metro and the value engineering consultant to discuss the project prior to their review, and again after their review. Make any changes to the drawings and documentation that may result from this value engineering process.

Task 3 – Preparation of Specifications

URS will prepare a complete set of technical specifications per CSI Standards. It is assumed that the “front-end” documents will be assembled by Metro. It is also assumed that Metro will assemble the specifications and drawings for bid issue. URS will also prepare a list of submittals required by the Contractor through the construction period.

Task 4 – Meetings

There are two sets of meetings to be scheduled during the detail design phase:

- Regularly scheduled meetings to review progress and key items. These meetings will be at least once every two weeks.
- After the 30%, 70% and 100% completion levels, URS will schedule meetings with Metro to review their comments on the design. Minutes of these meetings will be prepared by URS and issued to all involved parties for review and comments.

Task 5 – Progress Reports

URS will invoice Metro on a monthly basis. With the invoice submittal, URS will also provide the following progress report:

- Monthly total, amount spent to date, and comparison to an established budget.
- Two copies of the project schedule. The schedule will be accompanied by a description of work completed that month, work to be done in the coming month, status of work in comparison to schedule and steps to be taken, if necessary, to maintain schedule, and a discussion of problem areas and schedule revisions, if any.

Phase 3 – Bidding/ Permitting

Task 1 – Services During Bid Period

During the bid period, URS will perform the following tasks:

- Attend the pre-bid meeting.
- Review and comment on any "or equal" substitutions submitted by the Contractors.
- Prepare any addenda that may be required including revisions to drawings and specifications as may be required.

Task 2 – Permitting

It is assumed that Metro will take the lead on obtaining permits and approvals from Factory Mutual and Oregon City. However, URS is prepared to assist Metro as required. This may include meetings, written responses or revisions to drawings to satisfy the City's or Factory Mutual's requirements.

Phase 4 – Services During Construction

It is assumed that Metro will be providing the daily on-site and construction management services for this project. URS's role will be to support the Metro staff by performing the following tasks:

- Attend the pre-construction meeting.
- Review all Vendor/Contractor drawings and submittals for conformance to drawings and specifications.
- Respond to Requests for Information prepared in the field.
- Attend the regularly scheduled weekly construction progress meetings to answer questions and assist in resolving any issues that may arise. In addition, URS will, at the same time as the progress meeting, inspect the construction site for general conformance to drawings and specifications. After the construction site visit, URS will issue a report detailing progress, concerns and quality of the work observed.
- Assist Metro in resolving any change order requests, if requested.
- Assist Metro in preparing final "punch list" items.
- Prepare a set of "as-built" drawings based on mark-ups provided by the Contractor. Two hard copies and an electronic copy of these "as-builts" will be supplied to Metro.

ENGINEERING ESTIMATE

The following estimate of engineering costs is based on the manhours on the next page.

Classification	Phase 1	Phase 2	Phase 3	Phase 4
Project Manager	\$7,300	\$26,500	\$1,620	\$8,100
Planner	11,000	6,272	392	3,920
Civil Engineer				
Lead	152	8,200	608	1,824
Support	---	4,472	---	1,040
Structural Engineer				
Lead	180	21,260	1,080	3,240
Support	---	9,002	---	1,392
Electrical Engineer				
Lead	196	9,300	196	3,136
Support	---	3,526	---	---
Mechanical Engineer				
Lead	---	6,978	196	1,568
Support	---	3,405	---	---
Technician				
Lead	1,960	31,000	1,120	1,680
Support	---	15,059	---	---
Project Administrator	2,160	4,320	---	2,160
Project Controls	5,880	3,920	---	---
Geotechnical	2,160	1,440	---	360
Word Processor	416	1,664	---	832
Subtotal	\$31,404	\$156,318	\$5,212	\$29,252
Expenses	2,000	8,000	200	1,500
Total	\$33,404	\$164,318	\$5,412	\$30,752
Grand Total				\$233,886

ENGINEERING ESTIMATE

Manhour Estimate

	Proj. Mgr.	Planner	Civil Engr.	Struct. Engr.	Elec. Engr.	Mech. Engr.	Tech.	Proj. Admin	Proj. Control	Geotech	Word Proc.	Total
Phase 1 - Preliminary Design												
• Kick-off meeting	6	4									4	10
• Design criteria memorandum	8		2	2	2						4	18
• Site & Bldg. Arrangements	32	100					24	16	60	24		260
• Value Engineering	8	8					4					20
Phase 2 - Detail Design												
• 30% completion	80	24	80	200	40	40	275	8	16	16	8	787
• 70% completion	80	24	60	140	80	40	275	8	8		16	731
• 100% completion	24	16	24	40	24	24	150	8	8		8	326
• Issue for bid	8		8	8	8	8	24	8	8			80
• Value Engineering	4		4	4	4	4	8					28
Phase 3 - Bidding/Permitting												
	12	4	8	12	2	2	16	--				56
Phase 4 - Services During Construction												
• 8 months assumed	60	40	40	60	32	16	24	16		4	16	308
Totals	322	220	226	466	192	134	800	64	100	44	56	2,624

SCHEDULE OF FEES AND CHARGES - PORTLAND, OREGON

PERSONNEL CHARGES

The charge for all time required in the performance of the Scope of Services, including office, field and travel time, will be at the Unit Price Hourly Rates set forth below for the labor classifications indicated.

<u>Labor Classification</u>	<u>Hourly Rate (\$)</u>
Clerk*	38
Technical Typist/Word Processor*	52
Editor/Drafter/Illustrator*	62
Lab/Field Supervisor*	70
Technician*	65
Senior Technician*	70
Assistant Staff Professional	58
Staff Professional	76
Sr. Staff Professional	90
Assistant Project Professional	98
Project Professional	115
Senior Project Professional	125
Consulting Professional	130
Sr. Consulting Professional	135
Principal/Sr. Principal Professional	150

Charges for contract personnel under URS supervision and using URS facilities will be made according to the hourly rate corresponding to their classification.

When URS staff appear as expert witnesses at court trials, arbitration hearings, mediation and depositions, their time will be charged at \$250.00 per hour.

Special project accounting reporting and financial services including submission of invoice supporting documentation will be charged at the rate of a clerk.

LABORATORY SERVICES

The charges for laboratory testing performed at URS facilities are set forth in the Schedule of URS Laboratory Testing Charges.

OTHER PROJECT CHARGES

Subcontracts and Equipment Rental

The cost of services subcontracted by URS to others and other costs incurred by URS, will be charged at cost plus 15%.

Communications

The cost of communications including office telephone, facsimile, postage, and incidental copying costs will be charged at a flat rate of 3.5% of total gross labor charges.

Computers

The charge for use of in-house computers for Computer-Aided Design and Drafting (CADD), graphics generation, modeling applications and similar technical computing is \$25.00 per hour. The charge for use of the Geographic Information Systems (GIS) is \$35.00 per hour.

In addition to the above, there will be a charge of \$5.00 each for paper plot and \$15.00 each for mylar plot generated by the CADD and GIS systems.

Document Reproduction

In-house reproduction will be charged at \$.10 a page for black & white and \$1.50 a page for color for letter, legal, and 11 X 17 size copies. Other size document copying will be charged at \$2.75 a page.

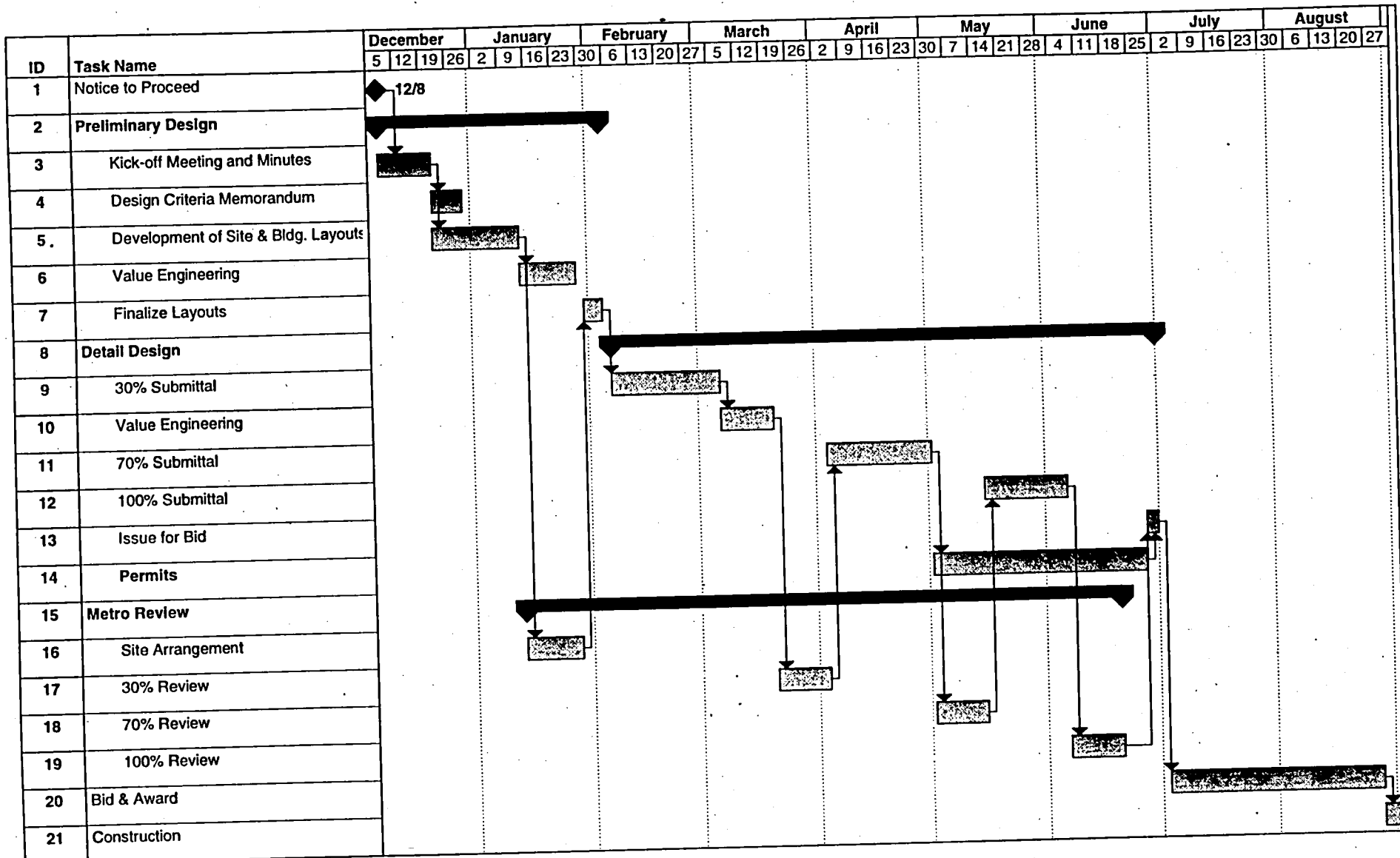
Vehicles and Mileage

Field vehicles (pick-ups, vans, trucks, etc.) used on project assignments will be charged at \$60.00 per day. The mileage charge for personal autos will be the then current mileage rate established by the Internal Revenue Service, which is now \$.31 per mile.

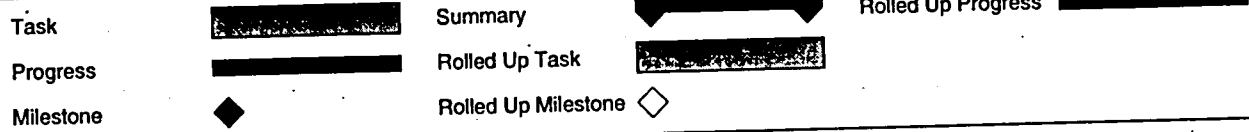
Specialized Equipment

The use of specialized equipment will be the fixed rental rate set forth in the Schedule of Specialized Equipment Charges.

This fee schedule contains confidential business information and is not to be copied or distributed for any purpose other than the use intended in this contract or proposal.



Project:
Date: 11/8/99



EXECUTIVE SUMMARY RESOLUTION 99-2875

PROPOSED ACTION

- Adoption of Resolution **99-2875** authorizes the Executive Officer to execute a contract with URS Corporation for the design of a public unloading area at Metro South Station.

WHY NECESSARY

- To reduce on-site traffic congestion.
- To reduce traffic impacts on Washington Street.
- To improve the safety of customers using the facilities.
- To increase space for materials recovery.
- To provide Metro with additional flexibility for handling different waste streams.
- To provide an alternate means of transferring waste during emergencies.

ISSUES/CONCERNS

- Metro must plan for future growth in the region and provide facilities to accommodate this growth.
- The safety of the public at Metro South Station could and should be improved.
- To meet agency recycling goals Metro South Station must be improved.
- Council action is required at this stage because the contract will extend into two fiscal years.
- Since the RFP has already been released a waiver of the Code requirement for Council review of the RFP is needed.
- This extension across fiscal years results from additional engineering services during construction and value engineering.

BUDGET/FINANCIAL IMPACTS

- The total for this design contract is \$233,886.
- The estimate for construction of a new facility is \$1,986,800 (shown in the 1999 CIP).
- The CIP indicates the public unloading area will require an additional \$52,530 per year for operating expenses related to additional spotters.
- These funds are available in the general account for fiscal year 99-2000 and 2000-2001.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 99-2875, FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A CONTRACT WITH URS CORPORATION FOR THE DESIGN OF A PUBLIC UNLOADING AREA AT METRO SOUTH STATION

Date: November 17, 1999

Presented by: Terry Petersen

PROPOSED ACTION

Adopt Resolution No. 99-2875, which authorizes the executive officer to execute a contract for the design of a public unloading area at the Metro South Station.

FACTUAL BACKGROUND AND ANALYSIS

Metro South Station processes waste and recyclable materials from Metro's southern region. During the past fiscal year 363,107 tons were delivered to the facility from 208,685 customers. Nearly seventy percent or 142,000 of these customers were public customers, homeowners and small business persons who hauled waste directly to the transfer station.

Metro South Station was designed for 200 public customers per day. Last fiscal year the facility averaged 390 public customers per day with up to 900 customers on peak weekend days. Growth in the use of Metro South by the public is almost five percent per year. While the total tonnage received last year was the lowest since 1993, the number of transactions set an all-time high.

The large number of customers in relationship to the facility's capacity results in long lines of vehicles that extend out of the facility's entrance onto Washington Street. The City of Oregon City requested that Metro make improvements to the facility that will mitigate this traffic problem. In 1997 Metro added a scale to be used as an exit scale and an on-site lane to stack traffic off of the public street. These improvements, together with automation, greatly reduced the time that it takes to handle commercial vehicles, but hasn't solved the public customer problem since the limitation on handling public customers is related to floor space rather than scalehouse capacity.

In 1997, Metro retained a consulting engineering firm, URS Greiner, to prepare a Master Facility Plan (MFP) for its solid waste facilities. The plan identified the lack of floor space for public customers as a significant problem at Metro South. They recommended construction of a new structure to resolve this shortage. The proposed building, to be designed under this contract, will be located in the area that was formerly used for a truck wash and to park transfer trailers. Metro was unable to proceed with this project until the

contract with its transportation contractor reduced the need for trailer storage at Metro South.

The new facility will:

1. Reduce traffic impacts on Washington Street,
2. Reduce on-site traffic congestion,
3. Improve safety for the users of the facility,
4. Increase space for materials recovery,
5. Provide Metro with additional flexibility for handling different waste streams, and
6. Provide an alternative means of transferring waste during emergencies.

This project will significantly reduce and possibly eliminate queuing of vehicles out the entrance of the facility onto Washington Street. The importance of this is increasing dramatically due to the planned construction of major retail facilities on the old Rossman's landfill located across the street from Metro South.

The new facility will increase the number of stalls available for unloading waste from small vehicles and improve the efficiency of use of these stalls by improving traffic patterns and increasing maneuvering space on site.

During the last two years, a number of accidents have occurred on the public side of the existing transfer building, including at least one that resulted in serious injury to a customer. Improved customer safety will be a design objective.

Materials recovery at Metro South is currently about half that at Metro Central. One of the primary factors causing this difference is the lack of space available to conduct recovery activities at Metro South. Construction of the new public area will allow conversion of the current public area within the existing building to provide more efficient recovery from commercial loads. It will also improve Metro's ability to recover materials from the public wastestream at the new public area.

Currently, the only way of loading transfer vehicles at Metro South is through the compactors. To meet the region's waste recovery goals it may be necessary to use Metro South to reload specialized wastestreams, such as organic waste, so it can be efficiently hauled to a processing facility. Use of the compactors to load trailers with this waste is not cost effective and results in some contamination of the material. The proposed public facility will provide the capability to top-load these wastestreams more effectively than with the compactors, as well as mixed waste in the event the facility loses power and the compactors become inoperable.

This project is identified in the Metro CIP and is to begin in fiscal year 1999-2000 and be completed by summer of 2001.

An RFP was prepared by staff and released on September 17, 1999. The RFP was advertised locally and invitations to propose were distributed to minority and women

owned businesses. The RFP described the scope of services desired and the criteria to be used in evaluating the proposals and awarding a contract. On October 14, 1999 seven firms submitted proposals for the design of a public unloading area at Metro South Station. Staff evaluated the proposals and selected three firms to interview. URS Corporation was selected as the most qualified firm based on the interview and written proposal. The draft contract for design is attached. In an attempt to minimize project cost, staff will contract with an independent or third party engineering firm that will review the design for constructability prior to final design. Staff will be evaluating this process to determine if it appears cost effective for future projects.

Originally the Contract was not designated by the Council as a contract with "Significant Impact". At that time the contract was expected to be completed within a single fiscal year. Due to the addition of engineering services during the construction period and a third-party value engineering process, that also increases the length of the project, it can no longer be completed within a year. The project also will start later than anticipated due to negotiations to remove the transport contractor from the area needed for construction. Staff failed to recognize that this increase in contract time made the Contract subject to Council review prior to release of the RFP. This Resolution approves the Contract and waives the Code requirement for Council review of the RFP.

BUDGET IMPACT

The proposed design cost for the project is \$233,886. The estimated design cost included in the CIP was \$192,400. The amount in the CIP did not include the additional engineering services during construction or the increased cost to the design firm to implement a third party value engineering review. An additional contract for the independent engineering firm will be conducted under a separate procurement process. The cost for the independent engineering firm is estimated to be \$10,000 and will be funded from the operating account.

These funds are available in the general account for fiscal year 99-2000 and 2000-2001.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2875.

RS:clk
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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING) ORDINANCE NO 99-829
LANDS WITHIN URBAN RESERVE)
AREA 41 TO THE METRO)
JURISDICTIONAL BOUNDARY) Introduced by Executive Officer,
) Mike Burton
)

WHEREAS, on December 31, 1998, the duty and authority to review and approve city and county annexations in Clackamas, Multnomah and Washington Counties under ORS 199.425 was transferred to Metro pursuant to Chapter 516, Oregon Laws 1997; and

WHEREAS, on October 23, 1999, the duty and authority to review and approve annexations to the Metro jurisdictional boundary was granted to Metro pursuant to Chapter 282, Oregon Laws 1999; and

WHEREAS, petitioners are owners of property or are registered voters in urban reserve area 41 which was designated by the Metro Council in 1997 by Ordinance 96-655E; and

WHEREAS, annexation to the Metro jurisdictional boundary of the territory described in Exhibit A would constitute a contiguous boundary change, initiated by a petition of the owners of property or are registered voters in the territory; and

WHEREAS, notice as required by Metro Code 3.09.030 was published on November 24 and December 1, 1999; and

WHEREAS, Metro received consents to the proposed annexation from a majority of the owners of land and a majority of the registered voters in the territory; and

THE METRO COUNCIL ORDAINS:

1. The territory described in Exhibit A is hereby annexed to the Metro jurisdictional boundary.
2. The Metro Council adopts the staff report in Exhibit B, attached hereto and incorporated by reference herein, as the findings of fact and conclusions of law supporting this annexation to the Metro jurisdictional boundary.

3. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption of this ordinance.

4. This ordinance is necessary for the immediate preservation of public health, safety and welfare because annexation should be effective immediately to allow the Council to consider Urban Growth Boundary amendments to comply with the State of Oregon mandate to move the Urban Growth Boundary pursuant to ORS 197.299; an emergency is therefore 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

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OGC/KDH/kvw 12/03/99

A tract of land in Sections 14 and 15, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at the Northeast corner of said Section 15; thence West, along the North line thereof, a distance of 3800 feet, more or less, to the centerline of Grahams Ferry Road (c.r. #13); thence South, along said centerline, a distance of 3600 feet, more or less to a point being the Westerly corner of that tract described on Page 1 of 2 of Exhibit "A" of that Warranty Deed conveyed to the State of Oregon, recorded January 2, 1998 as Fee No.98-000106, of the Clackamas County Records; thence East , along the Westerly South line of said State of Oregon tract and the Easterly extension thereof, a distance of 1075 feet; thence North 21 degrees 32' 32" East a distance of 1050 feet; thence North 09 degrees 45' 25" East a distance of 1600 feet, more or less, to a point on the North line of said State of Oregon tract; thence East, along said North line, a distance of 1684.98 feet, more or less, to the Northeast corner of said State of Oregon tract, being a point on the East line of the Samuel B. Franklin Donation Land Claim No. 50; thence South along said East line, a distance of 2697.06 feet to the Southeast corner of said Franklin claim, being a point on the

North line of the Robert V. Short Donation Land Claim, No. 46; thence East , along said North line, a distance of 2589.84 feet, more or less, to the Southeast corner of that tract described as Parcel 2 of that Warranty Deed conveyed to Arthur C. Piculell, et ux, recorded September 23, 1993 as Fee No. 93-69118 of the Clackamas County Records; thence North 07 degrees East, along the East line thereof , a distance of 6.47 chains; thence North 05 degrees East, continuing along said East line, a distance of 2.85 chains, thence North 20 degrees 30' West continuing along said East line a distance of 7.66 chains to a point being the Easterly corner of that tract describe as Parcel 1 of said Piculell Tract; thence South 72 degrees 16' West, along the Southeasterly line thereof, a distance of 481.8 feet to the Southerly corner of said Parcel 1; thence North 26 degrees 20' West, along the Southwesterly line thereof, a distance of 604.68 feet to the Westerly corner of said Parcel 1, being a point on the Southeasterly line of that tract conveyed to the Wetlands Conservancy Inc., by Bargain and Sale Deed recorded March 15, 1996 as Fee no. 96018244 of the Clackamas County Records; thence South 72 degrees 16' West along said Southeasterly line, a distance of 195.5 feet to the Southerly corner of said Wetlands Conservancy Tract; thence North 10 degrees 30' East, along the West line thereof , a

distance of 178.13 feet, more or less, to an angle corner in said West line; thence North 14 degrees West, continuing along said West line a distance of 3.00 chains; thence North 26 degrees West, continuing along said West line, a distance of 1.77 chains; thence North 52 degrees West, continuing along said West line, a distance of 100 feet, more or less, to a point of intersection of said West line with the East line of said Section 15; thence North, along said East line, to the point of beginning.

Date: November 9, 1999

**STAFF REPORT TO THE
METRO COUNCIL**

SECTION I: APPLICATION SUMMARY

CASE: FILE NAME: Fasano
Annexation to the Metro Jurisdictional Boundary Case 99-829

**APPLICANT/
PETITIONER:** Louis J. Fasano¹
2455 SW Gregory Drive
West Linn, OR 97068

PROPOSAL: The petitioners request annexation of a 247.92-acre group of parcels located within a portion of Urban Reserve (URA) #41.

LOCATION: The property is located between Tooze Road and 110th Street and east of Grahams Ferry Road (Attachment A).

**PLAN/ZONING
DESIGNATION:** *Clackamas County Zoning:* Exclusive Farm Use (EFU)- 198.5 acres, Rural Residential/ Farm Forest Use (RRFF-5)- 49.17 acres.
Clackamas County Comprehensive Plan Designation: Rural, Agricultural

**APPLICABLE
REVIEW CRITERIA:** Metro Code section 3.09.050

SECTION II: STAFF RECOMMENDATION

Staff recommends that the Metro Council APPROVE Case 99-829: Fasano.

SECTION III: BACKGROUND INFORMATION

Site Information: The 247.92 -acre site is located within Clackamas County adjacent to Tooze Road to the north, Grahams Ferry Road to the west and Evergreen Road to the south. The subject properties are located on Map No. 31W15, tax lots: 2990, 1200, 1205, 1101, 1100, 1000, 900, 800, 700, 100, 300, 500, 501, 502, 380, 390, 490 and Map No. 31W10, tax lot 1490. The site is located adjacent to the

¹ Representing property owners in the subject area

Wilsonville City limits to the south and east. The uses surrounding the subject site are agricultural, rural residential, industrial and urban residential. The subject area contains 8 single-family units.

Case History: The petitioners submitted a petition for annexation of the subject property on October 12, 1999. The application was deemed substantially complete on October 21, 1999. A letter was sent to the applicant on October 21, 1999 discussing the need for additional information and providing a tentative timeline for the required notice and a public hearing before the Metro Council.

Proposal Description: The petitioners propose to annex 247.92 acres of land to the Metro jurisdictional boundary. The subject site comprises the majority of URA #41. The subject site does not include tax lots 1202 and 1203 of map 31W15. The applicant has indicated that the property owner and electors on tax lots 1202 and 1203 do not wish to be part of this proposal. These tax lots are part of URA #41 and correspond to the area included in Resolution 98-2729 that stated Metro Council's intent to bring this entire area into the Urban Growth Boundary.

A master plan has been developed and adopted by the City of Wilsonville for this portion of URA #41 within the last three years and is titled: "The Dammasch Area Transportation- Efficient Land Use Plan". The master plan covers 520 acres (half of which is located within the current Wilsonville City limits). The Dammasch plan was developed to improve the jobs/housing balance in the City of Wilsonville by adding 2300 dwelling units to this area. The plan calls for an average residential density greater than 10 dwelling units per net acre, a commercial node to service the surrounding neighborhood, preservation of over 100 acres of wetlands through open space designation and improved street connectivity. The City, in a letter dated October 13, 1999 to the Metro Council has indicated its support to complete the necessary steps toward inclusion in the UGB and eventual urbanization.

SECTION IV: APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro jurisdictional boundary are contained in Metro Code 3.09.050. The criteria with citation in **(bold)**, petitioner responses in *(italics)*, and staff analysis follow.

Petitions to add land to the Metro jurisdictional boundary may be approved under the following conditions:

- 1. The extent to which urban services presently are available to serve the affected territory including any extraterritorial extensions of service. [3.09.050(b)(1)]**

Because the territory proposed for annexation to Metro is rural land, no urban-level services are presently provided to the territory. However, urban services will be available to serve it upon its eventual conversion to urban land. These services include the following:

Water

The City of Wilsonville will provide water service. The City is currently experiencing a water shortage due to declining levels in the City's wells. A citywide election in September, 1999 established the Willamette River as the City's new water source, and provided \$25 million for needed improvements to the City's water system. Future annexation to the City of Wilsonville will be tied to the completion of the water system improvements.

Sanitary Sewer

The City of Wilsonville will provide sanitary sewer service. Collection system improvements are planned to accommodate future development in the area. The City of Wilsonville recently expanded and improved its wastewater treatment plant to accommodate community growth.

Exhibit "B"
Page 2 of 6

Storm Sewer

The City of Wilsonville will provide storm sewer service. The subject property drains into three creeks in the area. A combination of the on-site storm water detention and use of the natural drainageways is expected to meet the future storm sewer demands of the area. The City has a consultant under contract to prepare an updated Storm Water Master Plan to address the needs of the area.

Transportation

The primary transportation service provider will be the City of Wilsonville. This includes the responsibility for improving and maintaining streets in the vicinity, as well as the provision of transit services through South Metro Rapid Transit (SMART), a City operation. Transportation services are also coordinated with Clackamas County (with continuing responsibility for the roads near the subject property) and with the Oregon Department of Transportation, dealing with freeway access.

Fire and Police

The Tualatin Valley Fire and Rescue District provide fire protection services to the subject property and all properties in the community. The District operates under contract with the City with a fire station located on Kinsman Road, approximately one mile from the subject property.

Schools

The West Linn-Wilsonville School District primarily provides school services in the area. A small part of the subject property is within the Sherwood School District.

The petitioners state, no extraterritorial extension of services will be required to serve the territory proposed for annexation to Metro.

Staff Response

The City of Wilsonville can reasonably provide the necessary urban services in the near future. The City has indicated that it has plans in place to solve the water shortage problem and expand its wastewater treatment facilities to service the subject site. The City has hired a consultant to update the City's stormwater master to include this area. The existing providers can provide police and fire services. The school districts of West-Linn and Sherwood were consulted during the master plan process. As a result, an elementary school has been included in the master plan.

No extra-territorial extensions of services are necessary to serve this property because the property is not located within the UGB, is under rural residential or agricultural use and does not require urban type services. The rural residential and agricultural uses within the subject site are expected to continue until such time as the site is included within the UGB and the City limits of Wilsonville. Prior to urbanization, there is no need to extend urban services to the subject site. The petitioners are requesting no extra-territorial extension of services.

Because there is no need to extend urban services to this site at this time and the City has taken steps to provide these services in the future and there is no extra-territorial extension of services requested, this criterion has been satisfied.

- 2. A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties. [3.09.050(b)(2)]**

The petitioners state, there are no adopted ORS 197.065 urban service provider agreements between Metro and the identified providers of urban services.

Exhibit "B"
Page 3 of 6

Staff Response

There are currently no urban service agreements that apply to the subject site or in place between any adjacent providers therefore this criterion does not apply.

3. A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties. [3.09.050(b)(3)]

Under state law, Metro is the entity responsible for establishing and amending the Urban Growth Boundary (UGB) for the Portland metropolitan region. It is Metro's position that its ability to amend the UGB extends only to territories that are already located within Metro's jurisdictional boundaries. This annexation petition would annex the subject property to Metro, thereby allowing Metro to then add the subject territory to its UGB. See attached Metro Resolution No. 98-2729C.

At such time as Metro amends its Urban Growth Boundary to include the subject territory, it will adopt an ordinance and findings addressing how the amendment complies with the applicable criteria governing UGB amendments in Metro's Code, including the Metro Regional Urban growth Goals and Objectives. The current proposal for annexation to Metro is authorized by and is consistent with Metro Code Section 3.01.015(h)(5). Metro's Resolution No. 98-2729C expressly supports and endorses this proposed annexation to Metro.

Following annexation to Metro and Metro Council's adoption of a land use decision to add the subject territory to its UGB, the subject territory will be annexed by the City of Wilsonville in a manner consistent with ORS 222.

Staff Response

The Dammasch Master Plan, which has been completed and adopted by the City of Wilsonville, is a mixed-use urban village concept that includes an overall density of 10.2 dwelling units per net acre. This village concept includes areas set aside for commercial/retail activity, civic uses, neighborhood parks, elementary schools, open space and natural areas. The plan's goals are to provide a variety of housing types for this area and to assist in satisfying the housing needs of the region. The plan recognizes that there is a jobs/ housing imbalance in this sub-region and the City of Wilsonville could benefit from providing more housing. The plan places a heavy emphasis on transportation by developing strategies to improve connectivity with developed portions of Wilsonville and the surrounding area, providing circulation through primary roads serving the site and alignments with existing streets.

The Dammasch Master Plan is acknowledged in the 2040 Growth Concept Plan. The 2040 Growth Concept designation for this subject area is inner neighborhood. The plan is not in conflict with this designation and is actually a refinement of this concept.

The subject property is currently located within Clackamas County. The County Comprehensive plan designations for the subject area are Agricultural and Rural. County policies addressing Urbanization (1.0) identify the need to designate urban areas within Metro's jurisdiction and coordinate with affected cities in the designation of urban areas outside of Metro. Policy 2.0 states- "the following areas may be designated as urban; a) land needed to accommodate 20-years of future urban population; b) land needed for increasing housing and employment opportunities and livability from both a regional and a subregional view; c) land to which public facilities and services can be provided in an orderly and

economic way; h) land where the strategic location of employment and living opportunities can minimize community distance, traffic congestion, pollution and energy needs." The planned use in this area reflect the Country's comprehensive plan goals relative to future urbanization.

Staff finds that the existing plans support the inclusion of this area within the Metro jurisdictional boundary and are a necessary step towards urbanization of this area.

4. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party. [3.09.050(b)(4)]

The proposed boundary change will not result in the withdrawal of the affected territory from the legal boundary of any necessary party.

Staff Response

The proposed boundary change does not result in a withdrawal from the district, therefore this criterion does not apply.

5. The proposed effective date of the decision. [3.09.050(b)(5)]

Petitioners seeking annexation to Metro request that an order approving this annexation take effect immediately upon its adoption, so that the Metro Council can proceed to adopt an ordinance amending its Urban Growth Boundary to include the annexed territory in the manner set out in paragraph 1 of Metro Resolution 98-2729C.

Staff Response

An effective date of the annexation is proposed to take effect immediately upon adoption. Staff concludes that this criterion has been satisfied because the applicant has proposed an effective date.

SECTION V: SUMMARY AND RECOMMENDATION

This petition seeks to annex 247.92 acres of land into the Metro jurisdictional boundary for the purpose of allowing expansion of the UGB into this area and eventual urbanization. The petitioners have provided sufficient evidence to demonstrate that the subject area can eventually be provided with urban services in an orderly and efficient manner. The petitioners have demonstrated that the annexation is not in conflict with the regional framework plan, functional plan or any other applicable plans. The site can be adequately served with sewer, storm, water, police, fire, park and open space and transportation services after inclusion of the area into the UGB and the City limits of Wilsonville (require subsequent actions).

Based on the above analysis, staff recommends that the Metro Council approve this petition for annexation to the Metro jurisdictional boundary.

Attachments:

Site Map
Double Majority Worksheet- Property Owners
Double Majority Worksheet- Registered Voters
Petition Signatures
Letter from City of Wilsonville, dated October 13, 1999

I:\GM\Long_range_planning\staff\neill\annex\annexstaff

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 CLACKAMAS 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, Urban Reserve areas 39 and 41 were the subject of Metro Council Resolution 98-2729C adopted in December, 1998 which expressed intent to amend the Metro Urban Growth Boundary pursuant to Metro Code 3.01.015(h)(5) for lands outside the Metro jurisdictional 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 November 18, 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 November 18, December 2, 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 6, 1998 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 County and the City of Wilsonville 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:

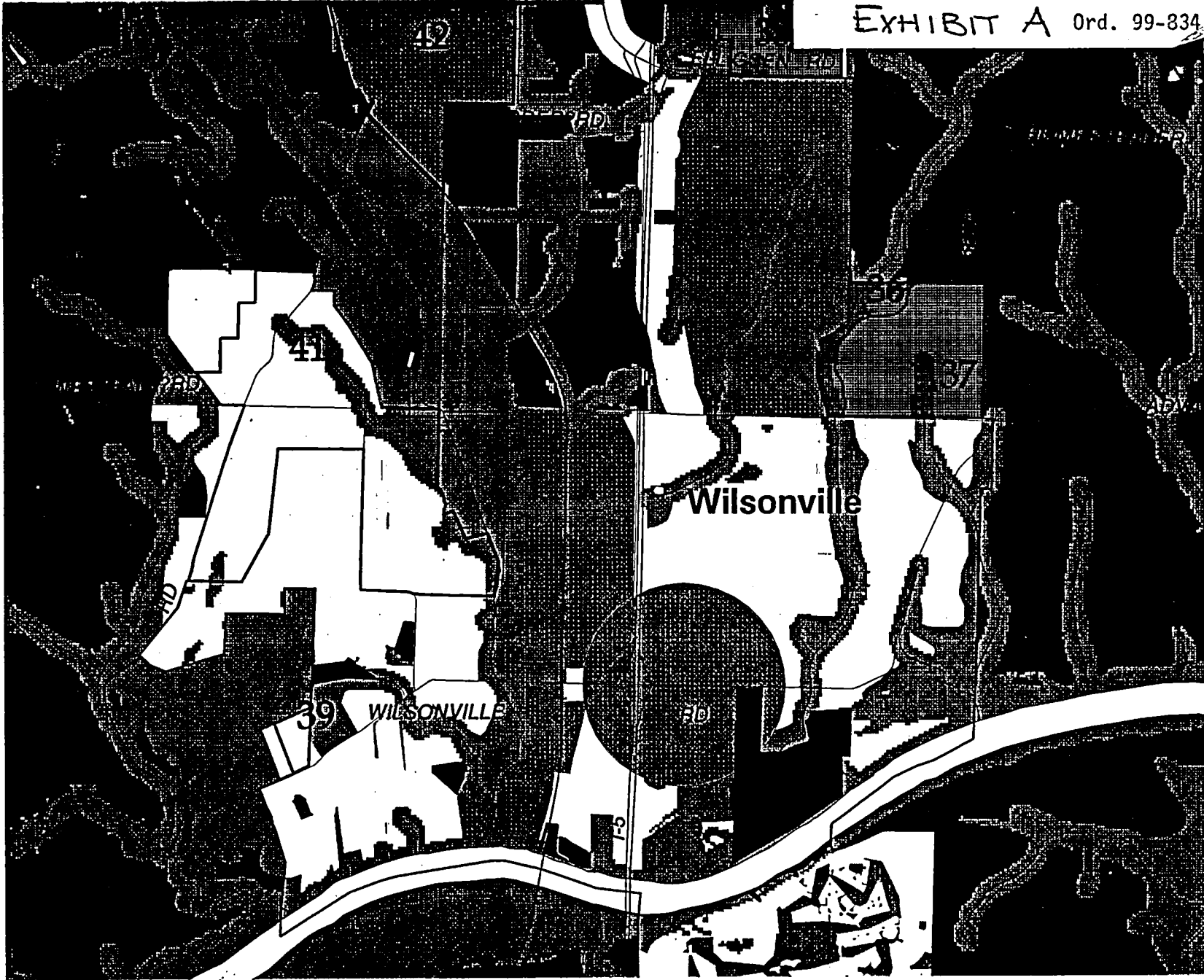
Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

i:\r-o\99-834.02.doc
OGC/KDH/kvw 12/06/99

Draft 2040
Design Types
Urban Growth Boundary
Legislative Amendment
Index number 9

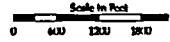


- Central City
- Regional Centers
- Town Centers
- Inner Neighborhoods
- Outer Neighborhoods
- Employment Areas
- Industrial Areas
- Corridors
- Main Streets
- ~ Proposed Regional Throughway
- ~ Potential Regional Throughway
- ~ Green Corridors
- ~ Planned & Existing Light Rail
- ~ Proposed Light Rail Alignment
- Potential I.R.T. Facilities
- Light Rail Stations
- Potential Light Rail Stations
- International Airports
- Regional Airports
- Terminals
- Intermodal Rail Yards
- ~ Rail Distribution Network
- Exclusive Farm Use
- Reception Land in Urban Res.
- Resource Land in Urban Res.
- Urban Reserves per In.
- Legislative Amendment
- Rural Reserve
- Open Space
- ~ Urban Growth Boundary
- ~ Urban Reserve Boundary
- ~ Area added to Reserve by Micro Council Ordinance
- Neighboring Office
- Public Parks

DRAFT



Scale in Feet



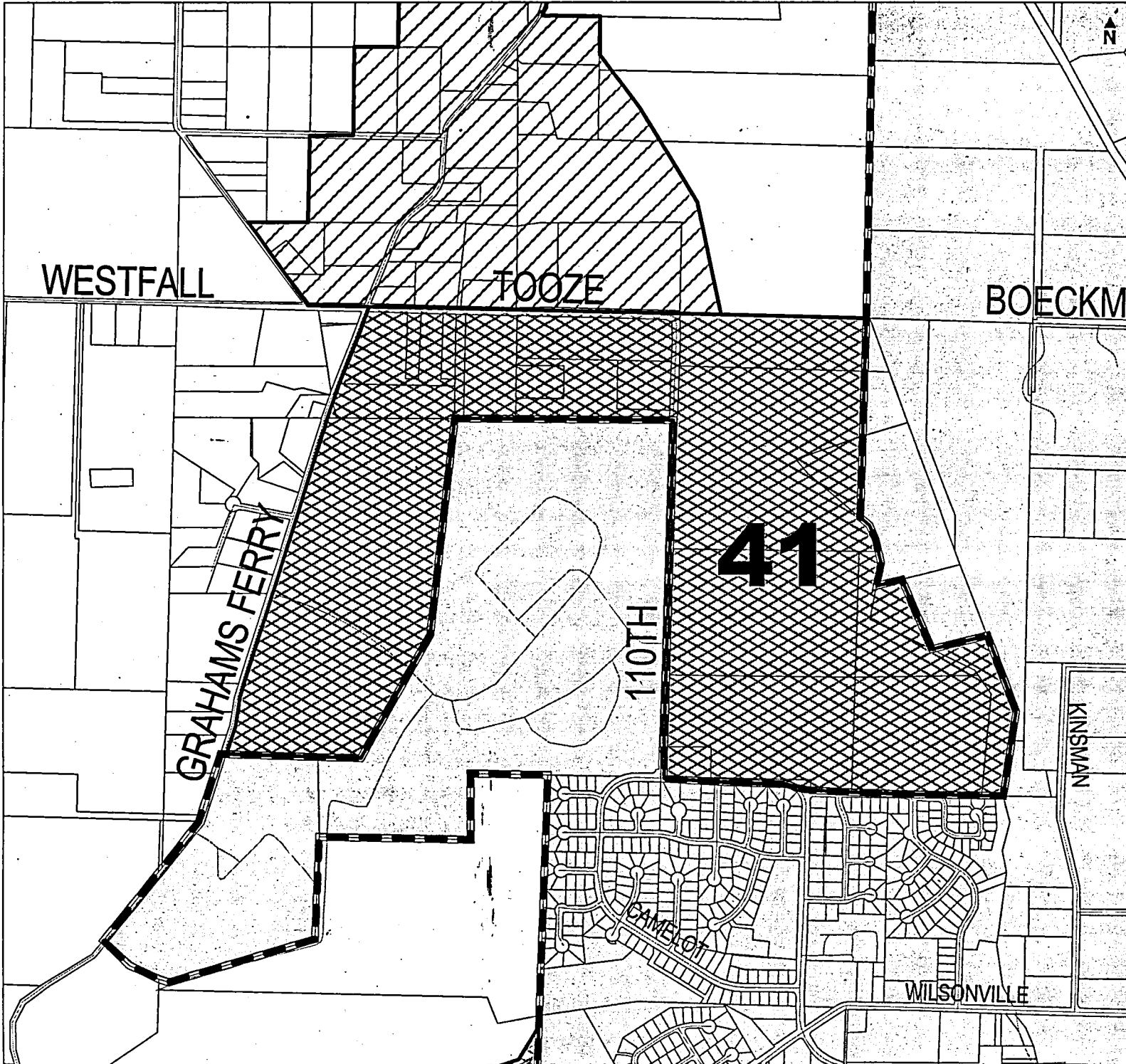



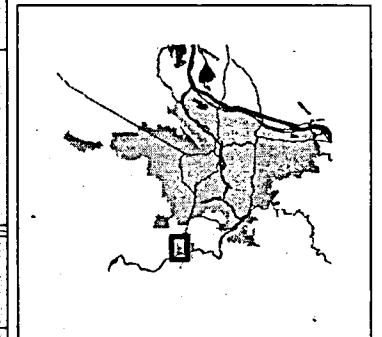
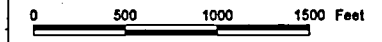


EXHIBIT B
Urban Reserve 41
Ordinance 99-834

-  Urban Growth Boundary
-  Proposed Amendment
-  Other Reserves



The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the accuracy of reproducibility or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

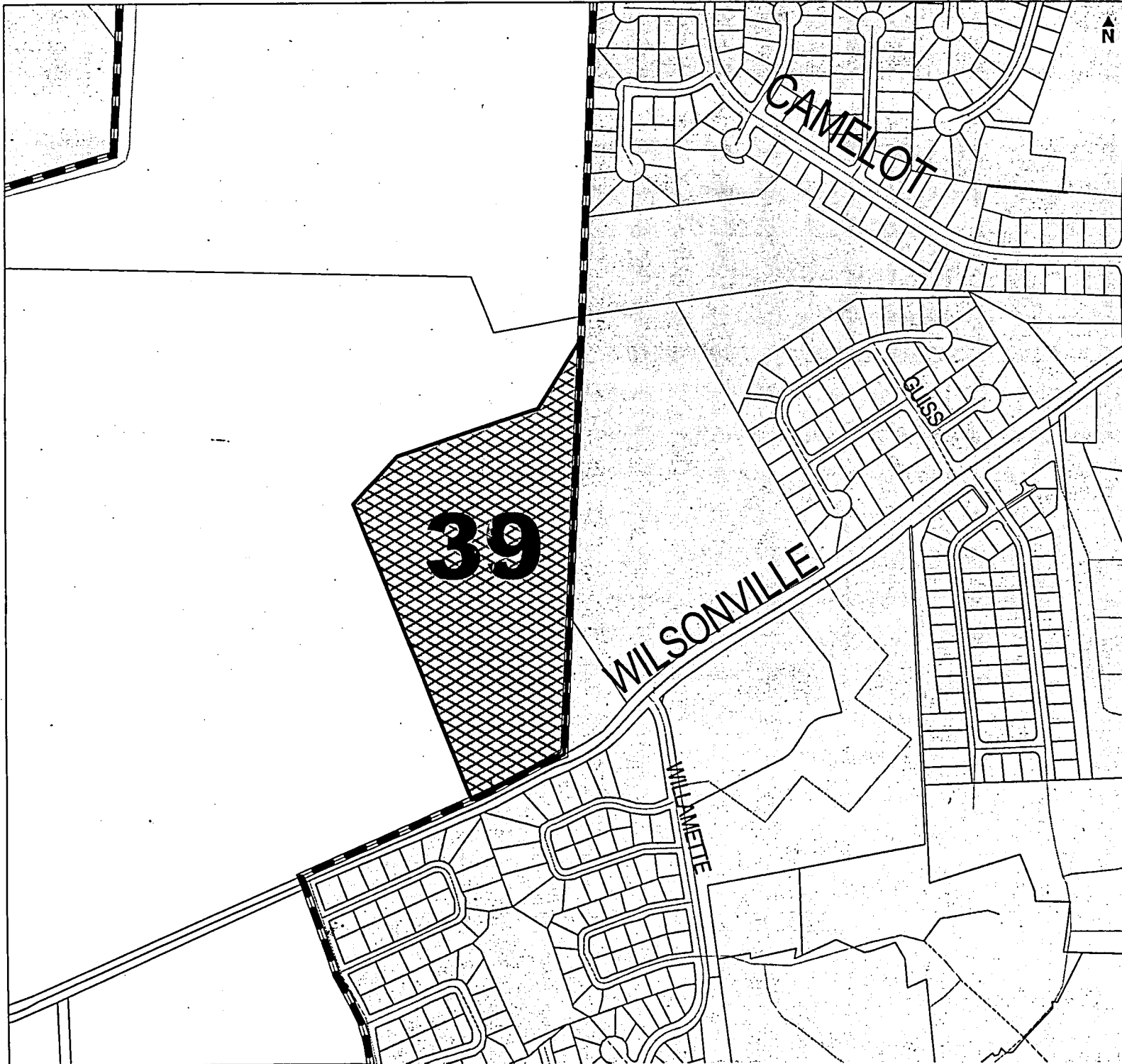


1" = 1000 feet



METRO



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

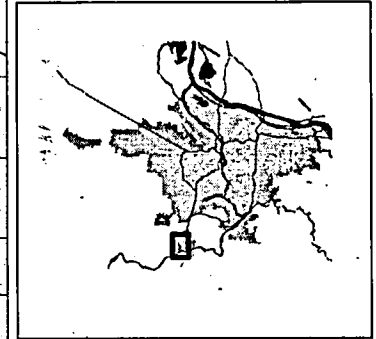


R L I S

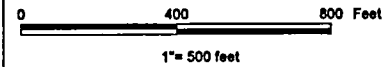
REGIONAL LAND INFORMATION SYSTEM

EXHIBIT B
Urban Reserve 39
 Ordinance 99-834

-  Urban Growth Boundary
-  Proposed Amendment



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METRO

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ORDINANCE NO. 99-834

EXHIBIT C

COMPREHENSIVE PLAN TEXT AMENDMENTS

AVAILABLE ON MONDAY, DECEMBER 13, 1999 AT
2:00PM IN THE METRO COUNCIL OFFICE

ORDINANCE NO. 99-834

EXHIBIT D

FINDINGS AND CONCLUSIONS

AVAILABLE ON MONDAY, DECEMBER 13, 1999 AT
2:00PM IN THE METRO COUNCIL OFFICE

STAFF REPORT TO THE METRO COUNCIL

Prepared by: J. Bradford, Growth Management

Proposal: Metro Legislative Amendment - Consideration of Ordinance No. 99-834 for the purpose of adding to designated urban reserve areas for the Portland Metropolitan Area Urban Growth Boundary.

Urban Reserves: Urban Reserve Areas (URAs) #39 and #41, Wilsonville

Applicable Review Criteria: Metro Code Section 3.01.020.

SECTION I: INTRODUCTION AND SITE INFORMATION

Introduction:

The purpose of this report is to provide an update to the November 24, 1998 Metro staff analysis on urban reserve areas #39 and #41 in the Wilsonville Area.

Site Information:

URA #39

Urban reserve #39 consists of 20 EFU acres. The eastern boundary of the area is the Metro UGB and the City of Wilsonville city limits. This area is the proposed site for a school, and is adjacent to public school property to the east, inside of the UGB. The site currently belongs to the State of Oregon, and is being held in the Division of State Lands Common School Fund. It is available to the West Linn-Wilsonville School District, provided that it is used for the construction of a public school. The area is located north of Wilsonville Road, and is a little more than a mile away from I-5. This reserve site has no tree cover. The area is within Clackamas County and is not within the Metro jurisdictional boundary. The June 1998 Metro Urban Reserve Productivity Analysis, which has been used for jobs and dwelling unit estimates in these areas, did not estimate urban reserve #39 to accommodate additional dwelling units or jobs. However, as noted on page 20 of the November 24, 1998 Metro staff analysis, the concept plan for urban reserve #39 estimates that the school will hold approximately 50 teaching and support jobs.

URA #41 (southern portion)

The southern portion of urban reserve #41, or the portion formerly referred to as the first-tier portion, sits south of Tooze Road. This area surrounds the former Dammasch State Hospital, and underwent a master planning process in 1996 (*The Dammasch Area Transportation-Efficient Land Use Plan*). The area consists of 279 acres, 225 of which are EFU. The area is within Clackamas County and is not within the Metro jurisdictional boundary. The annexation application for Metro's jurisdictional boundary applies to 248 acres, excluding several parcels where the owners do not

wish to annex. In addition, as noted in an October 18, 1999 letter to Metro Council's presiding officer from the City of Wilsonville's planning director, the State Legislature has recently acted to require that the State-owned properties in this area be sold for development, subject to the City's master plan.

The Productivity Analysis estimates that the southern portion of urban reserve #41 can accommodate between 1,277 and 1,286 dwelling units, and between 426 and 429 jobs. The Dammasch Plan estimates that the entire planning area, including lands within and outside the urban reserve could accommodate approximately 2,300 housing units, with an average dwelling unit density of 10.2 dwelling units per net acre.

Metro Code amendments no longer require that an urban reserve plan be completed prior to approval of a UGB amendment. Title 11 of the Urban Growth Management Functional Plan now requires that the same concept plan work be completed and approved by the local government before the land is developed.

SECTION II: ADDITIONAL REVIEW CRITERIA

The criteria for a legislative amendment to the UGB are contained in Metro Code Section 3.01.020. They are based primarily on Statewide Planning Goals 2 and 14 and have been acknowledged, or approved by the State as meeting its requirements. The criteria and staff analysis of the factors outlined in the Metro Code are contained in Metro's Staff Report, November 24, 1998 (Resolution No. 98-2729A). Additional information that has appeared since the November 24, 1998 staff report is contained in the sections below.

Factor 1: Demonstrated need to accommodate long-range urban population growth.

Please see page 6 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

As per Metro Resolution 99-2855C, Metro Council has accepted the 1997 Urban Growth Report Update, with additional work to be completed on estimates of capacity in environmentally sensitive areas and capacity from accessory dwelling units. Metro Council has also resolved to request a time extension from the Department of Land Conservation and Development to complete required actions that will ensure a 20-year housing supply in the Urban Growth Boundary. This time extension, to October 31, 2000, will allow Metro to respond to the requirements of State Goal 5, regarding fish and wildlife protection. Estimates from the 1997 Urban Growth Report Update indicate that implementation of Goal 5 could reduce the 20-year buildable land supply by approximately 15,000 dwelling units, resulting in a final deficit of approximately 14,800 dwelling units over the 20-year timeframe.

Factor 2: Need for housing, employment opportunities and livability may be addressed under either subsection (A) or (B) or both.

Please see page 9 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

Urban Reserve #39:

A November 18, 1999 letter from Mike Gates, chairman of the West Linn-Wilsonville School Board (Exhibit B) notes that existing school facilities are insufficient to serve the growth that is expected for this area.

In addition, as noted on page 62 of the November 18, 1999 staff report, the school proposed for this site will contain approximately twice the enrollment of most primary schools. The addition of this school will serve the needs of the broader community. While a school may be included in the Dammasch Area as part of the plan for urban reserve #41, this school is intended to serve only the needs of the Dammasch community.

Urban Reserve #41:

A November 18, 1999 letter from the mayor of the City of Wilsonville to Metro's presiding officer (Exhibit C) notes that inclusion of the southern portion of urban reserve #41 would allow the region to accommodate about 2,300 dwelling units on the entire planning area - within one mile of an area with a very high concentration of jobs.

Additional points have been raised regarding the issue of jobs-housing balance.

The November 18, 1999 letter from the mayor of the City of Wilsonville to Metro Council's presiding officer (Exhibit C) counters the approach of analyzing jobs-housing balance at the regional level, which would place Wilsonville with the Washington Square area. The mayor opts, instead, for analyzing jobs-housing balance within smaller sub-regional areas, and notes that inclusion of urban reserve #41 would be the best option for alleviating Wilsonville's relative jobs surplus, as there is a shortage of buildable and redevelopable land in the area.

Metro staff have examined the jobs-housing balance issues in Washington County in a report dated December 1, 1999. A number of different jobs/housing ratios could be calculated based on travel times, geography and home owner preferences. The staff analysis uses a methodology consistent with the urban reserve analysis from 1994, and defines a ratio above 2.00 as jobs rich. A more favorable ratio is estimated at 1.48, representing the current balance for areas outside of the central business district.

Metro (through the RUGGO and the 2040 Growth Concept) and the LCDC concur that subregional need should be demonstrated through a jobs-housing ratio measured across one or more regional center market areas. Most areas smaller than Town Centers have inherent jobs-housing imbalances. The jobs-housing concept recognizes the boundary definition issue, and intends that the concept of balancing jobs and housing should be determined on a wider subregional scale. However, whether job-housing ratios in Wilsonville are examined on a larger geographic area or at a smaller sub-regional level, evidence supports the conclusion that this is a jobs rich area. The analysis shows that the entire Washington Center area is jobs rich, with a jobs-housing ratio of 2.10. This ratio is projected to decline only slightly to 2.02 by the year 2020.

Factor 3: Orderly and economic provision of public facilities and services. An evaluation of this factor shall be based upon the following:

(A) For the purposes of this section, economic provision shall mean the lowest public cost provision of urban services. When comparing alternative sites concerning Factor 3, the best site shall be that site which has the lowest net increase in the total cost for provision of all urban services. In addition, the comparison may show how the proposal minimizes the cost burden to other areas outside the subject area proposed to the brought into the boundary.

Please see page 10 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(B) For the purposes of this section, orderly shall mean the extension of services from existing serviced areas to those areas which are immediately adjacent and which are consistent with the manner of service provision. For the provision of gravity sanitary sewers, this could mean a higher rating for an area within an already served drainage basin. For the provision of transit, this would mean a higher rating for an area that could be served by the extension of an existing route, rather than an area, which would require an entirely new route.

Please see page 13 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

Factor 4: Maximum efficiency of land uses within and on the fringe of the existing urban area. An evaluation of this factor shall be based on at least the following:

(A) The subject area can be developed with features of an efficient urban growth form including residential and employment densities capable of supporting transit service; residential and employment development patterns capable of encouraging pedestrian, bicycle, and transit use; and the ability to provide for a mix of land uses to meet the needs of residents and employees. If it can be shown that the above factors of compact form can be accommodated more readily in one area than others, the area shall be more favorably considered.

Please see page 19 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(B) The proposed UGB amendment will facilitate achieving an efficient urban growth form on adjacent urban land, consistent with local comprehensive plan policies and regional functional plans, by assisting with achieving residential and employment densities capable of supporting transit service; supporting the evolution of residential and employment development patterns capable of encouraging pedestrian, bicycle, and transit use; and improving the likelihood of realizing a mix of land uses to meet the needs of residents and employees.

Please see page 21 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

In addition, the following information has been submitted since the last staff report regarding urban reserves #39 and #41.

Urban Reserve #39:

A November 18, 1999 letter from Wilsonville's mayor to Metro's presiding officer (**Exhibit C**) notes that Wilsonville has no other vacant parcels this size that are in close proximity to existing residential neighborhoods. The property is held in trust for the Common School Fund. Thus, the only urban use that can be made of this area is a public school. In addition, as this property is adjacent to an existing middle school, it provides an opportunity for increased efficiency because the adjoining schools can share a parking lot and other facilities.

Urban Reserve #41:

The November 18, 1999 letter from Wilsonville's mayor to Metro's presiding officer (**Exhibit C**) notes that if the City of Wilsonville is not able to implement the full extent of the Dammasch master plan, "The Dammasch property that is already within the City limits will not be able to be redeveloped to provide much in the way of needed housing." While 1,277 housing units have been reported as a capacity estimate for the portion of the planning area within the UGB, the planning area will develop in whole or not at all; thus the area will achieve approximately 2,300 additional dwelling units, as estimated by the Dammasch Plan, or no additional dwelling units. Surrounding properties are needed to efficiently provide services to the former Dammasch Hospital site.

Factor 5: Environmental, energy, economic and social consequences. An evaluation of this factor shall be based upon consideration of at least the following:

(A) If the subject property contains any resources or hazards subject to special protection identified in the local comprehensive plan and implemented by appropriate land use regulations, findings shall address how urbanization is likely to occur in a manner consistent with these regulations.

Please see page 24 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(B) Complementary and adverse economic impacts shall be identified through review of a regional economic opportunity analysis, if one has been completed. If there is no regional economic opportunity analysis, one may be completed for the subject land.

Please see page 24 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(C) The long term environmental, energy, economic, and social consequences resulting from the use at the proposed site. Adverse impacts shall not be significantly more adverse than would typically result from the needed lands being located in other areas requiring an amendment of the UGB.

Please see page 25 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

Factor 6: Retention of agricultural land. This factor shall be addressed through the following:

(A) Prior to the designation of urban reserves, the following hierarchy shall be used for identifying priority sites for urban expansion to meet a demonstrated need for urban land:

- (i) Expansion of rural lands excepted from Statewide Planning Goals 3 and 4 in adopted and acknowledged county comprehensive plans. Small amounts of rural resource land adjacent to or surrounded by those "exception lands" may be included with them to improve the efficiency of the boundary amendment. The smallest amount of resource land necessary to achieve improved efficiency shall be included;**
- (ii) If there is not enough land as described in (i) above to meet demonstrated need, secondary or equivalent lands, as defined by the State, should be considered;**
- (iii) If there is not enough land as described in either (i) or (ii) above, to meet demonstrated need, secondary agricultural resource lands, as defined by the State should be considered;**
- (iv) If there is not enough land as described in either (i), (ii) or (iii) above, to meet demonstrated need, primary forest resource lands, as defined by the State, should be considered;**
- (v) If there is not enough land as described in either (i), (ii), (iii) or (iv) above, to meet demonstrated need, primary agriculture lands, as defined by the State, may be considered.**

Please see page 35 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(B) After urban reserves are designated and adopted, consideration of Factor 6 shall be considered satisfied if the proposed amendment is wholly within an area designated as an urban reserve.

Please see page 35 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

(C) After urban reserves are designated and adopted, a proposed amendment for land not wholly within an urban reserve must also demonstrate that the need cannot be satisfied within urban reserves.

Please see page 35 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

Factor 7: Compatibility of proposed urban development with nearby agricultural activities. The record shall include an analysis of the potential impact on nearby agricultural activities including the following:

- (i) **A description of the number, location and types of agricultural activities occurring within one mile of the subject site;**

Please see page 38 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

- (ii) **An analysis of the potential impacts, if any, on nearby agricultural activities taking place on lands designated for agricultural use in the applicable adopted-county or city comprehensive plan, and mitigation efforts, if any impacts are identified. Impacts to be considered shall include consideration of land and water resources, which may be critical to agricultural activities, consideration of the impact on the farming practices of urbanization of the subject land, as well as the impact on the local agricultural economy.**

Please see page 43 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

Requirements pertaining to Metro Code Section 3.01.020 (c), (d), and (e); and Metro Code Section 3.01.012 (e) are addressed in the Staff Report.

Please see page 45 of Metro's November 24, 1998 staff report on urban reserves #39 and #41 (Resolution No. 98-2729A) for an evaluation of this criterion.

SECTION III: SUMMARY OF STAFF REPORT CONCLUSIONS

The submissions received to date, as well as the information provided in the November 24, 1998 staff report, indicate that the criteria above have been satisfied.

October 13, 1999

Mr. Rod Monroe
Presiding Officer
Metro Council
600 NE Grand Ave.
Portland, OR 97232



30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

Dear Mr. Monroe and Metro Councilors:

The City of Wilsonville continues to maintain its commitment to the completion of long range plans for all six of the Urban Reserve areas adjoining our City. We intend to plan for, and help to assist with, the eventual urbanization of all six of those areas in the coming years.

At the present time, our primary focus is on two of those areas. We are requesting that the Urban Growth Boundary be expanded to include Urban Reserve Area 39 and the southern portion of Area 41 (south of Tooze Road) as soon as possible.

Area 39 is a 20-acre site that is being acquired by the West Linn – Wilsonville School District for the construction of a new school. The site is currently held in trust for the Common School Fund by the Division of State Lands. The School District has already received voter approval for this acquisition and has prepared a master plan for the development of the site.

The southern portion of Area 41 includes the private properties that surround the former Dammasch State Hospital. A master plan was prepared for the development of that area three years ago (*The Dammasch Area Transportation-Efficient Land Use Plan*). Of the 520 acres covered by that master plan, approximately half are outside the current City limits, in the area that we are seeking to have added to the UGB. The Dammasch Plan includes 2300 housing units at a wide range of densities, four neighborhood parks, 100 acres of open space (mostly wetlands), a public school site, and a core commercial area. Recent action by the State Legislature requires that the State-owned portion be sold for development, subject to the City's master plan. A copy of the land use map from the Dammasch Plan has been attached for your review.

The City of Wilsonville has been through an interesting last few years, as we have successfully defended the Dammasch area against the development of a State prison that would have made it impossible to implement the Dammasch Plan; we have simultaneously had to find a new water source to meet the community's growing needs. The result has been a delay in completing some other important planning projects. As some of you will recall, the City has continued to advocate for the



inclusion of these Urban Reserve Areas within the UGB while we have dealt with these other issues as well.

Thank you for your continued support. We would not have been so successful in our recent efforts, if not for Metro's efforts on our behalf.

If you have any questions about this information, or other aspects of the City planning program, please contact me.

Sincerely,



Stephan Lashbrook, AICP
Planning Director

CC: Mayor Lehan and City Council
Planning Commission
Arlene Loble, City Manager
Eldon Johansen, Community Development Director
Elaine Wilkerson, Metro Growth Management

November 18, 1999

Attn: Metro Council

RE: UGB expansion in UR 39

Please accept this as written support to the testimony provided today at your hearing on this matter.

From: Mike Gates, Chairman, West Linn-Wilsonville School Board

The inclusion of parcel #39 is crucial to the educational needs of our school district. We support it as one on the center pieces of our own Long Range Facilities Plan.

Existing primary schools in Wilsonville are already over capacity, with the needs growing every day for more classrooms and adjacent facilities. To meet these explosive growth we hope to begin construction this summer on a new structure.

Voters have already expressed their support by passage of a bond measure to fund the construction of the needed school.

The last piece missing is to bring the former State owned parcel inside the UGB. The county is not structured to provide the basic services required, but the City of Wilsonville, recognizing the impending construction has already begun steps to help speed the process, upon your approval.

Those steps include annexation and comprehensive plan amendments to change zoning. Neither process can be completed until the land is inside the UGB.

The key issue is livability. Without the site, existing school facilities will continue to be inadequate to serve current and expected growth within the current UGB.

Our District has implemented several interim alternatives, including modular units, modified shifts for staff development, and many restrictions in curriculum due to lack of space. All these alternatives are inferior to building a new school.

On behalf of the more than 7,000 students in our District, we heartily urge the bringing of UR 39 inside the UGB.

Thank you for your time and consideration.

Mike Gates



30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

November 18, 1999

Mr. Rod Monroe
Metro Presiding Officer
600 NE Grand Ave.
Portland, OR 97232

Dear Mr. Monroe and members of the Metro Council:

I am writing to provide input on two related matters that are currently before the Metro Council for consideration. The first concerns the issue of sub-regional consideration of jobs/housing balance. The second concerns the addition of Urban Reserve Area 39 and the southern portion of Urban Reserve Area 41 to the regional Urban Growth Boundary.

Before dealing with those issues, let me provide as background the fact that, according to information received from Metro, Wilsonville had 17,013 jobs and only 5,329 housing units in 1996 (3.19 jobs/housing unit). We have added more housing units than jobs since 1996. Still, Wilsonville continues to have an extremely high ratio of jobs to housing units. This sort of imbalance is quite unprecedented.

Wilsonville has a Town Center, but no Regional Center according to Metro's standards. We have been told that calculating jobs/housing balance on a strictly regional basis means that Wilsonville is lumped in with the Washington Square area, and everything in between. I respectfully submit that this makes no sense at all and is counter-productive to sound regional planning.

Washington Square is some twelve miles from Wilsonville's center, with the connecting traffic corridors between Wilsonville and Washington Square (Interstate-5 and Highway 217) among the most congested in the region. Aggregating Wilsonville and Washington Square together for jobs/housing calculations is the same as saying that it is a good thing to encourage people living around Washington Square to commute to Wilsonville for jobs. In fact, that is the last thing that the region needs at this point. If Metro fails to take a sub-regional view of jobs/housing, you will be encouraging the kinds of land use and transportation patterns that we are all trying to prevent.



Wilsonville has relatively little developable residential land within the City limits and we do not yet have any UGB land outside the City. Because most of Wilsonville was built within the last twenty years, we do not have much potential for redevelopment in the near future. This means that we must look to residential development in the Urban Reserves to meet our growth needs and improve our jobs/housing balance.

By including the southern portion of Urban Reserve Area 41 in the Urban Growth Boundary, you will be helping to make the planned Dammasch urban village a reality. The 2,300 housing units planned for that area will be within one mile of thousands of Wilsonville's current job sites.

Another important consideration in evaluating the Dammasch area is the fact that the former hospital itself will be very difficult, if not impossible, to develop to urban housing densities without also including the remainder of the master planned area within the UGB. I am aware that Metro's staff has summarized the potential productivity of the southern portion of Urban Reserve Area 41 by concluding that it would add 1,277 housing units. A cursory observation might lead one to that conclusion, assuming that the site of the former hospital itself could be redeveloped without urbanizing the surrounding land. In fact, there is no efficient way of providing urban services to the old hospital site without including the surrounding properties. From our perspective, the development of this area will either lead to the 2,300 housing units of the Dammasch master plan, or will result in very little housing development at all.

Urban Reserve Area 39 is only twenty acres in size. While small by urban reserve standards, it is an unusual commodity. Wilsonville does not have any other vacant parcels of this size within easy access of residential neighborhoods. This property is held in trust for the Common School Fund. The only urban use that can be made of Urban Reserve Area 39 is as a public school.

~~Another unique characteristic of Urban Reserve Area 39 is that it adjoins an existing school. This provides an opportunity for increased efficiency because the adjoining schools can share a parking lot and other facilities.~~

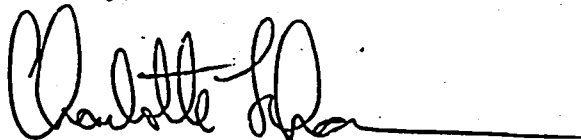
The City of Wilsonville continues to plan for the urban development of all six of the urban reserve areas adjoining our City. We are most interested in the inclusion of the two Urban Reserves mentioned above in the UGB at this time because these are areas where master plans for development have already been completed. A great deal of community involvement and hard work have already gone into the development of both of these sites and we hope to see that work come to fruition in the near future.

To summarize, the City of Wilsonville seeks the immediate inclusion of Urban Reserve Area 39, and the southern portion of Area 41, to the Urban Growth Boundary as soon as possible because:

- * The City of Wilsonville has an unprecedented jobs to housing imbalance, historically exceeding 3 jobs per housing unit;
- * There is a need and justification to consider Wilsonville's jobs/housing imbalance from a sub-regional perspective. To do otherwise will assure that the jobs/housing situation, and the traffic congestion that results, will worsen over time;
- * The City is ready to move forward with the annexation and urban development of these areas immediately after Metro adds them to the Urban Growth Boundary;
- * The City needs to be able to implement the Dammasch master plan portion of Urban Reserve Area 41 in order to provide a significant new housing area. Without it, the Dammasch property that is already within the City limits will not be able to be redeveloped to provide much in the way of needed housing.

Our staff will be glad to work with yours to provide additional information to help prepare your record for this decision. We appreciate your continued support.

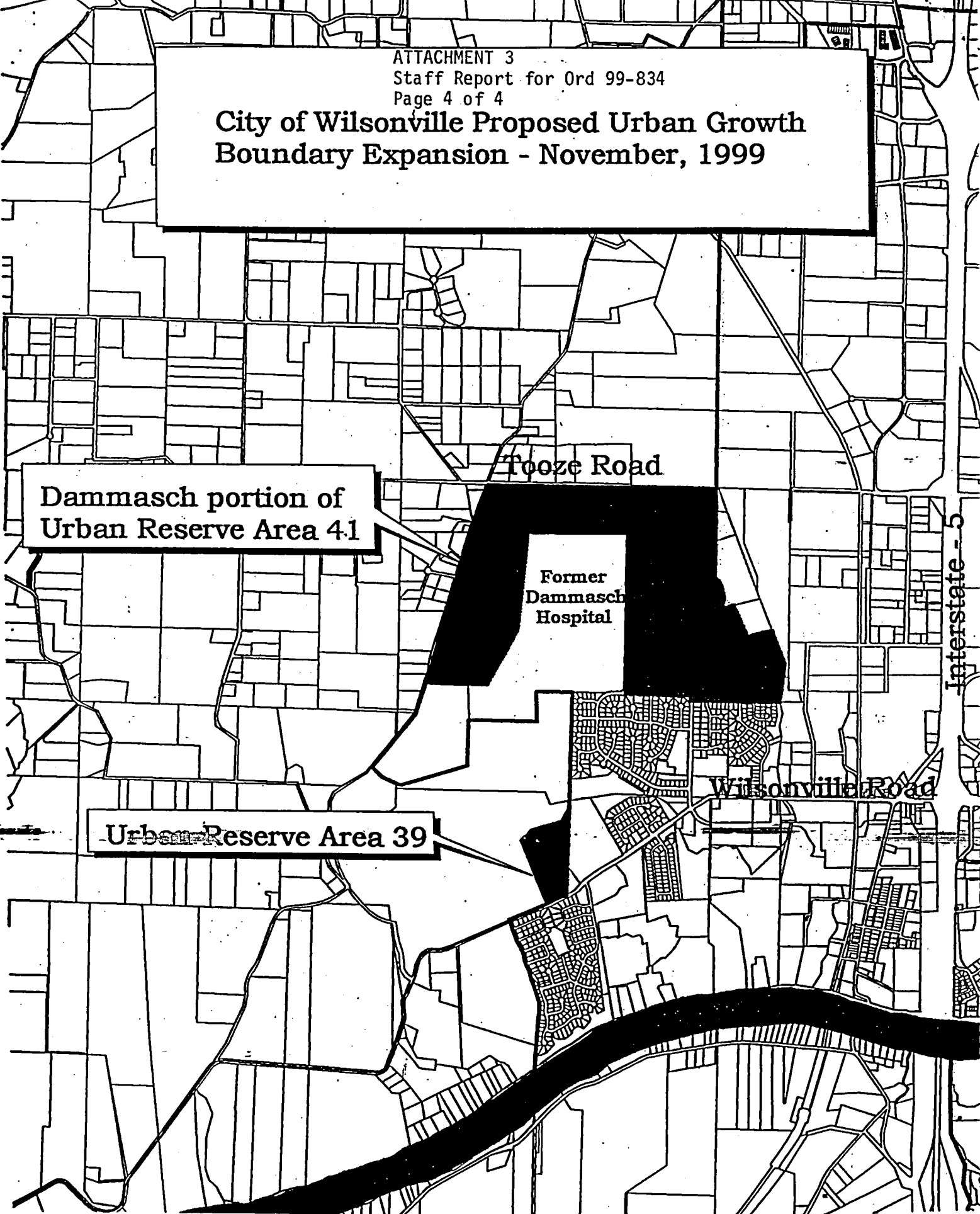
Sincerely,



Charlotte Lehan
Mayor

CC: Metro Councilors

**City of Wilsonville Proposed Urban Growth
Boundary Expansion - November, 1999**



Dammasch portion of
Urban Reserve Area 4.1

Tooze Road

Former
Dammasch
Hospital

Interstate - 5

Wilsonville Road

Urban Reserve Area 39

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING) ORDINANCE NO 99-830
LANDS WITHIN URBAN RESERVE)
AREA 39 TO THE METRO)
JURISDICTIONAL BOUNDARY) Introduced by Executive Officer,
) Mike Burton
)

WHEREAS, on December 31, 1998, the duty and authority to review and approve city and county annexations in Clackamas, Multnomah and Washington Counties under ORS 199.425 was transferred to Metro pursuant to Chapter 516, Oregon Laws 1997; and

WHEREAS, on October 23, 1999, the duty and authority to review and approve annexations to the Metro jurisdictional boundary was granted to Metro pursuant to Chapter 282, Oregon Laws 1999; and

WHEREAS, petitioners are owners of property in urban reserve area 39 which was designated by the Metro Council in 1997 by Ordinance 96-655E; and

WHEREAS, annexation to the Metro jurisdictional boundary of the territory described in Exhibit A would constitute a contiguous boundary change, initiated by a petition of the owners of property in the territory; and

WHEREAS, notice as required by Metro Code 3.09.030 was published on November 24 and December 1, 1999; and

WHEREAS, Metro received consents to the proposed annexation from 100 percent of the owners of land in the territory; and

WHEREAS, there are no electors on the property; now therefore

THE METRO COUNCIL ORDAINS:

1. The territory described in Exhibit A is hereby annexed to the Metro jurisdictional boundary.
2. The Metro Council adopts the staff report in Exhibit B, attached hereto and incorporated by reference herein, as the findings of fact and conclusions of law supporting this annexation to the Metro jurisdictional boundary.

3. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption of this ordinance.

4. This ordinance is necessary for the immediate preservation of public health, safety and welfare because annexation should be effective immediately to allow the Council to consider Urban Growth Boundary amendments to comply with the State of Oregon mandate to move the Urban Growth Boundary pursuant to ORS 197.299; an emergency is therefore 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

\\mrc-files\files\oldnet\metro2\ogc\depts\r-o\99-830.02.doc
OGC/KDH/kvw 12/03/99

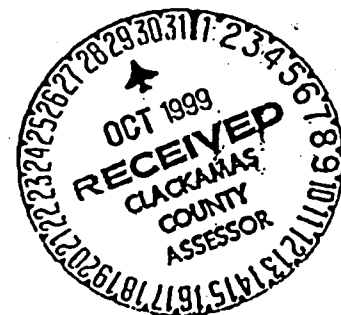
LEGAL DESCRIPTION
20 ACRE PARCEL
BEING A PORTION OF TAX LOT 2201 (MAP 3-1W-22)
FOR THE WOOD MIDDLE SCHOOL SITE
WILSONVILLE, OREGON

JOB NO 4326
6/10/99 MAR

EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER AND THE
NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY,
OREGON, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO
THE STATE OF OREGON, RECORDED JULY 1, 1993, RECORDER'S FEE NO. 94-29363,
CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 22, T.3S., R.1W., W.M.;
THENCE ALONG THE NORTH LINE THEREOF, S.89°37'45"W., 2,319.21 FEET TO A ¾"
IRON PIPE INSIDE A 2" IRON PIPE; THENCE S.00°17'37"W., 127.61 FEET TO THE
NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN FEE NO. 79-5357,
CLACKAMAS COUNTY DEED RECORDS, AND THE TRUE POINT-OF-BEGINNING;
THENCE ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED
TO THE STATE OF OREGON, RECORDED JULY 1, 1993, RECORDER'S FEE NO. 94-
29363, CLACKAMAS COUNTY DEED RECORDS, S.00°17'37"W., 1,580.05 FEET TO THE
NORTH RIGHT-OF-WAY LINE OF WILSONVILLE ROAD (MARKET ROAD NO. 6) (30.00
FEET FROM CENTERLINE); THENCE ALONG SAID RIGHT-OF-WAY LINE THE
FOLLOWING TWO (2) COURSES: THENCE 22.90 FEET ALONG THE ARC OF A 543.00
FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02°24'57"
(THE LONG CHORD BEARS S.63°18'58"W., 22.89 FEET); THENCE S.64°31'27"W., 288.84
FEET; THENCE N.32°52'28"W., 1,200.45 FEET; THENCE N.56°36'30"E., 569.00 FEET;
THENCE N.74°27'30"E., 271.50 FEET; THENCE N.32°31'00"E., 380.00 FEET TO THE
POINT-OF-BEGINNING, CONTAINING 871,200 SQUARE FEET (20.00 ACRES) MORE
OR LESS.



Date: November 23, 1999

**STAFF REPORT TO THE
METRO COUNCIL**

SECTION I: APPLICATION SUMMARY

CASE: FILE NAME: West Linn-Wilsonville School District
Annexation to the Metro Jurisdictional Boundary Case 99-830

APPLICANT: West Linn- Wilsonville School District¹
Wilsonville, OR 97068

PROPOSAL: The petitioner is requesting annexation of a 20 acre parcel that is designated by Metro as Urban Reserve (URA) #39.

LOCATION: The property is located off of SW Wilsonville Road and adjacent to the Wood Middle School (Attachment A).

PLAN/ZONING DESIGNATION: *Clackamas County Zoning: Exclusive Farm Use (EFU)*
Clackamas County Comprehensive Plan Designations: Agricultural

APPLICABLE REVIEW CRITERIA: Metro Code 3.09.050

SECTION II: STAFF RECOMMENDATION

Staff recommends that the Metro Council APPROVE Case 99-830: West Linn-Wilsonville School District.

SECTION III: BACKGROUND INFORMATION

Site Information: The 20-acre site is located within Clackamas County off of SW Wilsonville Road and adjacent to Wood Middle School to the north. The subject property is located on Map No. 31W22, a portion of tax lot 2201. The site is located adjacent to the Wilsonville City limits to the west. The uses

¹ The Division of State Lands has indicated in a letter dated October 21, 1999 to the Executive Officer that they are in support of the application and permit the West Linn- Wilsonville School District to make this application during the property transfer process.

surrounding the subject site are agricultural, rural/future urban, and residential. The subject area is currently vacant.

Case History: The applicants submitted a petition for annexation of the subject property on November 4, 1999. The application was deemed substantially complete on November 11, 1999.

Proposal Description: The petitioners propose to annex approximately 20-acres of land to the Metro jurisdictional boundary. The 20-acre portion of tax lot 2201 comprises the boundary of URA #39 and corresponds to the area included in Resolution 98-2729 that stated Metro Council's intent to bring URA #39 into the Urban Growth Boundary (UGB).

The West Linn – Wilsonville School District has prepared a basic design plan for the construction of a new elementary school on the subject property. For this school the district has secured funding and intends to begin construction in 1999. The City of Wilsonville has completed much of the infrastructure planning necessary to develop the site.

SECTION IV: APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro jurisdictional boundary are contained in Metro Code 3.09.050. The criteria with citation (**bold**), petitioner responses (*italics*), and staff analysis follow.

Petitions to add land to the Metro jurisdictional boundary may be approved under the following conditions:

- 1. The extent to which urban services presently are available to serve the affected territory including any extraterritorial extensions of service. [3.09.050(b)(1)]**

Because the territory proposed for annexation to Metro is rural land, no urban-level services are presently provided to the territory. However, urban services will be available to serve it upon its eventual conversion to urban uses. These services include the following:

Water:

Water service will be provided by the City of Wilsonville. The City has made special arrangements with the School District to assure that adequate water will be available in spite of the City's current water shortage. The school district has agreed to curtail water use on the site during summer months in order to assist the community in conserving water until the new water treatment facility is finished. Major pipeline improvements are planned for the coming fiscal year in order to serve the site.

Sanitary Sewer:

Sanitary sewer service will be provided by the City of Wilsonville. Collection system improvements are planned to accommodate new school construction on the subject property. The City of Wilsonville recently expanded and improved its wastewater treatment plant to accommodate community growth.

Storm drainage:

Storm sewer service will be provided by the City of Wilsonville. The subject property is located between two creeks and near a system of wetlands. A combination of on-site stormwater detention and use of the natural drainageways is expected to meet the storm sewer needs of the site. Flooding is not a problem in the area.

Transportation:

The primary transportation service provider will be the City of Wilsonville. This includes the responsibility for improving and maintaining Wilsonville Road and other streets in the vicinity, as well as the provision of transit services through South Metro Rapid Transit (SMART), a City operation. Transportation services are also coordinated with Clackamas County (with continuing responsibility for the roads near the subject property) and with the Oregon Department of Transportation (I-5 crosses Wilsonville Road approximately 1.5 miles to the east of the subject site.)

Fire and Police:

Fire protection services are provided to the subject property and all properties in the community by the Tualatin Valley Fire and Rescue District. The District operates under contract with the City with a fire station located on Kinsman Road, approximately one mile from the site.

Police services are provided to the subject property and all properties in the community by the Clackamas County Sheriff's Department. This service is provided under contract between the County and the City of Wilsonville. The Clackamas County Sheriff's Department maintains a station in Wilsonville, with officers specifically assigned to the community. A sheriff's lieutenant serves and the City's Chief of Police.

Schools:

School services are and will continue to be provided to the site by the West Linn-Wilsonville School District. Note that the School District is acquiring the subject property for the purpose of new school construction.

Staff Response

The necessary urban services can be reasonably provided by the City of Wilsonville in the near future. The City has indicated that it has plans in place to solve the water shortage problem and expand its wastewater treatment facilities to service this subject site. The City has hired a consultant to update the City's stormwater master to include this area. The existing providers can provide police and fire services.

No extra-territorial extensions of services are necessary to serve this property because the property is not located within the UGB and is in agricultural use so that it does not currently require urban type services. The agricultural uses within the subject site are expected to continue until such time as the site is included within the UGB and the city limits of Wilsonville. Prior to urbanization, there is no need to extend urban services to the subject site. The petitioners are requesting no extra-territorial extension of services.

Because there is no need to extend urban services to this site at this time and the City has taken steps to provide these services in the future and there is no extra-territorial extension of services requested, this criterion has been satisfied.

- 2. A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties. [3.09.050(b)(2)]**

The petitioners state, there are no urban planning or other agreements which apply to the territory.

Staff Response

There are currently no urban service agreements required to serve this subject site or in place between any adjacent providers therefore this criterion does not apply.

3. A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties . [3.09.050(b)(3)]

Presently, the property is designated as rural in the Clackamas County Comprehensive Plan. The zoning is EFU – Exclusive Farm Use. The territory is outside of the area covered by the Wilsonville Comprehensive Plan. The comprehensive plans for Wilsonville and Clackamas County will need to be amended once the territory is annexed into the City.

Wilsonville Comprehensive Plan Objective 2.1.5. states:

Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.

The West Linn – Wilsonville School District has demonstrated to Metro, Wilsonville, and Clackamas County that a need presently exists for a new primary school to serve the western portion of the city and the District. As a result, the territory has been designated by Metro as Urban Reserve (URA #39).

Staff Response

The Dammasch Master Plan which has been completed and adopted by the City of Wilsonville is a mixed-use urban village concept that includes an overall density of 10.2 dwelling units per acre. This village concept includes areas set aside for commercial/retail, civic uses, neighborhood parks, elementary schools, open space and natural areas. The elementary school that is planned to be constructed on URA #39 is not specifically mentioned in this plan but according to the City of Wilsonville, will help satisfy the need for schools from the population located within the city limits and within the area covered by the Dammasch plan.

The Dammasch plan places a heavy emphasis on transportation by developing strategies to improve connectivity with developed portions of Wilsonville and the surrounding area, providing circulation through primary roads serving the site and alignments with existing streets. Transportation considerations in the area of Urban Reserve #39 are factored into the overall transportation plan for the Dammasch area.

The subject property is currently located within Clackamas County. The current County Comprehensive Plan designations for the subject area are Agricultural. The school that is planned for the subject area qualifies as an urban use that will require urban services. Schools are a necessary land use element in the Clackamas County Comprehensive Plan to accompany urbanization. Clackamas County policies addressing urbanization are policy: (1.0) identify the need to designate urban areas within Metro's jurisdiction and coordinate with affected cities in the designation of urban areas outside of Metro. Policy 2.0 states- "the following areas may be designated as urban; a) land needed to accommodate 20-years of future urban population; b) land needed for increasing housing and employment opportunities and livability from both a regional and a subregional view; c) land to which public facilities and services can be provided in an orderly and economic way; h) land where the strategic location of employment and living opportunities can minimize community distance, traffic congestion, pollution and

energy needs." The planned use of this area reflects the Country's Comprehensive Plan goals relative to future urbanization.

The 2040 Growth Concept designation for this area is inner neighborhood. Upon annexation, zoning would be applied by the City of Wilsonville that will be consistent with this 2040 design type. Schools are typically located in residential areas in order to serve the adjacent population. Therefore, locating a school in this area is interpreted as consistent with Metro's 2040 Growth Concept and RUGGOS.

Staff finds that the existing plans support the inclusion of this area within the Metro jurisdictional boundary and are a necessary step towards urbanization of this area.

4. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party. [3.09.050(b)(4)]

Because all necessary parties are aware of and have supported the proposal, objections to a decision to annex the territory into the Metro District Boundary is not expected.

Staff Response

There are presently no urban service provider agreements in this area. Metro staff has received no comments from any affected agencies that would result in a conflict between providers or a withdrawal from a district. This criterion does not apply.

5. The proposed effective date of the decision. [3.09.050(b)(5)]

The Metro Council has determined that the territory should be within the UGB (Resolution No. 98-2729C). ODSL and West Linn-Wilsonville School District, the present and future owners of all of the territory, herein propose annexation to Metro. They request that an order approving this annexation take effect immediately upon its adoption, so that the Metro Council can proceed to adopt an ordinance amending its Urban Growth Boundary to include the annexed territory.

Staff Response

An effective date of the annexation is proposed to take effect immediately upon adoption. Staff concludes that this criterion has been satisfied because the applicant has proposed an effective date.

SECTION V: SUMMARY AND RECOMMENDATION

This petition seeks to annex approximately 20 acres of land into the Metro jurisdictional boundary for the purpose of allowing expansion of the UGB for the development of a school. The petitioners have provided sufficient evidence to demonstrate that the subject area can eventually be provided urban services in an orderly and efficient manner. The petitioners have demonstrated that the annexation is not in conflict with the Regional Framework Plan, the Urban Growth Management Functional Plan or any other applicable plans. The site can be adequately served with sewer, storm, water, police, fire, park and open space and transportation services after inclusion of the area into the UGB and the City limits of Wilsonville (require subsequent actions).

Based on the above analysis, staff recommends that the Metro Council approve this petition for annexation to the Metro jurisdictional boundary.

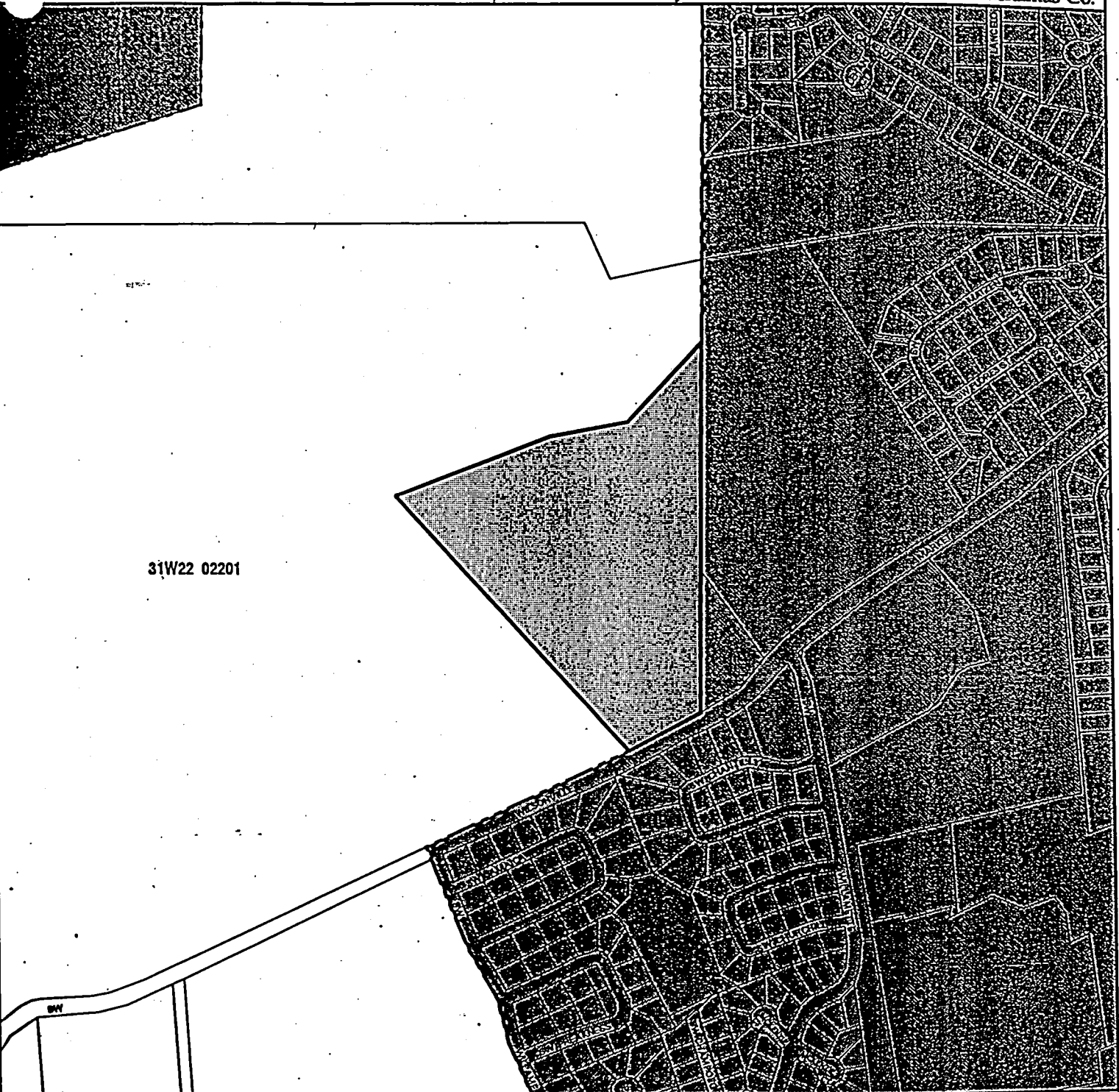
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Proposal No. MU0999

Annexation to Metro Boundary

Clackamas Co.

31W22 02201



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 787-1742
FAX 503 787-1808
Email drc@metro-region.org




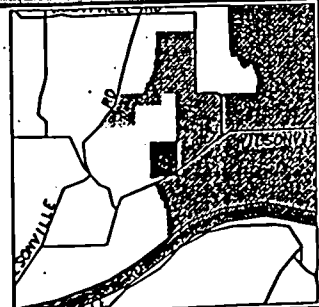
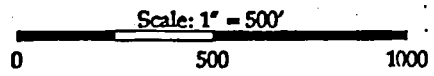
-  Metro boundary
-  Annexation boundary
-  Area to be annexed

Exhibit "B"
Page 7 of 9

PROPOSAL NO. MU0999
METRO BOUNDARY
Figure 1



The information on this map was derived from digital databases on Metro's GIS. Can not take in the context of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the accuracy of measurements or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.



Scale: 1" = 200'

15	14
22	23

S. 89° 37' 45" W.
2319.21'

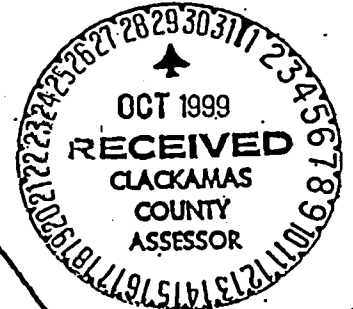
S. 00° 17' 37" W.
127.81'

POINT-OF-BEGINNING

WOOD MIDDLE SCHOOL

TAX LOT 500
MAP 3-1W-22A
ROBERT STETZEL

TAX LOT 2201
MAP 3-1W-22
STATE OF OREGON
20.00 ACRES



TAX LOT 600
MAP 3-1W-22A
JOAN B. HULL

L=22.00'
R=543.00'
Δ=022457'

Exhibit "B"
Page 8 of 9

S. 64° 31' 27" W.
283.84'

SW WILSONVILLE ROAD

MAP PREPARED BY:
COMPASS ENGINEERING
1504 B.E. LAKE ROAD
LAUKIE, OR 97222
503/ 853-8093

EXHIBIT MAP
A PORTION OF TAX LOT 2201
IN THE NW. 1/4 AND NE. 1/4 OF SECTION 22
T8S, R1W, WM
CITY OF WILSONVILLE
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY

JEFFERSON R.

1"=400'

11500

SEE MAP 3 IW 15

SEE

--S.89°48'W. 80.10 CA. (GLO)--

N 81° 2

1/4 Cor.

3 IV

D.L.C. NO. 46

DAMMASCH STATE HOSPITAL

APPROX. LOCATION OF 20 AC

See P.S. 1092

MAP

SEE

3-28

SUPPL.

38.20

R. V. SHORT

W. LINE

20.39

SHAW D.L.C. NO. 51

M'NE Cor. DLC 51

CHARITY MAP

SEE

22AC

1100 51.18 Ac. 11850

Exhibit "B" Page 9 of 9

E.F.U.

WLY SW Cor. R.V. Short D.L.C. No. 46

1003 4.61 Ac.

1002 5.37 Ac. 12340

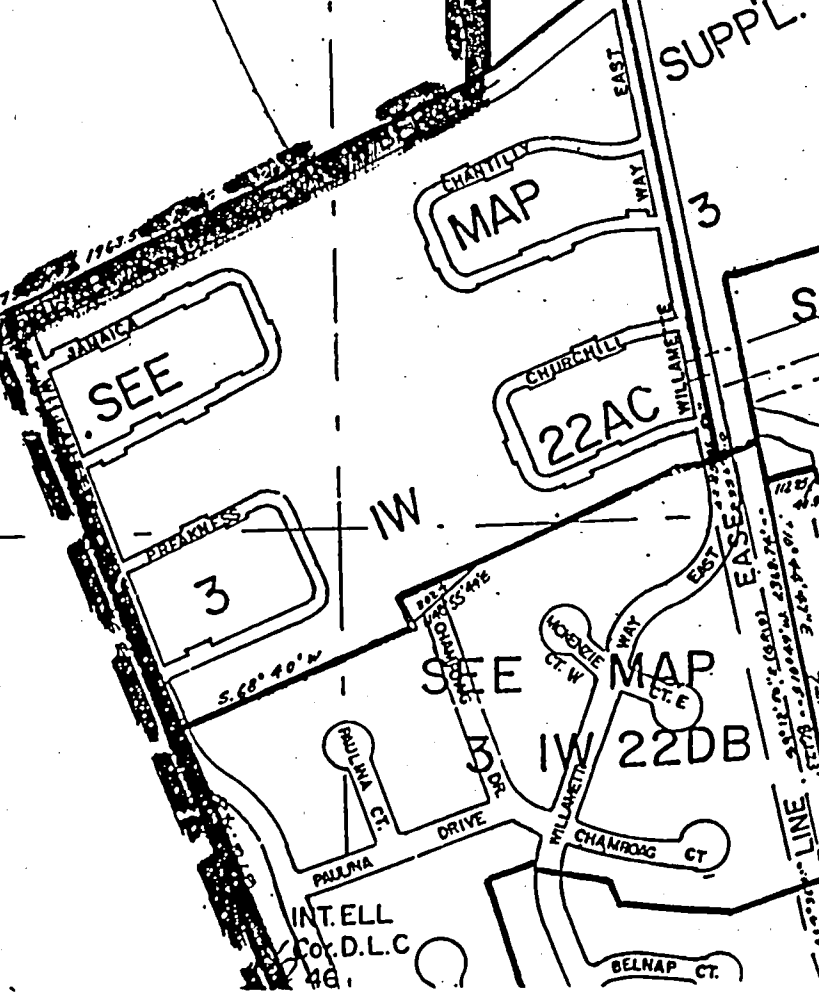
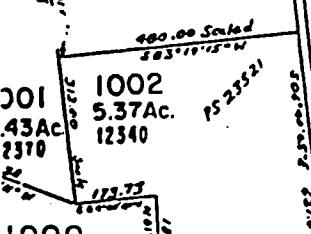
1001 4.34 Ac. 12370

INT.ELL Cor. D.L.C. 46

STATE MAP

22DB

BELNAP CT.



From: Christina Billington
To: "LLAPTOOK@caowash.org"@MetGen.GWIA
Subject: Re: H-TAC Continuation

Dear Mr. Laptook, your email has been received, forwarded to each Councilor and placed in the permanent record. Sincerely, Chris Billington Clerk of the Council

>>> "Leon Laptook" <LLAPTOOK@caowash.org> 12/06 11:56 AM >>>

Dear Metro Council,

We at Community Action Organization believe that the work of H-TAC is critical if the region is going to be able to address the housing needs of all residents of the Metro Area.

Currently in Washington County alone there are 1500 very low income households (families that earn less than 30% of area median income) who pay over half of the earnings for housing. These families are at constant risk of homelessness. All it takes is the smallest emergency for these families- a car breaking down, missed work due to illness, a medical emergency, loss of a child care provider- to upset their tenuous household budgets. These small emergencies, which to most households are just inconvenient, to very low income households can lead to a loss of income which threaten the stability of their housing.

We feel that H-TAC has made a great deal of progress over the last year and is the only public forum that provides the opportunity for regional discussion, study, and the development of well conceived regional plans to address affordable housing problems.

We urge you to support this work and dedicate adequate funding so that this work may continue.

Sincerely,

Leon Laptook, Deputy Director
Community Action Organization
1001 SW Baseline
Hillsboro, OR 97123
LLlaptook@caowash.org

From: "Leon Laptook".<LLAPTOOK@caowash.org>
To: MetCen.MRC-PO(billingtonc)
Date: Mon, Dec 6, 1999 12:50 PM
Subject: Re: H-TAC Continuation

Dear Ms. Billington,

I just reread my e-mail to the Metro Council and saw that the figure in the second paragraph, citing 1500 very low income households should have been 15,000 very low income households. Would you be so kind as to pass this correction on to the Metro Councilors.

Thank you

Leon Laptook, Deputy Director
Community Action Organization
1001 SW Baseline
Hillsboro, OR 97123
LLaptook@caowash.org

From: Russ Dondero <dondero1@easystreet.com>
To: MetCen.MRC-PO(mclains,burtonm),MetCen.GWIA("bradgo...
Date: Tue, Dec 7, 1999 10:24 AM
Subject: Affordable Housing/H-TAC

TO: Mike Burton, Metro Executive Officer
Susan McClain, Metro Councilor, District #4
Paul Bradgon, Chair of Metro Council Budget Task Force

FROM: Russ Dondero, 1506 Limpus Lane, Forest Grove,
Oregon

RE: H-TAC - the memo below reflects my own opinions and in no
is meant to speak for my employer - Pacific University

Dear Mike, Susan and Paul:

It is my understanding that H-TAC will be presenting its work to various Metro committees this month and will be asking for an 'extension' to complete the important task of framing a regional strategy on affordable housing. I strongly support such an extension.

It's my understanding that the H-TAC committee has been working on important issues dealing with fair share, regulatory and land use tools, reduction in costs and the vital question of regional funding for affordable housing. This important work would go by the wayside, if H-TAC were dissolved or its staff reassigned.

Please don't let this happen!

The issue of affordable housing in the metro area is critical to solving the myriad of problems facing our region in the next 20 years and beyond which are central to METRO's mission.

Waste management, economic development, greenspaces, transportation, air quality and the enhancement of public services - are ultimately all linked to affordable housing. Where people live within the metro area will impact all of these issues and will determine whether we maintain the quality of life Oregon has become famous for throughout the US and beyond.

Affordable housing in the metro area is fundamental to maintaining the quality of life in our region which distinguishes us from Seattle, San Francisco, Los Angeles and San Diego to say nothing of cities further east of us...

Any one who drives or takes MAX to Portland is keenly aware of how congested the Sunset corridor has become in the last decade and that our failure to locate affordable housing nearer to where people work contributes greatly to all of these problems.

Since this is a very busy time of the year for me - the end of the semester, it is impossible for me to attend the relevant meetings where this issue is being discussed. I hope this e-mail message will have the

same impact my personal testimony might have. Having attended several Metro Council meetings in past years where affordable housing has been discussed, some of you may already be aware of my concerns.

As a resident of Washington county since 1974 I've become quite familiar with the crisis our region faces relative to affordable housing. In 1991, while on a sabbatical leave from Pacific University, I became a member of the Housing Lobby Coalition - a broadbased coalition of housing advocates who successfully lobbied for the passage of Oregon's Housing Trust Fund.

1993-94 I chaired a 27 person county wide housing task force in Washington County to assess the needs in our county and how to respond appropriately to this issue. From that committee's work was created the current CHAS which is the foundation of our county's strategy on affordable housing. Since that time I've continued to be an active housing advocate in Salem and in my home county.

I am currently serving a 3 year term as a member of Washington County's Housing Advisory Committee which advises the Department of Housing Services. That agency and our committee are reassessing the 1993-94 report and are responsible for drafting a new document to take us into the new century. Sadly, the problems of 1993-94 persist today despite the efforts of a network of public, private non-profit and for profit developers to address housing affordability issues in Washington County. Things are not worse, but we've not gotten ahead of the curve on meeting the need. We're treading water.

I just completed a sabbatical leave where I worked for a firm in downtown Portland on issues of housing gentrification. I've discovered that there are a wide range of strategies which can be used to make affordable housing possible in urban areas - land banking, infill, inclusive zoning, regional RETTs, tax incentives to protect homes from gentrification etc.

But what is necessary to make any of these strategies work is the partnering of local, county, regional and state government along with non-profit and for profit developers to take us from the idea stage to the policy implementation stage. If good public policy necessitates - as I think it does - granting tax incentives to multi-national firms to locate in our region, the Wacker Chemicals and Intels - then no less creative thinking must be put to the issue of solving the housing affordability issue in the metro area, if not the entire state.

A recent HUD report cited in The Oregonian (April, 30, 1998) indicated that "...70 percent of the families needing affordable rental housing live in the suburbs rather than in Portland..." (p. 3M) Tom Cusack, Oregon senior community builder for HUD in the same article said that "...No existing state or local programs meet the demand for affordable rental housing..." Sadly, Mr. Cusack is right.

Narrowing my focus to Washington County, the following figures from our 1993-94 report still stand out: Washington County's target of building 1000 affordable units per year is 1/3 of the real need in the county!

And more starkly and contrary to the county's image of suburban affluence, over 6700 homeless persons per year in our county are turned away from the few shelters in the county.

The lack of affordable housing in Washington County and the metro area disproportionately affects at risk citizens - single parent families, families victims of domestic abuse, the working poor (of all ages), the handicapped, those suffering from mental illness, senior citizens on fixed incomes and last but not least our growing migrant labor population in the county who are moving from agri-business to the service sector.

We can't turn our backs on the less fortunate in the metro area and Metro can play a leadership role in addressing this problem.

Living in the midst of the greatest economic expansion in American history we can and must do better.

Sincerely,

Russell A. Dondero
Professor of Politics & Government
Pacific University
Forest Grove, Oregon

P.S. While I was born in Seattle and spent two years in the Bay area as a child, Oregon is home. We moved to Roseburg in 1952 where my dad was the executive director of The Housing Authority of Douglas County for 25 years. As a native of the Pacific Northwest, I learned early about the need for affordable housing in our state.

CC: Britt Parrott <britt@friends.org>, "Peter Grundfos..."

From: Russ Dondero <dondero1@easystreet.com>
To: MetCen.MRC-PO(mclains,burtonm),MetCen.GWIA("bradgo...
Date: Tue, Dec 7, 1999 10:30 AM
Subject: Minor Correction

TO: Mike Burton, Metro Executive Officer
Susan McClain, Metro Councilor, District #4
Paul Bradgon, Chair of Metro Council Budget Task Force

FROM: Russ Dondero, 1506 Limpus Lane, Forest Grove,
Oregon

RE: H-TAC - the memo below reflects my own opinions and in no
[way] is meant to speak for my employer - Pacific University

Add the bracketed word above...

Best regards to all of you for the upcoming Holidays...

CC: Britt Parrott <britt@friends.org>, "Peter Grundfos..."

From: Christina Billington
To: "dondero1@easystreet.com"@MetCen.GWIA
Date: Tue, Dec 7, 1999 1:12 PM
Subject: Re: Minor Correction

Dear Mr. Dondero, your email has been received by the Clerk of the Council, forwarded to the Metro Council and placed in the record for this ordinance. Chris Billington Clerk of the Council

>>> Russ Dondero <dondero1@easystreet.com> 12/07 10:30 AM >>>

TO: Mike Burton, Metro Executive Officer
Susan McClain, Metro Councilor, District #4
Paul Bradgon, Chair of Metro Council Budget Task Force

FROM: Russ Dondero, 1506 Limpus Lane, Forest Grove,
Oregon

RE: H-TAC - the memo below reflects my own opinions and in no
[way] is meant to speak for my employer - Pacific University

Add the bracketed word above...

Best regards to all of you for the upcoming Holidays...

Metro Report

*Watershed and
fish conservation,
protection and
restoration activities*

**Initial report to
the Metro
Council
Fall 1999**

*Metro Executive Officer
Mike Burton*

*Salmon Recovery Coordinator
David Moskowitz*



METRO
Regional Services
*Creating livable
communities*

Metro

Protecting the nature of our region

It's better to plan for growth than ignore it. Planning is Metro's top job. Metro provides a regional forum where cities, counties and citizens can resolve issues related to growth – things such as protecting streams and open spaces, transportation and land-use choices and increasing the region's recycling efforts. Open spaces, salmon runs and forests don't stop at city limits or county lines. Planning ahead for a healthy environment and stable economy supports livable communities now and protects the nature of our region for the future.

Metro serves 1.3 million people who live in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area. Metro provides transportation and land-use planning services and oversees regional garbage disposal and recycling and waste reduction programs.

Metro manages regional parks and greenspaces and the Oregon Zoo. It also oversees operation of the Oregon Convention Center, Civic Stadium, the Portland Center for the Performing Arts and the Portland Metropolitan Exposition (Expo) Center, all managed by the Metropolitan Exposition-Recreation Commission.

For more information about Metro or to schedule a speaker for a community group, call (503) 797-1510 (public affairs) or (503) 797-1540 (council).

Metro's web site: www.metro-region.org

Metro is governed by an executive officer, elected regionwide, and a seven-member council elected by districts. An auditor, also elected regionwide, reviews Metro's operations.

Executive Officer
Mike Burton

Auditor
Alexis Dow, CPA

Council

Presiding Officer
District 6
Rod Monroe

Deputy Presiding Officer
District 4
Susan McLain

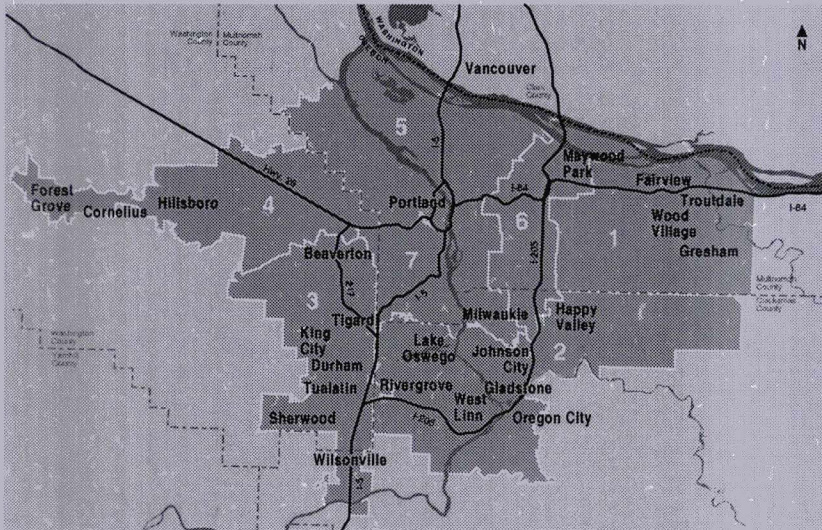
District 1
Rod Park

District 2
Bill Atherton

District 3
Jon Kvistad

District 5
Ed Washington

District 7
David Bragdon



Council Districts



METRO
Memorandum

To: Metro Council
Fr: Mike Burton, Metro Executive Officer *MB*
Dt: December 2, 1999
Re: Initial Report to the Metro Council on Metro's Endangered Species Act
Activities in compliance with Metro Council Resolution No. 99-2815A

Enclosed is Metro's initial report on our efforts to restore healthy populations of wild salmon, steelhead and cutthroat trout to the region's waterways. This report is intended to provide a "baseline" of Metro's current accomplishments, and to identify several future workplan issues.

I am pleased with the results of compiling Metro's fine efforts to date. I believe you will find it a useful milestone document, and a helpful tool to share with our local partners and the public.

However, this report demonstrates that we have some important work to complete. Metro's work under Title 3 of the Urban Growth Management Functional Plan (Water Quality and Floodplain Protection, and Goal 5 Fish and Wildlife Riparian Project) are particularly important. This will become even more obvious once the National Marine Fisheries Service (NMFS) issues its draft section 4(d) rules later this month. Metro's urban development planning focus likely will provide a critical cornerstone for the integration of future urban development and natural resource protection throughout the West Coast.

Growth management and transportation issues are not the only programs of importance. Solid and hazardous waste reduction, collection and education must play an even stronger role in protecting water quality. Our Recycling Information Hotline already is fielding more questions about salmon and watersheds. Our Parks and Greenspaces program gives us the ability to protect outright key portions of the region's watersheds. Future open space acquisitions will be needed to help us realize our watershed health goals. Watershed health and recovery also are being integrated into regional transportation planning; we need to continue to improve the connection between healthy watersheds and transportation planning, operation and maintenance.

I will need to work closely with you to ensure that current and future budgets are able to meet our workplan needs.

I expect to report to you again in March 2000.

“We can get started today on at least three actions that will help improve habitat for salmon and improve the livability of our region:

- Stop building stupid buildings in stupid places. Developers must stop building to the streams' edge. We need a no-build zone along the banks of the region's rivers and streams.
- Stop stormwater run off from new development. The best-designed communities have eliminated run off that pollutes streams and flushes out juvenile fish. All new development should be designed to those standards.
- Replace fish-killing culverts.”

*Metro Executive Officer Mike Burton
(In comments made when the region's
salmon and steelhead were listed under
the Endangered Species Act)
March 16, 1999*

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Purpose of this report

The purpose of this document is to report the status of Metro's efforts to restore healthy populations of wild salmon, steelhead and cutthroat trout to the region's watersheds. On Sept. 30, 1999, the Metro Council adopted Resolution 99-2815A, which identifies the intent of the Council in addressing the need for regional salmon and watershed recovery, provides direction to the Metro Executive Officer on this objective and requests quarterly reporting on progress. This is the first report in compliance with the resolution. The intent is to provide a "baseline" of Metro's current accomplishments and workplan in relationship to the Council Resolution.

Introduction

On March 13, 1998, the National Marine Fisheries Service (NMFS) listed Lower Columbia River steelhead as a threatened species under the federal Endangered Species Act (ESA). This means steelhead populations have declined to a point that the species is at risk of being endangered. The action is the federal agency's first listing for a fish species that spawns and rears in a major urban metropolitan area. The listing applies to a large portion of the metropolitan region.

The listing protects steelhead in the Columbia River and its tributaries from Longview, Washington southward through Portland and eastward to Hood River, and the Willamette River and its tributaries upstream to Oregon City. The Sandy and Clackamas rivers and Johnson and Tryon creeks are among the many urban waterways covered in the listing.

On March 16, 1999, the National Marine Fisheries Service (NMFS) listed eight additional species of salmon and steelhead in Washington and Oregon as threatened and one as endangered under the ESA.

In this region, lower Columbia River chinook salmon, Columbia River chum salmon, upper Willamette River spring chinook salmon and upper Willamette River steelhead are now listed as threatened species under the ESA. Outside this region, Puget Sound chinook salmon, Hood Canal summer-run chum salmon, middle Columbia River steelhead and Ozette Lake sockeye salmon are also listed as threatened. Also outside this region, upper Columbia River spring run chinook salmon are listed as endangered.

NMFS' current ESA listings will affect the entire Willamette River watershed, both above the falls in Oregon City, including the Tualatin River and its tributaries, as well as below Willamette Falls to its confluence with the Columbia River.

Steelhead were listed for several reasons. Wild steelhead populations in the lower Columbia River system have declined an estimated 90 percent during the last 10 years. The reduced population results from a variety of causes including disappearing natural habitat in the urban area. Habitat loss is due primarily to certain development practices, soil erosion and water pollution.

Economic impacts are not part of federal listing decision because the ESA does not allow NMFS to consider economic impacts when it determines that a species is threatened or endangered. The listing agency relies on the best available commercial and scientific data to make that decision. When NMFS determines which habitat is critical to the fish's survival, it may consider economic impacts in making that determination. Final critical habitat designations are expected in the late spring of 2000.

The ESA listings increase federal involvement in natural resource management because the listing requires federal agencies to consult with NMFS on all projects that might impact salmon or their habitat. City, county or regional projects with a federal nexus (or connection) involving federal permits, funding or other authorization all trigger the ESA's section 7 consultation process.

The ESA may prohibit any activity, including issuing permits, that results in a "take" of a listed species. A "take" includes anything that harms individual fish or species habitat. The NMFS may review and require modifications of any activity that could result in the take of listed salmonids or loss of its critical habitat.

The ESA listings are only one signal that rivers and streams are in trouble. In fact, 213 miles of regional streams and rivers do not meet Oregon Department of Environmental Quality's water quality standards; at least six of these waterbodies are involved in the listing – Johnson Creek, Sandy River, Clackamas River, mainstem Willamette River, Columbia Slough and Tryon Creek.

Additionally, roughly 400 miles of streams throughout the region have "disappeared," meaning that they have been filled in or piped under streets and parking lots. More than 80 percent of the wetlands of the lower Columbia River have been drained or filled.

Metro's goal and objectives

Metro will work to ensure that regional urban streams and associated habitats are conserved, protected and restored so that they support all life stages of native fish. Metro will work to ensure the safe migration both upstream and downstream for juvenile and adult native fish.

Metro will achieve its goal by meeting the following objectives:

Metro will ensure its own activities, operations and policy development processes contribute toward the conservation, protection and restoration of native fish and their habitats.

Metro, in cooperation with its local government partners, will provide education and outreach services and information to its local partners and to the public at large on how institutions and individuals can contribute to regional salmon recovery.

Metro will advocate for native fish and healthy rivers with its partners in the overall ESA effort, and work to influence its partners in their approach to salmon and watershed recovery.

Metro will work to develop the necessary tools to conserve, protect and restore native fish and their habitats, and will ensure these tools are developed in a scientifically sound, collaborative manner and made available to our local partners for their consideration and adoption.

Metro will meet its objectives by accomplishing the following tasks

Metro will complete an in-depth assessment of its overall activities, operations, facilities and policy development processes in order to ensure that Metro activities contribute to regional salmon and watershed health.

Metro will meet or exceed all applicable conservation standards as it conducts its own activities, operations and policy development.

Metro will develop educational and information materials, and provide technical services to our local partners and individuals that educate and inform the public about the importance of salmon recovery and watershed health.

Metro will be an advocate for native fish and watershed conservation in the region as we work with local partners, and Metro will be an active participant in appropriate regional forums working towards salmon recovery and watershed health.

Metro will develop tools to address native fish conservation and watershed health, and will apply those tools to its own activities, operations and policy development processes to serve as an example for local and regional partners.

Metro workplan will include completion of the following tasks:

Metro will enter into intergovernmental agreements with jurisdictions as necessary to achieve working relationships necessary to reach regional recovery goals.

Metro departments will clearly identify their specific programs and applied resources committed toward accomplishing Metro's broader regional salmon and watershed recovery efforts.

Metro will complete an assessment to evaluate its own take avoidance compliance.

Metro will organize its programs and resources to clearly identify its natural resource workplan, including development of programs implementing Goal 5, and a "value-added" stormwater management package.

ESA listings call for a watershed approach

Rivers, streams and fish do not stop at jurisdictional boundaries. A watershed approach to fish protection, conservation and recovery provides the best hope of an effective, locally managed response. Watersheds cross jurisdictional boundaries, and in urbanized streams, those multiple boundaries present complex problem resolution challenges.

Metro is not the primary responsible party in the region for ESA recovery. However, it has unique services and planning authority to offer its partners in reaching solutions to watershed problems. Watershed recovery will require a regional approach. Metro will hold an important seat at the regional watershed "table," filling a unique niche in the effort to solve our watershed problems.

It is important to remember that the metropolitan region makes up a small portion of the larger Willamette and Columbia Basin. However, due to the unique effects of urbanization on the watersheds, we may have a disproportionate adverse impact on the health of native fish and their rivers. Threatened fish listings signal that livable communities are at risk from many problems, including:

- poor water quality
- exposure to toxic pollutants affecting human health and fish and wildlife
- poorly planned and built development resulting in excessive stormwater runoff (this runoff scours spawning beds and pushes young salmon downstream too early in their life cycle)
- flooding (during the February 1996 flood, \$60 million dollars of damage occurred to property due to water and mudslide damage)
- uncontrolled sedimentation from erosion that changes stream channels and ecological conditions all the way downstream.

What Metro does in response to the ESA listings will not just benefit salmonids. If Metro and its partners take actions beneficial for salmon, there will be multiple benefits accruing that will help us meet other regional objectives. These objectives, such as protecting water quality, preventing and protecting against frequent and damaging flooding, and both protecting and restoring other natural resources, are elements which enhance the livability of this region.

Highlights of Metro's current programs

Metro is working to assure that our natural environment remains a vital part of our communities. Maintaining healthy watersheds supporting salmonids is a cornerstone piece of the region's important natural resources. Some examples of how Metro is working to help meet this objective include:

Overall agency actions

- Hired a regional salmon recovery coordinator
- Convened an agency-wide internal steering committee to help coordinate among and between Metro departments
- Adopted Metro Council Resolution 99-2815a on Endangered Species Act listings of salmon and steelhead (see Appendix A)

Agency actions by department

Salmon protection measures of the Regional Parks and Greenspaces Department

- Through natural area acquisition, management practices and citizen involvement, the department works to establish a cooperative system of natural areas, park, greenways and trails for fish, wildlife and people. Much of the nearly 10,000 acres of land managed by Metro supports efforts to restore and protect watershed health in the region.
- Since the voter approval of the open spaces, parks and streams bond measure in 1995, Metro has acquired more than 5,150 acres of land including 30 miles of stream and river frontage. Most of Metro's acquisitions, located within the Clackamas, Columbia, Sandy, Tualatin and Willamette river basins, provide direct or indirect benefits to fish and water quality.

<i>River basin</i>	<i>Acres acquired</i>
- Clackamas River Basin	764 acres
- Columbia River Basin	237 acres
- Sandy River Basin	1,018 acres
- Tualatin River Basin	1,050 acres
- Willamette River Basin	1,792 acres

- Many of the department's management practices help minimize adverse affects on salmon and the region's waterways. For example:

- Metro primarily controls pest plant species by physical removal or employing natural techniques such as flooding, burning and shading.
 - The department's policy is to establish viable native plant communities and waterway corridors on its property. The National Audubon Society recognizes Metro's Glendoveer Golf Course as using best management practices for the environment.
 - Metro's Oxbow Regional Park on the Sandy River is the only place in Oregon where salmon spawning beds are closed to fishing.
 - Fish and wildlife laws also are actively enforced in the 1,200-acre park.
- The department works to build an informed and involved citizenry for the protection and management of the region's natural resources. Metro's park naturalist staff and trained volunteer naturalists provide more than 200 programs to schools and the general public that reach about 7,000 people each year.
 - Each year, the Salmon Festival at Metro's Oxbow Regional Park provides an opportunity for nearly 10,000 people to learn about native salmon and their habitat and how to get involved in the recovery.
 - Providing financial support to schools, cities and citizen groups is another way Metro encourages people to play a direct and active role in the understanding and restoration of the region's fish and wildlife habitat.
 - Grants, including support for salmon/trout education and habitat projects, are made possible by federal funds from the U.S. Fish and Wildlife Service.
 - The department serves to conduct the grants program and since 1991 has funded 190 projects in the Portland/Vancouver metropolitan region totaling more than \$1.2 million.
 - The program has generated more than \$4 million in additional local match contributions.
 - People can also be directly involved in the enhancement and management of Metro's natural area properties through volunteer service.
 - Each year more than 1,000 people volunteer their time and skills in a variety of Metro-sponsored activities including invasive species removal, habitat plantings, environmental monitoring, data base management and environmental education.

Land-use planning and protection by the Growth Management Services Department

- Title 1 of the Urban Growth Functional Plan is the primary tool for avoiding urban sprawl. Title 1 encourages more efficient use of land by cities and counties in the region within the current urban growth boundary (UGB), and helps avoid frequent or large expansions of the UGB in the future.
- In 1998, the Metro Council adopted the Stream and Floodplain Protection Plan, Title 3, which offers the first regional standards for limiting development in floodplains and streamside habitat and reducing erosion. These standards are a critical first step toward improving water quality. Local jurisdictions must implement Title 3 by Dec. 18, 1999. The Homebuilders of Metropolitan Portland, realtors and development organizations appealed Title 3 to the Land Use Board of Appeals (LUBA). LUBA remanded Title 3 to Metro to modify certain compliance timelines that apply to future implementation of the Regional Framework Plan. Most local governments have requested or received compliance extensions for Title 3 from the Metro Council. It is anticipated that the Council will act quickly to address the LUBA decision, and that all jurisdictions will be in compliance with Title 3 by sometime in 2000.
- Following guidelines in Oregon's state land-use planning laws, Metro is developing a Goal 5 Fish and Wildlife Habitat Protection Program to conserve, protect and restore riparian corridors and upland habitat within the urban growth boundary. Metro began by conducting inventories, based on existing data, and identified areas necessary for maintaining biodiversity and naturally functioning watersheds. Both regulatory and incentive-based strategies will be developed to protect, enhance or restore riparian corridors before development occurs on land brought into the urban growth boundary.
- Growth Management Services is implementing a transportation and community and system preservation pilot program to ensure that planning in the urban reserve areas addresses environmental considerations as these areas develop. Urban reserves are rural lands adjacent to the UGB designated for potential inclusion inside the boundary.
- An ad-hoc committee of Metro's Water Policy Advisory Committee (WRPAC) is recommending actions Metro can take to address stormwater management and watershed planning.

Fish-friendly transportation planning in the Transportation Department

- Metro is working to ensure that regional transportation projects do not block fish passage.
- More than 150 culverts requiring repair to be “fish friendly” have been identified. Federal and state transportation programs must allocate funds to replace or repair these fish access problems.
- Metro is working to identify the “dirty dozen” culverts that should be replaced this year. This prioritization process should assist the region in determining funding priorities as well.
- The department will make regional transportation plans “fish friendly” through a grant to produce its “green streets” program to screen proposed transportation projects for potential impacts on fish and to develop fish-friendly design solutions.
- The department will consider making recommendations to allocate federal funds to assist with replacing or upgrading culverts currently blocking or impeding fish passage in Johnson Creek and other watersheds in cooperation with transportation projects targeted in the Regional Transportation Plan.

Water quality protection and pollution prevention by the Regional Environmental Management Department

- Accepts household hazardous waste from throughout the region. This program has been in place since 1986 to reduce risks to water quality from improper disposal of items like pool chlorine, paint and motor oil. In the 1998-1999 fiscal year, this program collected 2.4 million pounds of hazardous waste, of which 79 percent was reused, recycled or burned for energy.
- Operates two permanent facilities where household hazardous waste can be properly disposed of all year.
- Cleans up illegal dumps in the region, many of them in streamside areas. This has resulted in approximately 1,000 sites cleaned up annually.
- Works closely with the Oregon Department of Environmental Quality (DEQ) to coordinate hazardous waste cleanups.

- Promotes integrated pest management and natural gardening to reduce pesticide use in the region.
- Promotes composting and “grasscycling” to minimize erosion, increase water conservation, to promote backyard composting, and reduce the use of lawn fertilizer. The department has set up demonstration sites and has sold 50,000 composting bins in the past five years.
- Metro Recycling Information fields 100,000 calls annually and is open six days per week.

The Oregon Zoo

- The next phase of the Oregon Zoo’s Great Northwest exhibit will focus on watershed function and the story of salmon in Northwest history and culture. This will offer an excellent opportunity to inform visitors of Metro’s role in endangered salmonid and watershed recovery.
- The Oregon Zoo is one of the region’s major water users. Through an award-winning conservation program, the zoo reduced its water consumption by 34 percent from 1991 to 1997 (the last year for which figures are available). Annual water use has been reduced to just more than 100 million gallons a year.
- The Oregon Zoo is the state’s most visited paid attraction and delivers its conservation message to more than 1 million visitors a year.

Metro facilities and operations

- Metropolitan Exposition-Recreation Commission facilities strive to keep its buildings safe, comfortable, energy and environmentally compliant.
- Stormwater management is being evaluated at MERC facilities.
- Water use and conservation measures are being taken at Metro facilities.

Following is a brief recap of each building’s current status regarding stormwater runoff:

- **The Portland Exposition (Expo) Center** has been addressing its stormwater issues during the expansion of the Hall E and upgrade of Hall D. Expo staff have been working with Portland’s Bureau of Environmental Services and within the Peninsula One Natural Resources

Management Plan to reduce the stormwater run-off into the Columbia Slough. Currently, the primary source is the public storm sewer system that exists in North Force Avenue, located at the west end of the Expo property. In addition, Expo staff is evaluating supplementary systems to be implemented during the replacement of Hall D. A few of the secondary deterrents being discussed are bioswales in the parking lot, landscaping for storm drainage detention, a private storm sewer, an on-site subsurface disposal system or reconstruction of drainage ditches to the natural watercourse, south of the site.

- The Oregon Convention Center, like Expo, has Portland's storm sewer system as its primary solution to stormwater run-off. There are storm sewers in both Holladay Street and Lloyd Boulevard. The OCC's secondary system is water detention. This has been addressed through extensive landscaping of the perimeter of the site and in the parking lot (the landscaping exceeds the 10 percent city requirement), plus gravel has been placed on the flat built up roofing. In addition, the OCC is planning an expansion, which will cover the parking area and move it underground. Further secondary options are being addressed while in the planning phases of the new addition.
- The three buildings that make up the Portland Center for the Performing Arts and the historic Civic Stadium facility are located within the central city core and do not have the exterior environmental impact that Expo and OCC have due to large asphalt parking areas. These buildings also use Portland's storm sewers as the primary source of handling their stormwater runoff. These buildings' secondary systems address upkeep of the existing landscape, keeping the sidewalks, rooftops, and exterior of the buildings clean and free of debris.
- In addition to exterior stormwater management, all six MERC facilities pay close attention to interior environmental impact. The OCC, Expo Hall E, PCPA's New Theatre Building and Civic Auditorium all have recirculating cooling towers or recirculating chillers to alleviate the buildings' burden on city water-fed chillers. Two phases of an extensive three-phase plumbing project have been completed that replaced plugged galvanized piping with new copper piping at the Civic Auditorium. The newer facilities and any new construction projects have installed only water-efficient water closets as well as automatic shutoff fixtures; the older buildings are updating old fixtures to newer energy efficient ones as well.

Citizen activism and education

- Metro provides financial assistance and in-kind contributions of staff expertise and logistical support to local watershed councils and other groups (such as Johnson Creek Watershed Council, SOLV) to increase their capacity to educate and motivate residents to restore and protect streams in their own backyards.
- Metro awards habitat restoration and environmental education project grants. These projects engage thousands of people. Metro has awarded more than \$1.2 million to 190 projects. The grants have leveraged an additional \$4 million of local funds and in-kind materials.
- In 1998, more than 6,000 people participated in environmental education programs sponsored by Metro's Regional Parks and Greenspaces Department.
- Metro organizes the annual Salmon Festival at Metro's Oxbow Regional Park on the Sandy River. More than 10,000 people attend every year during the fall chinook spawning run. The 16th annual event was Oct. 9-10, 1999.
- Metro organizes free community household hazardous waste disposal events in the spring and fall.
- To promote backyard composting, Metro has built and operates six composting demonstration sites throughout the region.
- Metro provides free public education about natural gardening and conducts natural garden tours to promote native plantings, non-toxic solutions to pests and innovative earth-friendly landscaping. More than 3,600 people toured 13 gardens last year.
- Metro hosts workshops and open houses in connection to public policy discussions such as Goal 5 fish and wildlife habitat protection, Title 3 stream and floodplain protection and regional parks and natural area protection. Visual displays assist participants in understanding the complex, multi-faceted layers of information. Metro collected all of the feedback from open house and workshop participants and reviewed it as part of development of the policies.
- Metro Recycling information serves as a clearing house for waste reduction, recycling, and solid and hazardous waste disposal information in the region.

Next steps

Metro is still developing a specific workplan to address ESA and watershed health issues. Appendix A to Council Resolution 99-2815A presents a framework within which to develop this workplan. Metro's Internal ESA Steering Committee will lead this planning effort. The Metro Council staff participates in this effort.

Some elements of Metro's work may come from ESA actions by NMFS or the U.S. Fish and Wildlife Service. Metro will need to closely track these federal ESA activities and assess how to proceed with the work once there is some guidance from the federal government. The two most likely areas requiring a Metro response will be for ESA section 4(d) protective regulations and for ESA Section 4(f) recovery planning.

Metro should conduct a detailed assessment of its activities to ensure that, at a minimum, Metro's activities, operations and policy development avoid "take" of listed species. Metro departments have conducted informal assessments of their activities. However, these assessments lack a detailed analysis, are inconsistent, and they do not result in any specific conclusions regarding whether these activities do in fact avoid "take." Pending federal regulations may require changes in current Metro practices and an assessment will help guide our review of these practices. A detailed assessment by a competent outside consultant could cost up to \$30,000.

Metro should continue its hazardous waste master planning process. This effort will be an important part of the region's effort in preventing additional water pollution.

Metro must continue to participate in regional forums such as the Willamette Restoration Initiative, Washington State's Lower Columbia River Salmon Recovery Initiative and Puget Sound's so-called "Tri-County Assembly." These regional-scale forums are linked either by geography or by common goals. Sharing of information and experience will be essential as we move toward integrated recovery plans.

Additionally, Metro should seek opportunities to cultivate a regional consensus on overall watershed health and recovery issues, urging regional leaders and policy makers to convene on a regular basis to forge regional salmon and watershed goals.

The Metro Council has several opportunities to take proactive action. First, you will be presented with a draft report and proposed program on strategies to protect regional fish and wildlife habitat along urban streams and rivers. This preliminary draft report and program is being conducted under the strict procedures outlined in Goal 5 of the state land-use goals. It will be ready for possible release for formal public review once it is revised to incorporate the technical comments received from Metro's Goal 5 Technical Advisory Committee and outside, independent scientific peer review.

Second, the Metro Council will be considering the budget for FY 2001 during the course of the next six months. Given our budget situation, it will be important to prioritize what work the Council believes will move Metro closer toward its goals of making natural resources part of the region's livable communities.

Summary of natural resource policies at Metro

Metro Charter

Metro's 1992 home-rule charter requires Metro to address issues of regional significance such as land-use and transportation planning as well as regional parks and open spaces. Protecting streams, floodplains, parks, open spaces and fish and wildlife habitat is part of a larger effort to create livable communities now and for future generations. The Regional Framework Plan, adopted by the Metro Council in December 1997, outlines strategies for protecting the values on which citizens have placed the most importance. These include access to nature, the ability to get around the region, resources for future generations, a strong regional economy, clean air and water and safe and stable neighborhoods.

Through charter-mandated responsibilities, the Metro Council addresses all growth management issues. The Metro Council works with residents, elected officials and diverse interest groups to craft a vision of how the region will grow and the Council adopt policies to achieve that vision. In the course of debating how growth will be managed, the Metro Council identified the protection of natural systems – floodplains, rivers, streams, and wetlands – as a cornerstone for these regional policies. Metro has determined in the Region 2040 Growth Concept that protecting these systems is essential to maintaining the region's livability, economic well being and providing habitat, water quality and flood management benefits.

Metro's role in identifying natural resource protection measures and incentives within its boundary has been established with adoption of the Regional Urban Growth Goals and Objectives (RUGGOs 1991), Region 2040 Growth Concept (1995) and the Urban Growth Management Functional Plan (1996). By their very nature, natural resources cross jurisdictional boundaries and are best managed when regional watershed-wide protection strategies are applied. Metro clearly has a role in working with local jurisdictions to determine the protection of these important resources, just as it determines parking standards, transportation networks and land-use densities for the region. Through extensive public involvement, the Metro Council has identified the need to balance natural resource protection with urban development while the region grows. If coordination with citizens and elected officials outside the Metro area can be achieved, natural resource protections may begin to be developed for entire watershed systems.

Greenspaces Master Plan

The Metropolitan Greenspaces Master Plan, adopted by Metro Council in 1992, identified a system of regionally significant natural areas, open spaces, trails and greenway for wildlife and people. The master plan recommended tools to protect greenspaces such as acquisition, education, and restoration. In 1995, passage of bond measure 26-26 resulted in acquisition of 6,000 acres of natural areas.

Chapter 3 of the Metro Regional Framework Plan, adopted by Metro Council in 1997, gave the Regional Parks and Greenspaces Department direction to update the master plan. This update includes an inventory and analyses of parks, natural areas, trails and greenways. This effort will lead to the identification of the regional system and accompanying non-regulatory tools to protect this system. This information will be incorporated into the Parks and Natural Areas Protection Plan.

Future Vision Report

Metro's 1995 Future Vision Report recognizes the region's unique ecosystem and the value of improved air and water quality. It states that the region should manage watersheds to protect, restore and maintain the integrity of streams, wetlands and floodplains, and their multiple biological, physical and social values. It also states that "... we value natural systems for their intrinsic value and recognize our responsibility to be stewards of the region's natural resources." It identifies the need for "... restored ecosystems protected from future degradation and decline."

Regional Urban Growth Goals and Objectives

Metro's RUGGOs, amended in 1995, identify goals and planning activities for the Metro region. Several RUGGO chapters relate to watersheds and riparian corridors. Two chapters relate to water resources: Objective 12: Watershed Management and Regional Water Quality and Objective 13: Urban Water Supply. Objective 12.1 states: "Metro will develop a long-term regional strategy for comprehensive water resources management, created in partnership with the jurisdictions and agencies charged with planning and managing water resources and aquatic habitats. The regional strategy shall meet state and federal water quality standards and complement, but not duplicate, local integrated watershed plans."

Objective 15: Natural Areas, Parks, Fish and Wildlife Habitat calls for an open space system capable of sustaining or enhancing native wildlife and plant populations. It recognizes the need for a regionwide system of linked significant wildlife habitats and states that this system should be preserved, restored where appropriate, and managed to maintain the region's biodiversity.

In addition, the RUGGOs were amended in 1995 to include the Region 2040 Growth Concept. This concept map included a 200-foot environmental greenway along all streams in the region to ensure connectivity throughout the natural landscape.

The Regional Framework Plan

Chapter 3 (Parks, Natural Areas, Open Spaces and Recreational Facilities) of the 1997 Framework Plan establishes polices for parks, natural areas, open spaces and recreational facilities. It identifies the important aspects of protecting these areas, including the environmental benefits of maintaining air and water resources, providing flood control and protecting fish and wildlife habitat. It contains strategies that will be used to protect and manage the regional system and regional Goal 5 resources including, but are not limited to, acquisition, education, incentives, land-use and environmental regulations.

Chapter 4 (Water) of the Regional Framework Plan is divided into two parts: Part 1, Urban Water Supply, and Part 2, Watershed Management and Water Quality. Part 2, which includes Section 4.15 entitled "Stormwater Management," identifies the issue of stormwater management as regionally significant and lists regional policies that Metro shall encourage in order to address it.

Urban Growth Management Functional Plan: The Water Quality and Stream Floodplain Protection Plan (Title 3)

Title 3, the Stream and Floodplain Protection Plan, (1996 Urban Growth Management Functional Plan) establishes regional performance standards to address water quality and floodplain management and recommends actions for the protection of fish and wildlife habitat. It also identifies specific tasks for Metro staff to address the regional protection of fish and wildlife habitat. Title 3 is one chapter of the Urban Growth Management Functional Plan (Functional Plan) that establishes policies (e.g., transportation connectivity, parking standards) that apply to all 24 cities and urban portions of three counties within the Metro boundary, and includes recommendations and requirements for local governments. Title 3 implementation has been on a longer implementation schedule than the other chapters of the Functional Plan. This is because the Metro Council required staff to create maps showing all lands affected by Title 3, and to develop a model ordinance for floodplain and water quality management that can be used by cities and counties as one way to achieve the performance standards.

In June 1998, the Metro Council adopted revisions that activated Title 3 regulations, including water quality and floodplain maps that show where Title 3 applies and a model ordinance. Local jurisdictions must amend their comprehensive plans to comply with Title 3 by Dec. 18, 1999, however many local jurisdictions have asked for extensions that will postpone compliance to mid 2000.

Workplan: Continue working with local jurisdictions to finalize implementation of this aspect of Title 3

Goal 5 Fish and Wildlife Riparian Protection Program

Section 5 of Title 3 (essentially unchanged by the 1998 amendments) now directs Metro staff to address fish and wildlife habitat. The purpose of Section 5 is to “conserve, protect and enhance fish and wildlife habitat within the fish and wildlife habitat conservation areas to be identified on the water quality and flood management area map by establishing performance standards and promoting coordination by Metro of regional urban watersheds.” The completed sections of Title 3 meet the requirements for Statewide Planning Goal 6 (water quality) and Goal 7 (flood management), while Section 5 relates to Goal 5. Goal 5 mandates that local jurisdictions adopt plans to protect natural resources and conserve scenic and historic areas and open space. The Goal 5 rule establishes Metro’s authority to address the protection of regional resources (see Section E). According to the rule, a “regional resource” is a site containing a significant Goal 5 resource, including but not limited to a riparian corridor, wetland or open space area, which is to be identified as a regional resource on a map adopted by Metro ordinance.

Section 5 of Title 3 requires Metro to identify, map, analyze and determine protection, enhancement and restoration measures for Goal 5 regional resources for fish and wildlife habitat. The Goal 5 process permits Metro to complete analyses of the program’s effects or apply safe harbor provisions for mapped regional resource habitat and identifies protection measures for these resources. The three categories of Goal 5 fish and wildlife habitat resources that will be analyzed are riparian resources, wetlands and upland habitat. Metro has prepared a preliminary draft report on its Goal 5 program. This program, known as Streamside CPR, is the follow up to the fish and wildlife recommendations contained in Title 3.

Workplan: Seek Council Adoption of functional plan relating to Title 3 fish and wildlife riparian habitat protection by June 2000.

Environmental Education and Restoration

Metro’s Regional Parks and Greenspaces Department has an active environmental education and restoration program. The restoration program is a cooperative effort with U.S. Fish and Wildlife Service (USFWS) and offers grants to restore riparian areas in public open spaces.

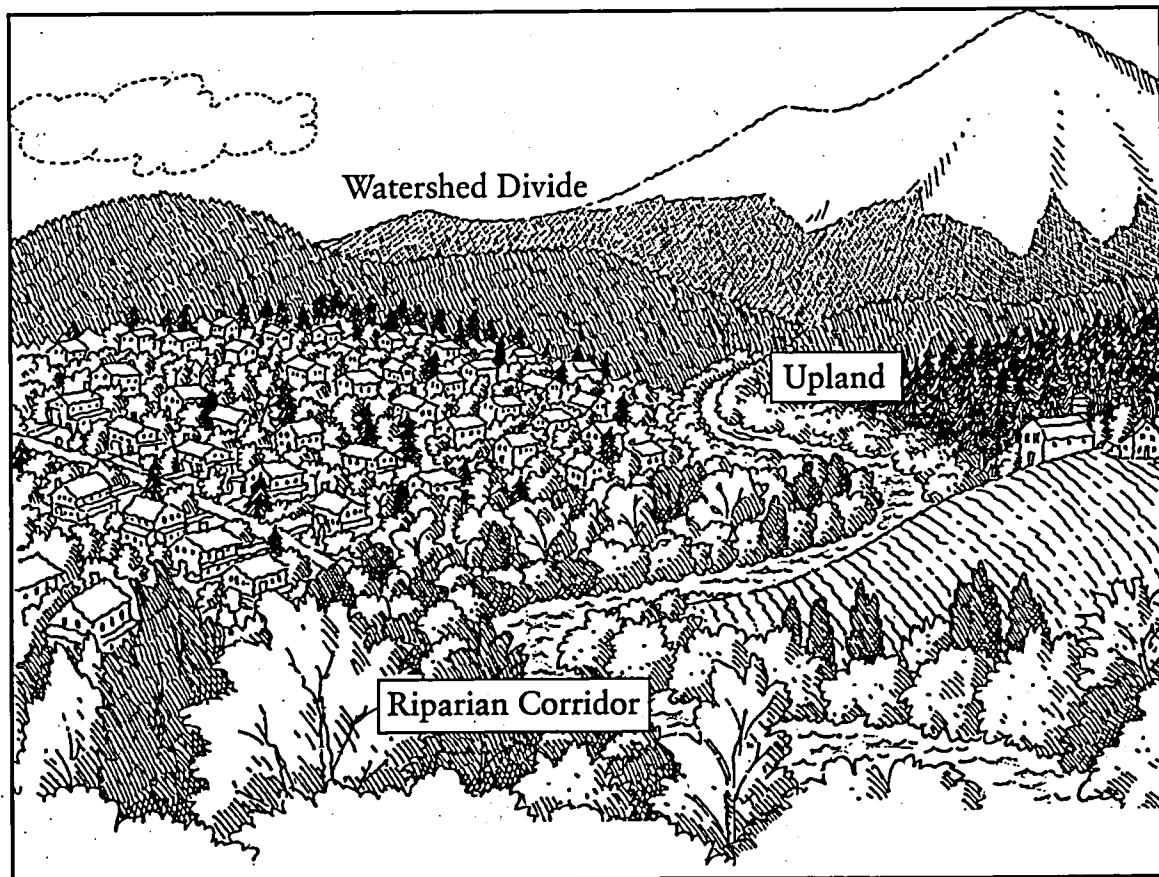
Appendix 2

A watershed perspective

An aerial view of the Portland metropolitan region reveals a network of rivers and streams draining from upland slopes into larger downstream rivers. Each stream lies within its own watershed, and each of these small watersheds is, in turn, encompassed by another larger watershed. A watershed is any area of land from which surface water drains to a common point, be it a river, pond, stream, or lake. Watersheds are hierarchical, with small watersheds nested within larger ones and can be as large as all the land draining into the Columbia River, or as small as 20 acres draining to a pond. Topographic features such as ridgetop bound watersheds. The metropolitan area lies within the Columbia River watershed, with the Willamette and Sandy River basins being major subwatersheds of the Columbia River. The Clackamas and Tualatin River basins are major subwatersheds of the Willamette River. Nested within these five major drainage systems are several smaller subwatersheds (e.g., Fanno, Rock and Johnson creeks).

Watershed view

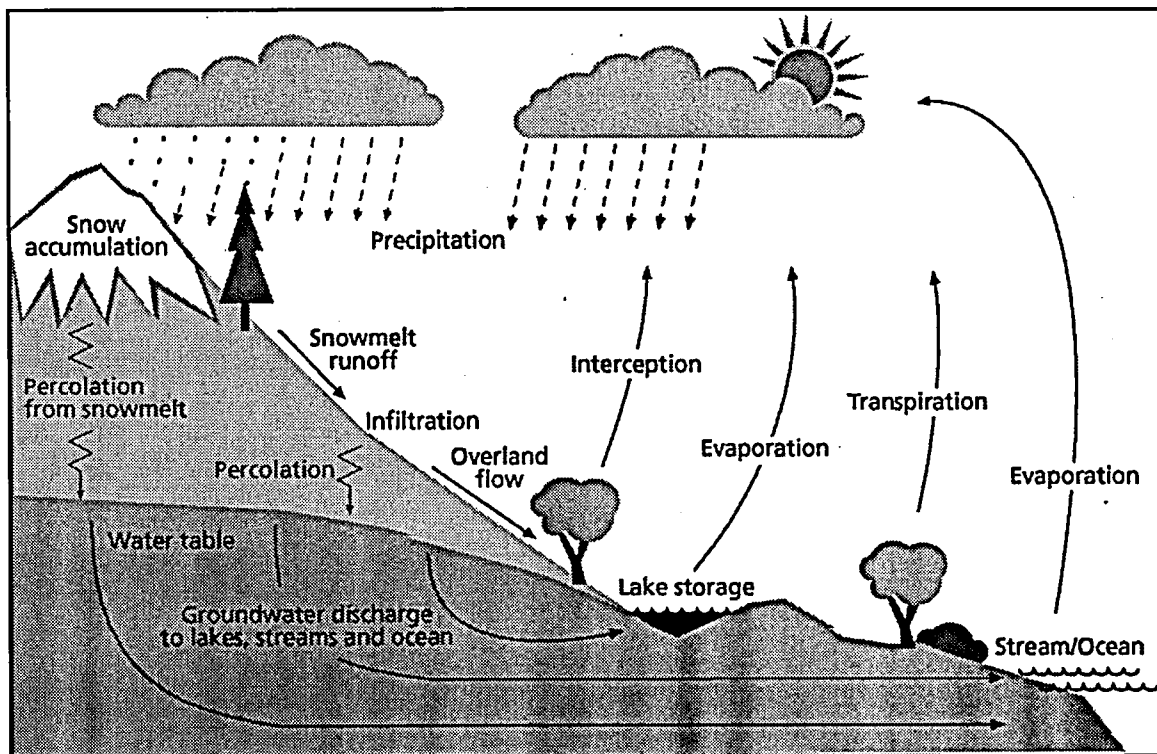
Source: Metro 1998



The hydrologic cycle provides a useful framework for understanding how water moves between the atmosphere and the land and waterways within a watershed. This cycle describes the ways in which water moves from precipitation to surface water and ground water, to storage and runoff and to the eventual return to the atmosphere through transpiration and evaporation. Precipitation will return to the atmosphere; infiltrate into the soil; or run off the land into a stream, lake, wetland or other water body. This hydrologic process is altered through human activities in the watershed. For example, impervious surfaces such as rooftops and parking lots prevent water from infiltrating into soils and increase the volume and rate of stormwater runoff to rivers and streams.

Hydrologic cycle

Source: Adapted from Dunne and Leopold 1978



Water is continually moving through and across the landscape. Water moves by means of a network of pathways or channels that may be underground or on the surface. Much of the water in channels moves downstream and joins to form larger stream or river systems. It is essential to study river and stream systems in the watershed context because of the interconnected way water moves through a watershed. This connectivity refers to how tributaries are connected to larger rivers, how groundwater interacts with surface water, and how water moves between streams, wetlands and floodplains. Because all water in a watershed is connected, activities occurring in one part of the wa-

tershed affect the lower parts of the watershed – the streams, wetlands, riparian areas, and uplands. This highlights why scientists recommend investigating, managing and restoring aquatic systems using a watershed management perspective (Forman and Godron 1986; FEMAT 1993; Karr 1991; Karr and Chu 1999; GWEB 1999).

Streams and riparian areas – a geographic area containing a flowing aquatic ecosystem and adjacent areas that directly affect and are affected by it – are dynamic systems within the watershed. They are affected by and respond to changes and impacts in the watershed such as land use development, floods, stream bank slumping, and debris flows from vegetation moving downstream. Addressing the physical and biological processes that create and maintain these systems is critical to understanding how to protect, enhance and restore them.

Riparian corridors in the Portland metropolitan region have been degraded by the cumulative impacts of human activities such as building in riparian corridors and stream channelization. Trends showing the decline of species diversity and ecological integrity of riparian corridors as a result of these human activities have been documented throughout the country (Nehlsen 1991; FEMAT 1993; Moyle and Yoshiyama 1994; Naiman and Rogers 1997; Riley 1998; Karr and Chu 1999). These scientists document the decline in species diversity and size of populations for species that are dependent on riparian corridors for all or part of their life cycle.

In North America, a high proportion of the species that are either extinct or in danger of extinction are aquatic organisms. Twenty percent of native fish species of the western United States are now extinct or endangered. Since 1910, naturally spawning salmon runs in the Columbia River have declined by more than 95 percent (Karr and Chu 1999). Scientists have also documented the decline in species richness and relative abundance of macro-invertebrates due to agriculture and urban impacts. There are also many “at-risk species” of invertebrates, plants and amphibian populations in riparian corridors due to their declining populations.

Metro partnerships

(Excerpted from the Regional Framework Plan adopted on Dec. 11, 1997)

Relationships with Other Governments

The planning and growth management activities of many jurisdictions affect and are affected by the actions of other jurisdictions in the region. In this region, as in others throughout the country, coordination of planning and management activities is essential if urban growth management efforts are to succeed.

In the Portland metropolitan area, representatives from many governments and agencies play critical roles in urban growth management. Metro's partners in the region's 24 cities, three counties and more than 130 special service districts and school districts, the state of Oregon, Tri-Met, the Port of Portland and the Portland Area Boundary Commission all make decisions that affect and respond to regional urban growth. And from a broader regional perspective, the cities of Southwest Washington and Clark County are partners in addressing growth management issues such as air quality, transportation and regional economy. Metro also works with nearby Oregon cities outside the Metro boundary to develop complementary policies.

While the Metro Council makes decisions about policies, Metro has more than a dozen advisory committees that advise the Executive Officer, Metro Council and staff on matters of Metro's responsibility. Membership of the committees is varied, based on the purpose of each committee, and is structured to promote interagency communication and coordination at several levels, as well as citizen involvement.

The Metro Policy Advisory Committee (MPAC) is a charter-mandated committee consisting of members of city councils and county commissions and other representatives of local government governing bodies. Three citizen members are appointed by Metro's Executive Officer. As provided for in the charter, the membership of MPAC has been adjusted and can continue to be adjusted to reflect the desire for broad input from affected governments as well as citizens. MPAC provides advice and consultation to the Metro Council on the land-use matters. The committee may authorize Metro to provide or regulate a local government service. The Metro Technical Advisory Committee (MTAC) is a 24-member committee of planning managers, citizens and business representatives that provides technical support to MPAC.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation needs in the region to evaluate transporta-

tion needs and make recommendations to the Metro Council related to transportation policy. JPACT's discussions usually follow technical assessments by Transportation Policy Alternatives Committee (TPAC), whose membership includes technical staff from the same agencies as JPACT, as well as six citizens appointed at-large by the Metro Council.

Relationships with Metro Citizens

Metro is committed to including meaningful citizen involvement in regional planning and implementation of the Framework Plan. Metro uses a wide range of mechanisms to achieve this goal. Metro's commitment to citizen and public involvement is stated in the Metro Citizen Involvement Principals and in Objective 1, Goal 1 of the Regional Urban Growth Goals and Objectives.

Metro believes that effective citizen involvement is essential to good government. Elected officials, staff and citizens all play important roles in governing the region. Cooperation among Metro, local governments and citizens results in the best policy decisions. Therefore, Metro commits to promote and to sustain a responsive citizen involvement environment. To carry out this commitment, Metro adopts these guiding principles:

1. Value active citizen involvement as essential to the future of the Metro region.
2. Respect and consider all citizen input.
3. Encourage opportunities that reflect the rich diversity of the region.
4. Promote participation, based on citizen involvement opportunities, of individuals and of community, business and special interest groups.
5. Provide communications to encourage citizen participation in Metro processes that are understandable, timely and broadly distributed.
6. Provide citizens with an opportunity to be involved early in the process of policy development, planning and projects.
7. Organize involvement activities to make the best use of citizens' time and efforts.
8. Provide financial and staff support to Metro's Office of Citizen Involvement.
9. Sustain ongoing networking among citizens, local governments, Metro officials and staff.
10. Respond to citizens' perspectives and insights in a timely manner.
11. Coordinate interdepartmental and interjurisdictional activities. Evaluate the effectiveness of Metro citizen involvement.

Appendix 4

Metro's natural resource organization

Metro Council

Growth Management
Committee
Operations Committee

Metro Executive

Salmon recovery coordinator
ESA Steering Committee
With representatives and alternates
from each Metro department

Metro Departments

Growth Management Services
Land and resource planning
Implementation

Regional Environmental
Management
Environmental services
Waste reduction, planning and out-
reach

Regional Parks and Greenspaces
Planning and education
Open spaces acquisition

Transportation
Regional transportation planning

Oregon Zoo
Education services

Metro policy and technical advisory committees

Metro Policy Advisory Committee

Water Resources Policy Advisory
Committee

Metro Technical Advisory Committee
Greenspaces Technical Advisory
Committee

Regional Parks and Greenspaces
Advisory Committee

Solid Waste Advisory Committee

Goal 5 Technical Advisory Committee

Appendix 5

A message from regional leaders

Excerpted from an In my Opinion submission (June 11, 1998)

By Metro Executive Officer Mike Burton and Commissioner Erik Sten,
City of Portland

The Endangered Species Act has landed smack in the middle of our living rooms with the recent listing of Lower Columbia River steelhead. The “surprise” of the ESA listing is not that native fish runs are in trouble, but that there are still some salmon and steelhead left to save in the Portland metropolitan area. We have altered our land, air and water so much that the question may no longer be whether species will become extinct but how many will – and how quickly?

Heated debate about the economic effects of the listing on the region is certain to follow, but the changes and investment necessary to save steelhead and salmon in our region are well worth the price. Ensuring clean water and healthy watersheds has as much to do with improving life for people as it does for fish. What’s good for salmon is good for our quality of life and ultimately, our economic vitality.

While dams, harvest levels, and agricultural and forest practices have dominated the salmon recovery debate in the Columbia Basin and along the Oregon coast, it is urban land use that will determine the long-term health of steelhead and salmon in the metropolitan region. The roads we drive on, the homes and businesses we live and work in, the fertilizers we use on our lawns, and other everyday practices in a growing region are all parts of the problem. Our task is as simple and as complicated as reducing the impact of urban activities on fish habitat and water quality.

No other metropolitan area has faced these challenges, but no other city in the country has shown the broad-based desire for the environmental stewardship that is necessary. The message from the region is clear: abundant fish populations and healthy waterways can coexist with other important aspects of our quality of life – and we are willing to do what is necessary to get there. Here are some of the steps we need to take:

Loss of habitat. Much of the historic fish habitat in the region has simply disappeared. Nearly 400 miles of streams in the Portland metropolitan region

have been piped under streets, filled in, or paved into parking lots. More than 80 percent of the historic wetlands of the lower Columbia River have been drained and filled.

Development is encroaching right up to the edge of remaining rivers and streams. The loss of trees and other vegetation around streams is a major factor in the decline of steelhead populations. Steelhead depend on cold water that shade from trees and plants provide. Natural buffers help protect the water quality and spawning habitat while ensuring a plentiful food supply.

Clean water. To reach prime spawning habitat in Johnson Creek, Tryon Creek, the Clackamas River, the Sandy River and their tributaries, to name a few, steelhead and salmon must negotiate an obstacle course of pollution and manmade alterations. In 1996, 213 miles of streams and rivers in the metropolitan region violated state and federal water quality standards.

Obviously, polluted water is not good for fish. But the sewage that overflows into the Willamette River; the motor oil that washes off roads into creeks and streams; and the pesticides the rain carries off our yards and farms into our rivers don't just kill fish; they contaminate potential drinking water sources and ruin swimming holes. That's not just about fish. That is about us and clean water supplies for future generations.

The City of Portland's \$1 billion combined sewer overflow project is one example of the kind of work that needs to be done. There are many other water quality improvement projects under way in communities throughout the region. In our roles as elected officials, we are taking steps today to coordinate these efforts so that the left hand of government knows what the right hand is doing. With the help of the region's citizens, we will identify gaps in our plans, and then recommend any other tools necessary to make our streams hospitable to fish and people.

What now? The Metro Council will take an important first step to address this issue at the regional level when it adopts a regional stream and floodplain protection plan on June 18. We must do more, but the question is: How much we are willing to change?

As a region, are we prepared to limit development in floodplains and wetlands? Will we do what it takes to permanently protect vital natural areas around rivers and streams? Are we willing to invest in new methods of dealing with rain, as opposed to treating it as sewage? What will motivate us to

do a better job of conserving water? Are we willing to adjust our lifestyles to reduce pollution? We take great pride in the natural resources we are blessed with here in the Portland metro area, but can we turn our concern into meaningful action? We hope to move beyond questions and answers and actually take meaningful steps toward a recovery plan – a plan that lets people know what they can do in their everyday lives to help out, and a plan that marshals the efforts of neighborhoods, cities and counties so that we can make a real difference.

We believe that a regionwide approach to steelhead and salmon recovery is our only option. Watersheds and fish do not recognize political boundaries, but our political processes have certainly contributed to their decline. We have to face the music: the lower Columbia River steelhead and salmon face extinction if we get bogged down in petty politics and stall tactics. We should not delay. We all have a role in a successful recovery strategy. Let's step up to the challenge.

Appendix 6

Metro Council Resolution 99-2815a

I HEREBY CERTIFY THAT THE FOREGOING IS A COMPLETE AND EXACT COPY OF THE ORIGINAL THEREOF.

BEFORE THE METRO COUNCIL

Rebecca V. Shoemaker, Archivist
Clerk of the Metro Council

NOV 16 1999

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO 99-2815A
METRO'S RESPONSE TO ESA)
LISTINGS FOR SALMON AND) Introduced by Councilor Susan McLain
STEELHEAD, WITHIN A NATURAL)
RESOURCE AND WATERSHED POLICY)
FRAMEWORK)

WHEREAS, Metro's role and commitment to building and protecting a vibrant, livable regional community is spelled out in the Regional Framework Plan; and

WHEREAS, The Regional Framework Plan contains goals and objectives pertaining to the protection and enhancement of water quality, parks, natural areas, open spaces, fish, wildlife and riparian areas; and

WHEREAS, Salmon and steelhead species in the Metro region have been listed in 1998 and 1999 as threatened under the Endangered Species Act, and

WHEREAS, ESA solutions will be developed to include the specific needs of watersheds and the Willamette Basin as a whole, and

WHEREAS, the urban areas within Metro's boundaries comprise a portion of several watersheds, and

WHEREAS, it is beneficial to promote communication and coordination of the ESA response both between watersheds and between urban and rural portions of each watershed, and

WHEREAS, Metro is aware that many jurisdictions and organizations are working to find ESA solutions, and

WHEREAS, Metro has adopted policies, and is finalizing additional policies, related to natural resource protection for the multiple benefits that accrue to the urban and natural communities, including fish and wildlife; and

WHEREAS, Metro has been actively engaged in seeking specific solutions to the ESA listings through the refocusing of staff resources and policy development; and

WHEREAS, Metro will be reviewing the fiscal implications of its ESA responsibilities through the annual budget process, and through the solid waste savings review; now, therefore

BE IT RESOLVED:

1. That Metro will proactively seek comprehensive solutions to ESA listings for salmon and steelhead in cooperation with other jurisdictions and organizations working on this issue.

2. That Metro will review policies and activities for its own operations and facilities and seek to eliminate negative impacts on listed species.

3. That Metro will continue, within its Framework and functional planning land use authority, to develop regulatory policy and programs that will improve conditions for listed species.

4. That Metro will work in partnership with organizations such as watershed councils and water and soil conservation districts, other jurisdictions, the state and federal governments, within both urban and rural areas of the affected watersheds to respond to the ESA listings of salmon and steelhead and to develop a recovery plan(s).

5. That Metro will continue to actively engage the public in educational and solution-seeking activities related to the ESA listings, and in related Metro natural resource protection activities and policy development.

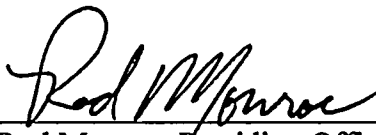
6. That Metro will survey local organizational and jurisdictional partners to seek to identify services and opportunities that Metro could provide leading towards watershed based solutions.

7. That the Metro Executive will continue to assist the Metro Council in developing programs and policies leading to a salmon and steelhead recovery plan, with the assistance of the Salmon Recovery Coordinator, and in coordination with established Metro advisory committees, such as MPAC and WRPAC.

8. That program and policies leading to a steelhead and salmon recovery plan be developed using activities outlined in exhibit A, and that progress be reported quarterly to the Metro Council.

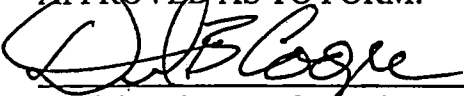
9. That any recommendations to increase Metro's regulation or service delivery functions related to ESA beyond its charter and statute-based Framework and functional land use planning authorities will be considered through the advice and decision making processes in its charter.

ADOPTED by the Metro Council this 30th day of September 1999.



Rod Monroe, Presiding Officer

APPROVED AS TO FORM:



Daniel B. Cooper, General Counsel
B:\RESOLUT.MST

Exhibit A to Resolution 99-2815A

Framework for Metro Response to ESA listing of Salmon and Steelhead. Metro will undertake to help develop solutions for ESA listed anadromous fish, within the broader context of natural resources protection and watershed planning. The following categories are meant to specify major spheres of activity in development of policy, program and public outreach.

Development of Policy and Regulatory Solutions

- Title 3—Water Quality, floodplain and riparian protection, as they relate to Metro's land use planning authorities. Compliance required by December of 1999. Monitor compliance and assist local jurisdictions to complete plan and implement.
- Goal 5—Fish & wildlife habitat protection, as they relate to Metro's land use planning authorities, as developed through WRPAC. Additional riparian protection. CPR workshops and Open Houses in April & May. Upland habitat analysis in summer of '99. Final product in spring 2000.
- Watershed planning and Stormwater Management, as they relate to Metro's land use planning authorities, as developed through WRPAC—Final recommendations in year 2000.
- Refinements, applications or further development of Regional Framework Plan, Urban Growth Management Plan or Greenspaces Master Plan.

Create a Steering Committee to review all Metro Programs for policy and operations effects, through the lens of ESA listings and solutions.

- Department review of effects of internal activities on steelhead and salmon.
- Ensure Metro programs and projects and facilities demonstrate leadership in resource protection.
- Cross-check departmental policies and do same with non-Metro jurisdictions.
- Use Metro expertise to create technically and scientifically sound analysis and solutions.

Cooperate/Coordinate with Others

- Encourage other jurisdictions and organizations with responsibility for rural portions of the affected watersheds to pro-actively pursue ESA solutions, and to coordinate their activities with Metro and others with responsibilities in the urban portions of the affected watersheds.
- Work to ensure that policy development, programs and resources are coordinated within the region.

- Provide a forum to talk about cross-jurisdictional issues.
- Seek solutions that are watershed-based and can be supported by multiple jurisdictions.
- Identify Metro services and opportunities that could be used by or in cooperation with others at the watershed level to develop or implement solutions. Examples could include mapping, grant writing or staff assistance.
- Cooperate in regional educational opportunities, such as newsletters, websites, promotion of best practices.
- Seek regional opportunities for a coordinated response through IGA's or other linked solutions.

Actively engage the Public

Continue to involve the public through workshops, public hearings, public education and solution-seeking.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2815A, FOR THE PURPOSE OF ESTABLISHING A RESPONSE TO ESA LISTINGS FOR SALMON AND STEELHEAD WITHIN A NATURAL RESOURCE AND WATERSHED POLICY FRAMEWORK

Date: August 31, 1999

Prepared by: Michael Morrissey

In 1998 and 1999 the National Marine Fisheries Service (NMFS) listed steelhead and salmon species as threatened in watersheds within (and beyond) the Metro region. Other outcomes are expected from NMFS including issuing 4(d) rules that will help define allowed local activities with regard to "take", final designation of critical salmon and steelhead habitat, and other activities leading to the development of an ESA Recovery Plan. The recovery plan may be developed with significant input from state, local and regional jurisdictions, and Metro is in a key position to help shape this recovery plan from a regional perspective.

In addition, Metro has been engaged in policy and program development in the natural resources and watershed protection arena, both prior to and since the ESA listings. Some examples of this Metro work includes Title 3-Stream and Floodplain protection, Goal 5—fish and wildlife habitat protection, and stormwater management and watershed planning, being carried out largely through the work of the Water Resources Policy Advisory Committee (WRPAC). Other activities include parks inventory and natural areas protection, and other aspects of the Regional Framework Plan and the Urban Growth Management Functional Plan. Metro will continue work on these activities with an eye to proactive development of policies and programs, even in advance of more specific guidance from federal agencies on salmon and steelhead recovery.

Metro has also hired a salmon recovery coordinator and begun activation of a steering committee to guide review of Metro operational activities and policies. Resolution 99-2815 declares that Metro is undertaking a response to the ESA listings in a proactive manner, within a broader, ongoing context of natural resources and watershed policy development. The attachment to the staff report categorizes the types of activities Metro expects to carry forward its policy and program development and, allows the Council to provide emphasis and direction through the Growth Management Committee, as these activities are carried forward.

The A version of Resolution 99-2815, includes modifications recommended by MPAC, WRPAC and community members.

Metro ESA Steering Committee

30 September, 1999

Name	Department	Phone	E-mail / Other Info
Bill Barber	Transportation	797-1758	
Mark Bosworth	Data Resource Center	797-1583	Technical support
Jennifer Budhabhatti	Parks and Greenspaces	797-1876	Technical support
Nancy Chase	Parks and Greenspaces	797-1845	
Charlie Ciecko	Parks and Greenspaces	797-1843	
Blair Csuti	Oregon Zoo	220-2446	
John Donovan	Communications Team	797-1871	Donovanj@metro.dst.or.us
Rex Ettlin	Oregon Zoo	220-5709	
Ken Helm	General Counsel	797-1882	
Bob Hillier	REM	797-1667	Replacing Aaron Brondyke
Mike Hoglund	Transportation	797-1743	
Pam Krecklow	MERC	731-7846	
David Moskowitz	Executive Office	797-1579	Moskowitzd@Metro.dst.or.us
Michael Morrissey	Council	797-1907	
Dennis O'Neil	REM	797-1697	
Casey Short	Administrative Services	797-1556	
Jennifer Sims	Administrative Services	797-1626	
Jeff Stone	Council	797-1538	
Mark Turpel	Growth Management	797-1734	
Julie Weatherby	MERC	731-7838	Julieweatherby@oregoncc.org
Pam Wilson	Executive	797-1507	
Alternate	Growth Management		Vacant

Bold signifies lead

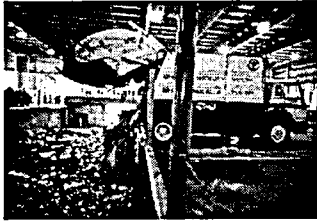
Plain text signifies alternate

More information

Web sites with information about the ESA listing:

- National Marine Fisheries Services, www.nwr.noaa.gov
- State of Oregon Salmon Plan, www.oregon-plan.org
- For the Sake of Salmon, www.4sos.org
- City of Portland's Bureau of Environmental Services Endangered Fish page, www.enviro.ci.portland.or.us/esa/intro.htm
- Metro, www.metro-region.org
- Willamette Restoration Initiative, www.oregonwri.org
- Puget Sound Salmon Recovery Efforts, www.salmoninfo.org
- Oregon Department of Fish and Wildlife, www.dfw.state.or.us/

Metro Tipping Fee Analysis



Metro Council
December 9, 1999

Metro Tipping Fee Analysis

- Analysis at Councilor Park's Request
- Tipping Fee Required
 - Four Tonnage Scenarios
 - Old Contract Prices
 - New Contract Prices
- Difference in Metro Cost
 - Gross Savings

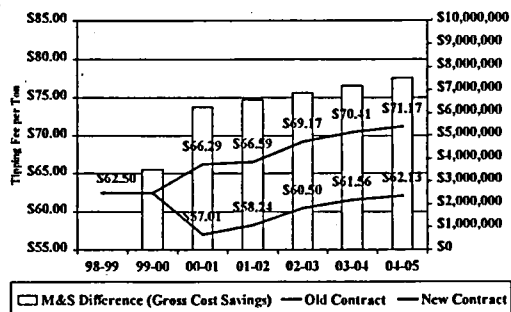
Key Assumptions

- No New REM Programs
- Cost Growth due to Inflation Only
- No Use of Reserves - Constant Fund Balances
- 8.5% Excise Tax
- No Impact From External Factors

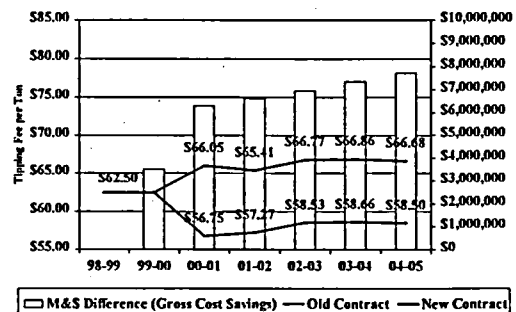
Tonnage Scenarios

- October 99 - Status Quo
- High Growth
- 50% Recovery in 04-05
- 56% Recovery in 04-05 (Current goal)

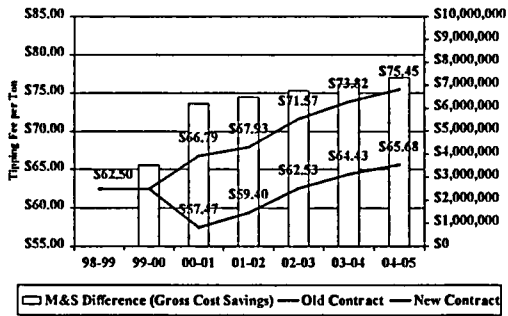
October 1999 Forecast



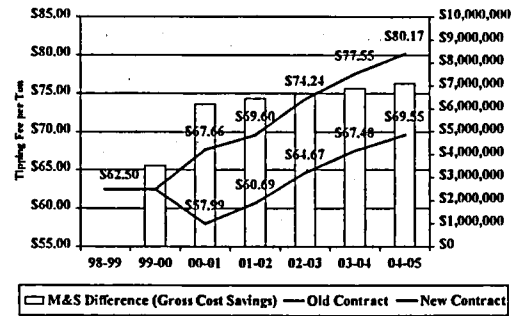
High-Growth Scenario



50% Recycling in 04-05



56% Recycling in 04-05



**Draft Policy Statements
Asset Depreciation**

Revenue:

Metro enterprises shall establish rates that recover all annual operating expenses including asset depreciation.

Budget:

For all Funds carrying fixed assets, Metro shall budget sufficient resources to meet the annual O&M needs of these assets.

For all Funds carrying fixed assets, Metro shall establish an O&M reserve in the Fund Balance equal to each year's annual asset depreciation.

Upon the creation of a major fixed asset (over \$1,000,000 with a useful life of greater than 10 years), Metro shall establish an annual depreciation allowance which shall be set aside in Fund Balance to meet future O&M needs of such asset.