

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: March 30, 2000
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. BUDGET/FINANCE COMMUNICATIONS

6. MPAC COMMUNICATIONS

7. CONSENT AGENDA

7.1 Consideration of Minutes for the March 16, 2000 Metro Council Regular Meeting.

8. ORDINANCES - FIRST READING

8.1 **Ordinance No. 00-856**, Confirming the Readoption of Metro Code 2.06 (Investment Policy); and Declaring an Emergency,

8.2 **Ordinance No. 00-857**, For the Purpose of Amending Metro Code Chapter 7.01 to Convert the Excise Tax Levied on Solid Waste to A Tax Levied Upon Tonnage Accepted at Solid Waste Facilities and Making Other Related Amendments.

9. ORDINANCES – SECOND READING

9.1 **Ordinance No. 00-849**, For the Purpose of Amending the Metro Code to Adopt Campaign Finance and Disclosure Requirements.

Monroe

10. RESOLUTIONS

- 10.1 **Resolution No. 00-2899**, For the Purpose of Appointing Andrew Stamp, Chris Hathaway, Bill Gaffi, and Kendra Smith to the Water Resources Policy Advisory Committee. McLain

- 10.2 **Resolution No. 00-2902**, For the Purpose of Appointing Pat Russell, Dennis Ganoë, Darren Pennington, Tom Joste, and Judith Anderson to the Metro Committee for Citizen Involvement. Monroe

- 10.3 **Resolution No. 00-2914**, For the Purpose of Granting Time Extensions to the Functional Plan Compliance Deadline for the City of Troutdale. Park

- 10.4 **Resolution No. 00-2915**, For the Purpose of Granting a Time Extension to the City of Troutdale for Compliance with Title 3 of the Urban Growth Management Functional Plan. Park

- 10.5 **Resolution No. 00-2919**, For the Purpose of Approving New Citizen Members to TPAC and the Transportation Demand Management (TDM) Subcommittee of TPAC, in Accordance with Resolution 92-1610. Kvistad

- 10.6 **Resolution No. 00-2920**, For the Purpose of Endorsing Voter Approval of Ballot Measure 82. Monroe

11. CONTRACT REVIEW BOARD

- 11.1 **Resolution No. 00-2913**, For the Purpose of Amending the Contract Between Metro and Ankrom Moisan Associated Architects (Contract No. 903749) for the Architectural Services Associated with the Great Northwest Project at the Oregon Zoo. Atherton

12. COUNCILOR COMMUNICATION

ADJOURN

There will be no cable coverage of this meeting. Previously taped meetings may be shown on your local cable system. Please check with your government access station to determine the show times of those meetings.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Consideration of the March 16, 2000 Regular Metro Council Meeting minutes.

Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber

MINUTES OF THE METRO COUNCIL MEETING

March 16, 2000

Metro Council Chamber

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

Councilors Absent: None

Deputy Presiding Officer Washington convened the Regular Council Meeting at 2:05 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS

(Councilor Washington moved this agenda item to after MPAC Communications so Mr. Malinowski could speak.)

Greg P. Malinowski, CPO-7, 13450 N.W. Springville Ln., Portland, OR 97229, said he was not representing Malinowski Farms today. However, one of his duties as a member of the CPO-7 in Washington County was to advise them on urban growth boundary (UGB) issues, which they followed extremely carefully. He submitted a copy of a memorandum that was mailed to him by the city of Beaverton. (A copy of this document can be found in the permanent record.)

One of the issues in the area north of Springville Road was the fact that Metro's rules stated that when the agency included a piece of land inside the urban growth boundary, it had to be with the intent to be annexed to a city. Beaverton promised they would handle the situation and provide the leadership and responsibility for roads and some of the planning and other activities, even though the piece of land wasn't immediately adjacent to them. The community testified that Beaverton was two miles away from the piece of ground in question and they couldn't see how the city would be able to provide services for it. He said it shouldn't have been a surprise for Beaverton because his CPO-7 told them that. The community didn't want to be left responsible for the new development. The community was somewhat concerned that this was just something that allowed the land to be included within the UGB. They believed that the regional agency's rules were bent to allow more land within the UGB for Ryland Homes. Now that the land had been included, it appeared that Beaverton might not follow through on its promise. He described the memo from Beaverton that he submitted for the record that seemed to confirm the community's fears.

At the next CPO-7 meeting, which was scheduled in approximately two weeks, residents planned to ask him what action, if any, the Metro Council planned to take. He wanted to know what he should tell them.

Councilor McLain thanked Mr. Malinowski for bringing this very important issue before the Metro Council. She reminded him she voted not to include the Bethany area within the UGB. She planned to read the information he provided and would be happy to attend the CPO-7 meeting and talk to the community. She explained that Washington County assumed the

planning responsibilities for the Bethany area, according to an agreement between the county and Beaverton, because the county had already assumed the transportation planning responsibilities for that same area. It seemed to the citizens that testified during the past 6 or 7 months that they preferred to have one jurisdiction in charge of both land use and transportation planning, to make sure there was continuity and parallelism in place in that area.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

None.

5. WASHINGTON DC FEDERAL TRANSPORTATION TRIP REPORT

Councilor Monroe reported on his trip to Washington DC. He led a delegation of regional officials that met with the Oregon congressional delegation and other congressional representatives, and discussed transportation needs and funding for the region. He felt the trip was very successful. He had an opportunity to use the Metro Link transportation system, an outstanding and user-friendly multi-billion dollar subway, while in Washington D.C. He said the Metro region could build a system that would meet the region's transportation needs for many years to come, with just a tenth the money the Washington D.C. area spent on its system.

He spoke about the high caliber of the delegation, which included elected officials (all three Clackamas County commissioners, Washington County Commissioner Tom Brian, Lake Oswego Councilor Karl Rohde), and representatives from C-TRAN, Tri-Met, Metro's Transportation Department, the Port of Portland, the city of Portland and Multnomah County. As the lead member of the travelling delegation, he reviewed the approach, process and message that they took to Washington D.C. During presentations, he cited the uniquely high degree of regional cooperation and agreement demonstrated by the members of the delegation. He also described how congressional representatives responded favorably. Councilor Monroe advocated the importance of a positive land-use planning approach and satisfying the region's transportation infrastructure needs. He also warned about the dangers of over-reliance on any one mode of transportation and how it would lead to failure. Instead, the region needed a balanced transportation system that relied on all modes and provided people with mobility choices.

Then, he described the delegation's priorities: (1) I-MAX (Interstate MAX) and (2) the South Corridor project and the Commuter Rail in Washington County. He also talked about some of the region's other priorities: dredging the Columbia River, and freight issues, especially in the North I-5 Corridor, Delta Park and the Columbia area. Then, he introduced the delegation. Fred Hansen discussed I-MAX. Commissioner Bill Kennemer discussed the South Corridor. The delegation stayed unified regarding regional priorities and did an outstanding job. He was very pleased. The trip was worthwhile. They met with most of the members of the Oregon delegation, Congressman Brian Baird from Southwest Washington, and key staff members as well. In many instances, it was almost more important to have met with the key staff member(s) appointed to handle transportation issues than with the representative himself. Members of Congress had many other duties so their time was precious. He said Senator Gordon Smith, and congressional representatives Walden, Blumenauer, Hooley and Baird were all outstanding and effective members of the delegation. They had the greatest impact on helping the region achieve its needs.

Councilor Atherton asked if they discussed whether the federal government would continue their level of involvement in Oregon's regional and local activities. Or, would they change and limit their focus to federal issues instead.

Councilor Monroe said he asked, but the region could never know for sure. The indication was that existing programs and priorities would probably continue at approximately the current level.

Councilor Atherton noted that much of the funding was coming from the federal gas tax. Inflation, along with high mileage in some respects, would erode the impact. He asked if anyone discussed what the outlook would be 5 or 10 years in the future.

Councilor Monroe said they didn't attempt to look that far into the future although there was a minor discussion about projects that might exist in the future for the Metro region. But no they didn't discuss what the federal priorities or budget forecast would look like in 5 or 10 years.

Councilor Monroe closed by saying they tried to keep the trip as inexpensive as possible. The three delegation representatives from Metro saved more than \$1,000 each on their airfare by flying into Baltimore and using ground transportation, instead of flying into Dulles and using taxicabs, which would have been much more expensive.

6. MPAC COMMUNICATIONS

None.

Deputy Presiding Officer Washington announced a return to the Citizen Communication agenda item.

7. CONSENT AGENDA

7.1 Consideration of minutes of the March 9, 2000 Regular Council Meeting.

Motion: **Presiding Officer Bragdon** moved to adopt the meeting minutes of March 9, 2000, Regular Council Meeting.

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

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

8. ORDINANCES – FIRST READING

8.1 **Ordinance No. 00-853, For the Purpose of Amending the FY 1999-00 Budget to Increase the Full-Time Equivalents in the Solid Waste Revenue Fund by 2.50 FTE for the Purpose of Increasing Staffing in the Hazardous Waste Program; and Declaring an Emergency.**

Deputy Presiding Officer Washington assigned Ordinance No. 00-853 to the Regional Environmental Management Committee.

8.2 **Deputy Presiding Officer Washington** removed this item from the agenda. It was scheduled to be addressed by the Metro Council at the March 30, 2000, Regular Council Meeting.

9. ORDINANCES –SECOND READING

9.1 Ordinance No. 00-850, For the Purpose of Authorizing a Loan to Metro from the Oregon Economic and Community Development Department's Special Public Works Fund Loan Program; and Declaring an Emergency.

Motion: Councilor Monroe moved to adopt Ordinance No. 00-850.

Seconded: Councilor Kvistad seconded the motion.

Councilor Monroe reviewed the ordinance, which authorized the loan program for the Expo Center. There was considerable discussion concerning how to fund Expo and not jeopardize the agency's bond rating. The department agreed to extend the full funding under their bonding authority at a much lower interest rate to build Hall D. It would save a considerable amount of money and complete the job as soon as possible. He urged the council's support and an aye vote.

Deputy Presiding Officer Washington asked other councilors for comments and then opened a public hearing on Ordinance No. 00-850. No one came forward, so he closed the public hearing.

Councilor Kvistad said it was a great opportunity for Metro and a partnership with the state. Usually, similar loans were much larger than what they normally authorized. In this instance, they felt the project was worthy of both their support and the state involvement. The agency planned to fully fund the Phase 2 building development. Currently, financing was tight with the Oregon Convention Center bond approaching and all the other funding items that were currently under consideration. Now, all Metro needed to do was assemble the Phase 3 building program. He looked forward to doing that during the next few months and finalizing funding for the complete Expo project.

Councilor Park clarified that Councilor Kvistad's comments referred to Metro's Expo Center, not just the agency's Oregon Convention Center or zoo.

Councilor Kvistad reiterated his "advertisement" was for completing the Expo Center by completing the Phase 3 building, which was on the drawing board. It would have light-rail access to the front door. It would be a tremendous asset to Metro to complete the agency's buildings that were owned by the public under the Metro banner.

Councilor Park cited the projections and said he assumed that with positive cash flows the agency wasn't anticipating any problems, because the project was backed by Metro's general fund. He approved of the ordinance, provided he received those assurances from the Metro Operations Committee.

Councilor Monroe closed by saying that they were revenue bonds, backed by the revenue stream created by Expo. The amount was approximately \$15.5 million. The interest rate would not exceed 6.5 percent. It was bought back ultimately by the full faith and credit of Metro. This was all the more reason why the council needed to get busy and make sure the agency preserved its general fund reserves so that Metro's full faith and credit regained some credibility. Yes, it was Part 2 in the building of Expo. Part 1 was the Smithsonian building that was constructed a few years ago with revenue bonds. It was Part B2. Part 3 was still to come. He confirmed that I-MAX would run past the Expo Center on its way to and from Vancouver. He thanked the council and he urged an aye vote.

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

10. RESOLUTIONS

10.1 Resolution No. 00-2904, For the Purpose of Approving the FY 2001 Unified Work Program.

Motion: Councilor Kvistad moved to adopt Resolution No. 00-2904.

Seconded: Councilor Monroe seconded the motion.

Councilor Kvistad related the resolution to the Unified Work Program. It (1) approved the transportation planning Unified Work Program and continued all of the agency's transportation planning work for the next fiscal year, (2) authorized the submission of the grant applications to the federal government and (3) served as the memo of understanding (MOU) with the RTC (Regional Transportation Council). The Unified Work Program was not the Regional Transportation Plan (RTP). The Unified Work Program had specific corridor studies in coordination with ODOT (Oregon Department of Transportation), the Port of Portland and all the jurisdictions that Metro worked with on transportation issues. He recommended an aye vote.

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

10.2 Resolution No. 00-2905, For the Purpose of Certifying that the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements.

Motion: Councilor Kvistad moved to adopt Resolution No. 00-2905.

Seconded: Councilor Monroe seconded the motion.

Councilor Kvistad said the federal government required that all MPOs (Municipal Planning Organizations) across the nation, including Metro, review and certify that the region is in compliance with the RTP, its partners, requirements of the federal government and all the components thereof. He noted some of the specific areas listed in the agenda packet. He read some of them. There were a lot of compliance issues that the agency certified. They had people on their staff that worked on the issues as the projects advanced. They had to pass things forward from the council and state that the certification work was completed and that the agency met existing laws so that the federal transit and highway administrations would allow Metro to proceed with its projects. He recommended an aye vote.

Councilor Monroe added that a lot of people might consider it strange that Metro was certifying itself for compliance. It wasn't like a self-imposed tax audit. Certification was a thorough process, and the agency and staff approached it very seriously and carefully. An error discovered in the certification process was a very serious, grievous fault and could cost the agency federal transportation funding. It was necessary that the council approve the resolution today.

Councilor Kvistad said they were both very complicated documents, but it was very important to pass them forward. Metro certified, through its staff, that the agency was in compliance. They did a terrific job and ensured that the certifications were completed properly to federal standards.

Councilor Atherton cited the complicated nature of the document and said that during discussions last year on federal transportation financing issues the committee discovered through

staff that it was so complicated that the agency had to allot 25 percent of the federal funding for (administrative) overhead. He asked Councilor Kvistad if that was his understanding.

Councilor Kvistad said it was not his understanding. However, there were administrative costs for the requirements that the federal government placed on all the loans and grants received by the region. So the agency did have to spend money on the reports. The budget had line items that dealt with the reporting costs, money in the budget, in general, that was used to fund administrative overhead. However, the number was closer to the 2 to 5 percent range. However, he would have to research the issue for a definitive answer and contact Councilor Atherton later.

Councilor Atherton indicated he may be misinformed.

Councilor Kvistad said, in terms of Metro's administrative overhead and the region, it was a small percentage of the federal grants. Other agencies may have a completely different funding and financing system and requirements. Councilor Atherton's 25 percent figure may have been accurate in describing Tri-Met's administrative overhead costs.

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

11. COUNCILOR COMMUNICATIONS

Councilor McLain reported on the budget review process, when the next Budget and Finance Committee was scheduled (March 29, 2000), and what amendments would be put in front of the committee. They discussed all three of the areas of the funding following presentations by staff, including the general fund, revenue type enterprises and support services. The current phase involved the analysts asking departments questions and collecting the departments' responses/answers for the general fund. They planned to review 5 budget areas (executive office, council office, parks, growth and transportation) and vote on the amendments on March 29, 2000. In transportation, currently the committee didn't have any active budgets. John Houser didn't have an opportunity to present any recommendations, although Councilor Monroe and Mr. Houser met with the transportation department and felt mostly comfortable with the answers provided to them by the department.

The growth area gave an example of three amendments that were drafted. They planned to distribute copies to all the councilors. They described small packages of information that would help Metro's outreach efforts which have been severely cut in the proposed budget, and deal with storm water, which the Growth Management Committee and the Metro Council have both supported. It also dealt with a membership to the Regional Water Consortium, which Councilor McLain believed the council should be a member of to fully take care of their charter responsibilities in the area of a policy and a regional water supply plan. In parks there were no amendments. In the executive office there were two amendments, one presented by Presiding Officer Bragdon and the other by Councilor Kvistad. In the council office area there were ten amendments forwarded by the Presiding Officer with the support of many councilors who worked with him on the amendments. She encouraged attendance and participation at the meeting

Presiding Officer Bragdon announced the cancellation of the regularly scheduled council meeting on March 23, 2000. The next council meeting would be March 30, 2000.

Councilor Monroe asked Jeff Stone, Chief of Staff, to report on the congressional tour.

Jeff Stone said congressional staff from the offices of representatives Baird, Wu and Hooley, and senators Murray, Gorton, Smith and Wyden, joined Metro on a tour of the region and inspection of the parks grant program the agency received through line item funding from the United States Fish and Wildlife Service. There were many great sites. So Metro took the representatives to see where their money was going. It was very informative and demonstrated what Metro did, and what it owned and managed.

Councilor Kvistad said he had requests from a variety of business groups that asked permission to present their thoughts concerning the Title 3 work and some of the water quality issues to one of Metro's informal meetings. He passed the request along to Mr. Stone but also wanted to put it on the record. They had some concerns and wanted to express them to all of the members of the council. They asked for thirty minutes on one of the agendas in the next few weeks.

Councilor McLain asked if the topics concerned Title 3 or Goal 5 issues.

Councilor Kvistad said Goal 5, Title 3, most everything that involved stream corridor protections, set backs, many different elements that were interrelated.

Councilor Park commented that Metro has limited its informal meetings to councilor communications and other related business. He suggested the presentations would be more appropriate for the full Council or the Growth Management Committee. He would be concerned and uncomfortable if the council received public testimony during an informal meeting.

Councilor Kvistad said it wasn't necessarily public testimony. They wanted an opportunity to provide an informal presentation before the entire council. However, they didn't want to come before the council and deal with time restrictions and the council's regular meeting agenda. They specifically asked that it not be before the growth committee, but rather before the entire council. The informal is the only other regularly scheduled meeting that the council had where all of the councilors would be present, and which would allow for that type of informal presentation.

Councilor Park said such requests had been made before. A much better case would have to be made before the council could make an exception and approve such an arrangement. He suggested they provide their presentation at the growth committee. There would be less of a time restriction and the committee could invite all the council members. He didn't favor the request in the format suggested by Councilor Kvistad.

Presiding Officer Bragdon said he hadn't received the request but he wanted to work with the groups to allow them as much time as they need to provide their presentations in a suitable format. He would work with them and all the councilors.

Councilor Kvistad made the request, as a councilor, to make sure that time was available regardless of the exact arrangement.

Councilor Park asked if there would be an opportunity on the April 6, 2000, council meeting agenda for a special presentation for the groups concerned, if it was a suitable forum. This had been done in past for the Department of Agriculture, so there was a precedent.

Jeff Stone said it was the Presiding Officer's responsibility to set the agenda and would be at his discretion following his consultation with the council membership. Currently, there was no legislation scheduled for April 6, 2000, although that situation could change.

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Deputy Presiding Officer Washington said the council would work together to determine a suitable time, date and forum for the presentation(s).

12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 2:50pm.

Prepared by

Chris Billington
Clerk of the Council

Agenda Item Number 8.1

**Ordinance No. 00-856, Confirming the Readoption of Metro Code 2.06 (Investment Policy); and
Declaring an Emergency.**

First Reading

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE CONFIRMING THE	)	ORDINANCE NO. 00-856
ANNUAL READOPTION OF METRO CODE)	
2.06 (INVESTMENT POLICY); AND	)	Introduced by Mike Burton,
DECLARING AN EMERGENCY	)	Executive Officer

WHEREAS, The Metro Code, Section 2.06, contains the investment policy which applies to all cash-related assets held directly by Metro; and

WHEREAS, The Investment Advisory Board reviews and approves for adherence to Investment Policy the quarterly Investment Report for submission to Metro Council; and

WHEREAS, Neither the Investment Advisory Board nor the Investment Manager proposes any amendment to the policy at this time; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Metro Code Chapter 2.06 is readopted as written in Exhibit A.
2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Revised Statutes, an emergency is declared to exist, and this Ordinance takes effect upon passage.

READOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 00-856 CONFIRMING THE ANNUAL READOPTION OF METRO CODE 2.06 (INVESTMENT POLICY); AND DECLARING AN EMERGENCY

Date: March 9, 2000

Presented by: Howard Hansen

FACTUAL BACKGROUND AND ANALYSIS

Metro Code, Chapter 2.06, contains the investment policy, which applies to all cash-related assets held directly by Metro. The major objectives of the policy are safety, liquidity, and yield, with safety of capital and availability of funds as the overriding objectives.

Section 2.06.160 provides that the policy is subject to annual review and readoption in accordance with ORS 294.135. The last readoption by Metro Council took place April 15, 1999.

Metro's investment portfolio, which is subject to the referenced policy, is reviewed quarterly for adherence to policy by the Investment Advisory Board, a citizens oversight committee composed of investment professionals. Following their review and approval, the quarterly Investment Report is forwarded to Metro Council.

Neither the Investment Advisory Board nor the Investment Manager proposes any amendment to the policy at this time.

The full Chapter 2.06 is attached to the ordinance as Exhibit A.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends readoption of Metro Code Chapter 2.06 by Ordinance No. 00-856.

CHAPTER 2.06

INVESTMENT POLICY

Exhibit A
March 9, 2000

SECTIONS	TITLE
2.06.010	Scope
2.06.020	Objectives
2.06.030	Responsibility
2.06.040	Prudence
2.06.050	Investment Diversification
2.06.060	Competitive Selection of Investment Instruments
2.06.065	Monitoring the Portfolio
2.06.070	Qualifying Institutions
2.06.090	Safekeeping and Collateralization
2.06.100	Indemnity Clause
2.06.110	Controls
2.06.120	Accounting Method
2.06.130	Reporting Requirements
2.06.140	Performance Evaluation
2.06.150	Policy Adoption
2.06.160	Policy Readoption

2.06.010 Scope

These investment policies apply to all cash-related assets included within the scope of Metro's audited financial statements and held directly by Metro. Other than bond proceeds or other segregated revenues, the total of funds pooled for investments ranges from \$60 million to \$100 million with an average of \$80 million. Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the State of Oregon.

Funds of Metro will be invested in compliance with the provisions of ORS 294.035 through 294.048; ORS 294.125 through 294.155; ORS 294.810; and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investment of any tax exempt borrowing proceeds and of any debt service funds will comply with the 1986 Tax Reform Act provisions and any subsequent amendments thereto.

2.06.020 Objectives

(a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall

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2.06-1 (Readopted April 9, 1998)
(Amended December 10, 1998)
(Readopted April 15, 1999)

portfolio and security of funds and investments. For securities not backed by the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.

(b) Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements including payroll, accounts payable and debt service.

(c) Yield. The investment portfolio shall be designed with the objective of regularly exceeding the average return on 90-day U.S. Treasury Bills. The investment program shall seek to augment returns above this level, consistent with risk limitations described in this policy and prudent investment principles.

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment yield targets are secondary.

(d) Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro.

2.06.030 Responsibility

(a) Investment Officer. The executive officer is the investment officer of the district. The authority for investing Metro funds is vested with the investment officer, who, in turn, designates the investment manager to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.

(b) Investment Advisory Board (IAB). There shall be an investment advisory board composed of five members.

(1) Terms of Service. The term of service for citizens appointed to the IAB shall be three calendar years. The term of appointment shall be staggered so that not more than two members' terms expire in any calendar year.

- (2) Appointment. The investment officer shall recommend to the council for confirmation, the names of persons for appointment to the IAB.
- (3) Duties. The IAB shall meet at least quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.

(c) Quarterly Reports. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least 3 members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer including comments by the IAB.

2.06.040 Prudence

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

2.06.050 Investment Diversification

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investments Available to Municipalities" provided by the state treasurer.) The investment officer will diversify the portfolio to avoid incurring unreasonable risks inherent in over investing in specific instruments, individual financial institutions, or maturities.

(a) Diversification by Investment

	Percent of Portfolio (Maximum)
(1) U.S. Treasury Bills, Notes, Bonds, Strips and/or State	100%

and Local Government Series
(SLGS)

- | | | |
|-----|--|------|
| (2) | Securities of U.S. Government Agencies
and U.S. Government Sponsored Enterprises | 100% |
| (3) | Certificates of Deposit (CD)
Commercial Banks in Oregon insured
by FDIC | 100% |
| (4) | Repurchase Agreements (Repo's)
Maximum 90-day maturity | 50% |
| (5) | Banker's Acceptances (BA) | 100% |
| (6) | Commercial Paper (CP)
Issued by a financial institution,
commercial, industrial or utility
business enterprise. | 35% |

For a corporation headquartered in
Oregon; A-1 and P-1 only, maximum 90-day
maturity; A-2 and P-2, A-1/P-2, or A-
2/P-1 only, maximum 60-day maturity.

For a corporation headquartered outside
Oregon; A-1 and P-1 only; maximum 90-day
maturity

- | | | |
|-----|---|------|
| (7) | State of Oregon and Local Government
Securities with A ratings or better | 25% |
| (8) | State of Oregon Investment Pool | 100% |
| (9) | Market Interest Accounts and Checking
Accounts Minimum necessary for daily
cash management efficiency | |

(b) Diversification by Financial Institution

- (1) Qualified Institutions. The investment officer shall maintain a listing of financial institutions and securities dealers recommended by the IAB. Any financial institution and/or securities dealer is eligible to make an application to the investment officer and upon due consideration and approval hold available funds.

A listing of the eligible institutions shall be held by the investment officer and provided any fiduciary agent or trustee.

- (2) Diversification Requirements. The combination of investments in Certificates of Deposit and Banker's Acceptances as outlined individually at 2.06.050(b)(2)(A) and (C) invested with any one institution shall not exceed 25 percent of the total available funds or 15 percent of the equity of the institution.

(A) Certificates of Deposit - Commercial Banks

No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.

(B) Repurchase Agreements

May be purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. All repurchase agreements will be fully collateralized by general obligations of the U.S. Government, the agencies and instrumentalities of the United States or enterprises sponsored by the United States government, marked to market.

The investment officer shall not enter into any reverse repurchase agreements.

(C) Banker's Acceptances

Must be guaranteed by, and carried on the books of, a qualified financial institution whose short-term letter of credit rating is rated in the highest category by one or more nationally recognized statistical rating organizations.

Qualified institution means:

- (i) A financial institution that is located and licensed to do banking business in the State of Oregon; or
- (ii) A financial institution located in the States of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in the State of Oregon.

No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.

(D) Commercial Paper

No more than 5 percent of the total portfolio with any one corporate entity.

(E) State and Local Government Securities

No more than 15 percent of the total portfolio in any one local entity.

(F) State of Oregon Investment Pool

Not to exceed the maximum amount established in accordance with ORS 294.810, with the exception of pass-through funds (in and out within 10 days).

(G) U.S. Government Agencies

Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises as defined under ORS 294.035 and/or 294.040. No more than 40 percent of the total portfolio in any one agency.

(H) U.S. Government Treasuries

No limitations

(c) Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2). This policy shall not preclude the sale of securities prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.

Maturity limitations shall depend upon whether the funds being invested are considered short-term or long-term funds. All funds shall be considered short-term except those reserved for capital projects (e.g., bond sale proceeds).

(1) Short-Term Funds

(A) Investment maturities for operating funds and bond reserves shall be scheduled to meet projected cash flow needs. Funds considered short-term will be invested to coincide with projected cash needs or with the following serial maturity:

25% minimum to mature under three months
75% minimum to mature under 18 months
100% minimum to mature under five years

(B) Investments may not exceed five years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirements will be met. Maturities beyond 18 months will be limited to direct U.S. Treasury obligations.

(2) Long-Term Funds

(A) Maturity scheduling shall be timed according to anticipated need. ORS 294.135 permits investment beyond 18 months for any bond proceeds or funds accumulated for any purpose which the district is permitted by state law to accumulate and hold funds for a period exceeding one year. The maturities should be made to coincide as nearly as practicable with the expected use of the funds.

(B) Investment of capital project funds shall be timed to meet projected contractor payments. The drawdown schedule used to guide the investment of the funds shall evidence the approval of the investment officer and review of the Chief Financial Officer.

(d) Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction, and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.

(e) Adherence to Investment Diversification. Diversification requirements must be met on the day an investment transaction is executed. If due to unanticipated cash needs, investment maturities or marking the portfolio to market, the investment in any security type, financial issuer or maturity spectrum later exceeds the limitations in the policy, the Investment Officer is responsible for bringing the investment portfolio back into compliance as soon as is practical.

2.06.060 Competitive Selection of Investment Instruments

Before the investment officer invests any surplus funds, a competitive offering solicitation shall be conducted orally. Offerings will be requested from financial institutions for various options with regards to term and instrument. The investment officer will accept the offering which provides the highest rate of return within the maturity required and within the prudent investor rule. Records will be kept of offerings and the basis for making the investment decision.

2.06.065 Monitoring the Portfolio

The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.

2.06.070 Qualifying Institutions

The investment officer shall maintain a listing of all authorized dealers and financial institutions which are approved for

investment purposes. Written procedures and criteria for selection of financial institutions will be established by the investment officer. Financial institutions must have a branch in Oregon. Any firm is eligible to apply to provide investment services to Metro and will be added to the list if the selection criteria are met. Additions or deletions to the list will be made by the investment officer and reviewed by the IAB. At the request of the investment officer, the firms performing investment services for Metro shall provide their most recent financial statements or Consolidated Report of Condition (call report) for review. Further, there should be in place, proof as to all the necessary credentials and licenses held by employees of the broker/dealers who will have contact with Metro as specified by but not necessarily limited to the National Association of Securities Dealers (NASD), Securities and Exchange Commission (SEC), etc. At minimum, the investment officer and the IAB shall conduct an annual evaluation of each firm's qualifications to determine whether it should be on the authorized list.

Securities dealers not affiliated with a Qualified Financial Institution, as defined in ORS 294.035, will be required to have headquarters located in the State of Oregon, Washington or Idaho and, if not headquartered in the State of Oregon, to have an office located in Oregon. Notwithstanding the above, securities dealers who are classified as primary dealers with the New York Federal Reserve Bank are also eligible.

2.06.090 Safekeeping and Collateralization

All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping by a bank designated as custodian. Purchase and sale of all securities will be on a payment versus delivery basis. The trust department of the bank designated as custodian will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The custodian shall issue a safekeeping receipt to Metro listing the specific instrument, rate, maturity and other pertinent information.

Delivery versus payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(11).

Deposit-type securities (i.e., Certificates of Deposit) shall be collateralized through the state collateral pool as required by

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2.06-9

(Readopted April 9, 1998)

(Amended December 10, 1998)

(Readopted April 15, 1999)

ORS 295.015 and ORS 295.018 for any amount exceeding FDIC coverage, recognizing that ORS 295.015 requires only 25 percent collateralization and ORS 295.018 requires 110 percent collateralization when the institution is notified by the state treasurer.

2.06.100 Indemnity Clause

(a) Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy.

(b) The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.

2.06.110 Controls

The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions.

Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance.

2.06.120 Accounting Method

Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).

2.06.130 Reporting Requirements

(a) A transaction report shall be prepared by the investment manager not later than one business day after the transaction, unless a trustee, operating under a trust agreement, has executed the transaction. The trustee agreement shall

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2.06-10 (Readopted April 9, 1998)
(Amended December 10, 1998)
(Readopted April 15, 1999)

provide for a report of transactions to be submitted by the trustee on a monthly basis.

(b) Quarterly reports shall be prepared for each regular meeting of the IAB to present historical investment information for the past 12-month period. Copies shall be provided to the executive officer and the Metro council.

2.06.140 Performance Evaluation

The overall performance of Metro's investment program is evaluated quarterly by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy shall be provided to the Metro council as soon as practicable.

The performance of Metro's portfolio shall be measured by comparing the average yield of the portfolio at month-end against the performance of the 90-day U.S. Treasury Bill issue maturing closest to 90 days from month-end and the Local Government Investment Pool's monthly average yield.

2.06.150 Policy Adoption

This investment policy must be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro council. Adoption of this policy supersedes any other previous council action or policy regarding Metro's investment management practices.

2.06.160 Policy Readoption

This policy shall be subject to review and readoption annually by the Metro council in accordance with ORS 294.135.

Agenda Item Number 8.2

Ordinance No. 00-857, For the Purpose of Amending Metro Code Chapter 7.01 to Convert the Excise Tax Levied on Solid Waste to a Tax Levied Upon Tonnage Accepted at Solid Waste Facilities and Making Other Related Amendments.

First Reading

Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber

Copies of Ordinance No. 00-857 will be available at the Council meeting

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 00-857
CODE CHAPTER 7.01 TO CONVERT THE	)	Introduced by Council
EXCISE TAX LEVIED ON SOLID WASTE	)	Regional Environmental
TO A TAX LEVIED UPON TONNAGE	)	Management Committee
ACCEPTED AT SOLID WASTE FACILITIES AND))	
MAKING OTHER RELATED AMENDMENTS)	

WHEREAS, the State of Oregon has set a recycling goal for solid waste of 56 percent by the year 2005; and

WHEREAS, recycling of solid waste in the region is of the utmost importance and should be a priority in solid waste fee system; and

WHEREAS, Metro needs a stable funding source for its charter mandated responsibilities; and

WHEREAS, Metro needs to respond to recent centralization within the solid waste industry; and

WHEREAS, newer processing facilities include both wet and dry waste components; and

WHEREAS, the purpose of this ordinance is to further recycling and provide stability and predictability in the setting of solid waste fees during the Metro budget cycle; and

WHEREAS, Metro imposes an excise tax for the use of the facilities, equipment, systems, functions, services, or improvements, owned, operated, certified, licensed, franchised, or provided by Metro; and

WHEREAS, the tax is currently imposed as a percentage of the payment charged by Metro or by the operator of such solid waste facilities; and

WHEREAS, to enable Metro to fulfill it's missions, it is desirable to change the method by which the tax on solid waste is imposed from the current method using a percentage of the payment charged for disposal to a method under which the tax is imposed upon each ton of solid waste disposed at solid waste facilities; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 7.01.010 is amended to read:

For the purposes of this chapter unless the context requires otherwise the following terms shall have the meaning indicated:

(a) "Accrual basis accounting" means revenues are recorded in the accounting period in which they are earned and become measurable whether received or not.

(b) "Cash basis accounting" means revenues are recorded when cash is received.

(c) "District facility" means any facility, equipment, system, function, service or improvement owned, operated, franchised or provided by the district. District facility includes but is not limited to all services provided for compensation by employees, officers or agents of Metro, including but not limited to the Metro Washington Park Zoo, Metro ERC facilities, all solid waste system facilities, and any other facility, equipment, system, function, service or improvement owned, operated, franchised or provided by the district.

(d) "Facility Retrieval Rate" shall have the meaning assigned thereto in Metro Code Section 5.02.015.

(e) "Installment payments" means the payment of any amount that is less than the full payment owed either by any user to the district or to an operator or by an operator to the district.

(f) "Metro ERC facility" means any facility operated or managed by the Metropolitan Exposition-Recreation Commission.

(g) "Operator" means a person other than the district who receives compensation from any source arising out of the use of a district facility. Where the operator performs his/her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his/her principal. Compliance with the provisions of this chapter by either the principal or managing agent shall be considered to be compliance by both.

(h) "Person" means any individual, firm, partnership, joint venture, association, governmental body, joint stock company, corporation, estate, trust, syndicate, or any other group or combination acting as a unit.

(i) "Payment" means the consideration charged, whether or not received by the district or an operator, for the use of a district facility, valued in money, goods, labor, credits, property or other consideration valued in money, without any deduction.

(j) "Processing Residual shall have the meaning assigned thereto in Metro Code Section 5.02.015.

(k) "Recovery Rate" shall have the meaning assigned thereto in Metro Code Section 5.02.015.

(l) "Solid waste system facility" means all facilities defined as such pursuant to section 5.05.010 including but not limited to all designated facilities set forth in section 5.05.030 and any non-system facility as defined in section 5.05.010 that receives solid waste from within the Metro boundary whether pursuant to an authorized non-system license or otherwise.

(m) "Source Separate" or "Source Separated" or "Source Separation" means that the person who last uses recyclable material separates the recyclable material from Solid Waste.

(n) "Source-separated recyclable material" or "Source-separated recyclables" means material that has been Source Separated for the purpose of Reuse, Recycling, or Composting.

(o) "Tax" means the tax imposed in the amount established in subsection 7.01.020, and includes both the tax payable by a user and the aggregate amount of taxes due from an operator during the period for which he/she is required to report and pay the tax.

(p) "User" means any person who pays compensation for the use of a district facility or receives a product or service from a district facility subject to the payment of compensation

SECTION 2. Metro Code Section 7.01.020 is amended to read:

7.01.020 Tax Imposed

(a) For the privilege of the use of the facilities, equipment, systems, functions, services, or improvements owned, operated, certified, licensed, franchised, or provided by the district, each user except users of solid waste system facilities shall pay a tax of 7.5 percent of the payment charged by the operator or the district for such use unless a lower rate has been established as provided in subsection 7.01.020(b). ~~Each user of all solid waste system facilities shall pay an additional tax of 1.0 percent of the payment charged by the operator or the district.~~ The tax constitutes a debt owed by the user to the district which is extinguished only by payment of the tax directly to the district or by the operator to the district. The user shall pay the tax to the district or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(b) The council may for any period commencing no sooner than July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) or in subsections 7.01.020(c)-(e) by so providing in an ordinance adopted by the district. If the council so establishes a lower rate of tax, the executive officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection 7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the council as provided for herein.

(c) For the privilege of the use of the solid waste system facilities, equipment, systems, functions, services, or improvements, owned, operated, certified, licensed, franchised, or provided by the district, each user of all solid waste system facilities shall pay a tax in the amount calculated under section (e) for each ton of solid waste exclusive of source separated recyclable materials accepted at the solid waste system facilities. The tax constitutes a debt owed by the user to the district which is extinguished only by payment of the tax directly to the district or by the operator to the district. The user shall pay the tax to the district or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(d) For the Metro fiscal year beginning July 1, 2000, and for each year thereafter subject to Section 3 of this ordinance, the tax rate imposed and calculated under this section shall be sufficient to generate at least \$5,700,000 in excise tax revenue.

(e) The excise tax rate for each ton of solid waste exclusive of source separate recyclable materials accepted at the solid waste system facilities shall be the amount that results from dividing the amount set forth in sub-section (d) by an amount that is equivalent to the sum of the solid waste tonnage generated within the district and delivered to any disposal site for disposal, exclusive of inert materials and materials accepted for and actually used for a beneficial purpose at a disposal site, during the twelve-month period ending on December 31 of each year, as further adjusted by the Executive Officer under sub-section (f). Subject to subsection 7.01.020(b), the rate so determined shall be the district's rate excise tax on solid waste during the subsequent Metro fiscal year,

(f) By June 1, 2000 and by March 1st of each year thereafter, the Executive Officer shall provide a written report to the Council stating the amount of solid waste tonnage generated within the district and delivered to any disposal site for disposal, exclusive of inert materials and materials accepted for and actually used for a beneficial purpose at a disposal site, for the twelve-month period ending the previous December 31. Based upon the tonnage amount set forth in such written report, the Executive Officer at the same time shall calculate the amount of such solid waste tonnage that would have been generated during the previous calendar year if the solid waste recovery rates

corresponding for each calendar year set forth on the following schedule had been achieved:

Year	Recovery Rate
2000	46%
2001	48%
2002	50%
2003	52%
2004	54%
2005	56%

The product of such calculation by the Executive Officer shall be used to determine the excise tax rate under sub-section (e) of this section.

(ef) A solid waste facility which is certified, licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 and which attains a Facility Retrieval Rate of 10 percent or greater shall be allowed a credit against the Excise Tax otherwise due under Section 7.01.020(c) or (df) for disposal of Processing Residuals from the facility. The Facility Retrieval Rate and the Recovery Rate shall be calculated for each six-month period before the month in which the credit is claimed. The amount of such credit shall be in accordance with and no greater than as provided on the following table:

Recovery Rate		Excise Tax Credit
From Above	Up To & Including	
0%	20%	0%
20%	25%	4%
25%	30%	10%
30%	35%	20%
35%	40%	33%
40%	100%	45%

(fg) In lieu of taxes imposed under this section and notwithstanding section 7.01.050(a)(6), operators of solid waste facilities licensed or franchised under chapter 5.01 of this Code to deliver putrescible waste directly to the district's contract operator for disposal of putrescible waste shall pay a tax in the amount of annually calculated under Section 7.01.020(e) \$5.02 per ton of for putrescible waste delivered directly to the district's contract operator for disposal of putrescible waste.

SECTION 3. Section 4 of this Ordinance is added to and made a part of Metro Code Chapter 7.01.

SECTION 4. Consumer Price Index Adjustment

Commencing with the Metro fiscal year beginning July 1, 2000¹, and each year thereafter, the amount of revenue to be generated by the taxes imposed by Section 7.01.020(c) shall be the amount of tax revenue authorized in Section 7.01.020(d) increased by a percentage equal to (a) the annualized rate of increase in the Consumer Price Index, All Items, for Portland-Vancouver (All Urban Consumers) reported for the first six months of the federal reporting year as determined by the appropriate agency of the United States Government or (b) the most nearly equivalent index as determined by the Metro Council if the index described in (a) is discontinued, or such lesser amount as the Executive Officer deems appropriate.

SECTION 5. Budgeting of Excess Revenue

Commencing with the Metro fiscal year beginning July 1, 2000, and each year thereafter, if the tax revenues collected under the tax rate imposed by Section 7.01.020 (e) exceed the amount set forth in Section 7.01.020 (c) as adjusted Section 4 of this ordinance, such additional revenue shall be placed in an account within the General Fund specifically created to receive such revenue. The budgeting or expenditure of all such funds within this account shall be subject to review and approval by the Metro Council.

ADOPTED by the Metro Council this _____ day of _____,
2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

Agenda Item Number 9.1

Ordinance No. 00-849, For the Purpose of Amending the Metro Code to Adopt Campaign Finance and Disclosure Requirements.

Second Reading

Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 00-849
THE METRO CODE REGARDING)
CAMPAIGN FINANCE AND)
DISCLOSURE) Introduced by Councilor David Bragdon

WHEREAS, it is important to strengthen the public's confidence in democracy and to ensure that any qualified citizen can run for office; and

WHEREAS, the public's continuing concern for open and honest elections and for maximum citizen participation in the political process is acknowledged; and

WHEREAS, it is reaffirmed that in 1997, the Oregon Supreme Court ruled that money and freedom of speech were related, and that campaign contributions could not be limited; and

WHEREAS, the U.S. Supreme Court recently ruled that the states have the right to set their own campaign financing laws; and

WHEREAS, full and timely disclosure of all campaign contributions, in accordance with ORS 260 , contributes to public confidence in elected officials; and

WHEREAS, the goal to provide achievable campaign reforms by encouraging broad-based contributions from the public and voluntary campaign spending limits is laudable; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the following Chapter 2.18 "Campaign Finance Regulation" is hereby added to the Metro Code:

Chapter 2.18

CAMPAIGN FINANCE REGULATION

SECTIONS	TITLE	
Section 2.18.010	Purpose and Intent.....	2
Section 2.18.020	Definitions.....	2
Section 2.18.030	Additional Campaign Finance Reporting Requirements	2
Section 2.18.040	Public Dissemination of Campaign Finance Reports	3

Section 2.18.010 Purpose and Intent. The purpose and intent of this chapter is to provide additional campaign finance reporting disclosure to the public that is consistent with the current campaign finance disclosure requirements in Oregon and Federal laws. It is the intent of this chapter that it be construed as being a supplement to existing campaign finance regulations.

Section 2.18.020 Definitions. As used in this chapter, the following terms shall have the following meanings. Any word not specifically defined herein shall have the meaning defined in ORS 260.005.

- (a) "Candidate" means a candidate for a Metro elected office.
- (b) "Metro Elected Official" means any person elected or appointed as a member of the Metro Council, the Metro Executive Officer and the Metro Auditor.
- (c) "Metro Elected Office" means the seven (7) Metro Council positions, the Metro Executive Officer and the Metro Auditor.

Section 2.18.030 Additional Campaign Finance Reporting Requirements.

- (a) Every candidate for a Metro Elected Office and every Metro Elected Official who is a candidate for any public office shall file with the Metro Council Clerk an original copy of any campaign finance report required to be filed pursuant to ORS 260 or any applicable federal law. Such campaign finance reports shall include all required reports of contributions and expenditures. The report shall be delivered to the Clerk on the same day that it is filed with the filing officer provided for under Oregon or federal law.
- (b) In addition to the reports required by subsection (a) above, every Metro Elected Official who is a candidate for any public office shall file reports with the Metro Council Clerk containing all financial disclosures required to be reported under Oregon or Federal law no less frequently than every

90 days. The first report shall be filed with the Clerk 90 days after the date the Metro Elected Official declares their candidacy or first organizes a political committee.

- (c) Prior to taking any action or voting on any matter in which any person who has a legislative or administrative interest has made a campaign contribution of \$500 or more in the aggregate to the Metro Elected Official or to a political committee supporting the election of the Metro Elected Official to a public office, the Metro elected official shall disclose the existence of the contribution on the public record, if the contribution has not been previously reported on any financial report required to be filed with the Metro Council Clerk pursuant to (a) or (b) above.
- (d) Metro Councilor shall make the disclosure of such contributions on the record required by (c) above immediately prior to voting or abstaining from voting on the matter. The Metro Executive Officer and Metro Auditor shall disclose such contributions by filing a written notice with the Clerk or the Council prior to taking action on any such matter. In all cases, the disclosure shall include the name of the donor, the amount of the contribution and the nature of the donor's legislative or administrative interest in Metro.

Section 2.18.040 Public Dissemination of Campaign Finance Reports. The Metro Council Clerk shall maintain a file of all campaign finance reports received and shall provide public access to the file at no charge. The Clerk shall also provide such access by including the reports on Metro's world-wide web information "page."

ADOPTED by the Metro Council this _____ day of _____ 2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 00-849, FOR THE PURPOSE OF AMENDING THE METRO CODE REGARDING CAMPAIGN FINANCE AND DISCLOSURE

Date: February 28, 2000

Prepared by: Michael Morrissey

Proposed Action: Ordinance No. 00-849 amends Metro code by adding a new chapter, number 2.18 Campaign Finance Regulation, to Title II of the code, Administration and Procedures. This chapter provides additional campaign finance reporting disclosure to the public, consistent with current state and federal disclosure requirements.

Current Law: State election statutes in Oregon Revised Statutes (ORS) Chapter 260, call for the disclosure of campaign contributions over 50\$. This disclosure takes the form of Contribution and Expenditure (C&E) reports that are filed on a regular basis with county elections officials.

Budget Impact: A small expense could be incurred by the Clerk of the council for compiling records and making them available to the public.

Factual Background and Analysis: The new code chapter calls for filing with the Clerk of the Council reports that currently required by state law ORS 260 and any applicable federal law. The effect of this action is to make required campaign reports and disclosures, for candidates for a metro elected office or for Metro officials who are candidates for other elected positions, more immediately available to the public. Currently this information is available at County elections offices.

The Clerk of the Metro Council shall be responsible for compiling the reports and disclosures detailed in this ordinance and making them available to the public.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

TO: Councilor David Bragdon, Presiding Officer

FROM: Dan Cooper, General Counsel

A handwritten signature in black ink, appearing to read 'Dan Cooper', written over the printed name.

DATE: February 22, 2000

RE: Campaign Finance Regulations

At your request, I have prepared the attached draft Ordinance providing for additional Metro regulations regarding campaign finance disclosure.

The Ordinance would adopt a new Metro Code Chapter (Chapter 2.18) providing for additional campaign finance disclosures that are consistent with current Oregon and federal campaign finance disclosures.

Metro Code Chapter 2.18 would have three (3) substantive requirements:

- First, all candidates running for any Metro Office will be required to file copies of all campaign finance reports that they are currently required filed to file with the Multnomah County Elections Officer. These reports would be filed with the Metro Council Clerk on the same day they are filed with Multnomah County.
- Secondly, every Metro Elected Official (the seven Councilors, Executive Officer and the Auditor) who is a candidate for any public office, whether that is a reelection to a Metro Office, being a candidate for different Metro Office or running for any State or Federal office, would be required to file campaign finance reports with the Metro Council Clerk every 90 days during the time period they are a candidate. This would result in more frequent disclosure by Metro Elected Officials than is currently required for a candidates in general under State or Federal law.
- Thirdly, prior to taking any action on any matter, a Metro Elected Officer who is a candidate for any office, would be required to disclose on the record, any campaign contributions of more than \$500 that have not yet been disclosed on any financial disclosure reports filed with the Metro Council Clerk. Metro Councilors would make such disclosure on the record immediately prior to voting or abstaining on any matter and the Metro Executive Officer and the Metro Auditor would be required to make the disclosure by filing a written notice with the Clerk of the Metro Council before taking any action. These disclosures would include the name of the donor, the amount of contribution and the nature of the donor's legislative or administrative interest in Metro.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

TO: Councilor David Bragdon, Presiding Officer
FROM: Dan Cooper, General Counsel
DATE: February 22, 2000
RE: Campaign Finance Regulations

Finally, as a procedural matter, the code chapter would require the Metro Council Clerk to maintain a file open to public access at no charge of all reports filed with the Clerk. In addition, the Clerk would be directed to include the reports on Metro's world-wide web information page in order to promote greater public access to the information.

DBC/sm
Enclosure (Ordinance No. 00-849)

Agenda Item Number 10.1

Resolution No. 00-2899, For the Purpose of Appointing Andrew Stamp, Chris Hathaway, Bill Gaffi, and Kendra Smith to the Water Resources Policy Advisory Committee..

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

STAFF REPORT

Consideration of Resolution No. 00-2899 for the purpose of appointing Andrew Stamp, Bill Gaffi, Kendra Smith and Chris Hathaway to WRPAC.

February 14, 2000

Paul Ketcham (x1726)

BRIEF DESCRIPTION OF RESOLUTION

This resolution is meant to make appointments to the Water Resources Policy Advisory Committee (WRPAC).

EXISTING LAW

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 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 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 99-2780.)

BACKGROUND

WRPAC currently has some vacancies in both members and alternates. This resolution would appoint Andrew Stamp to the Homebuilders Association seat; move Bill Gaffi to the member position and make Kendra Smith his alternate per USA's request, and appoint Chris Hathaway as the alternate for Debra Marriott per the Lower Columbia River Estuary Program's request.

Per the WRPAC Bylaws, WRPAC was notified of these proposed membership changes with a memo from Deputy Presiding Officer Susan McLain, WRPAC Chair, distributed at the January 10, 2000 meeting.

BUDGET IMPACT

None

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution 00-2899.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE
TEL 503 797 1700

PORTLAND, OREGON 97232 277
FAX 503 797 1794

RESOLUTION NO. 00-2899
STAFF REPORT
ATTACHMENT 1



METRO

DATE: January 6, 2000
TO: Water Resources Policy Advisory Committee
FROM: Councilor Susan McLain, Chair *pacvism*
RE: **PROPOSED WRPAC MEMBERSHIP CHANGES**

I have been informed of the following nominations for existing WRPAC vacancies.

1. The Lower Columbia River Estuary Program has nominated Chris Hathaway to be Debra Marriott's alternate for non-voting position No. 6.
2. The Home Builders Association has nominated Andrew Stamp, an attorney with Schwabe, Williamson and Wyatt, to be their representative to WRPAC for voting position No. 21.
3. Since John Jackson has retired, his alternate Bill Gaffi wishes to fill his position and names Kendra Smith, USA Program Manager, as his alternate.

The purpose of this memo is to inform the WRPAC membership of these pending changes per WRPAC Bylaws Section 2(A)(i) and that a resolution will be submitted to the Metro Council Department for the Council's consideration after the WRPAC meeting on January 10, 2000.

The pertinent WRPAC bylaws Section 2. Appointment and Tenure apply as follows for both nominations:

- A. *Each jurisdiction or agency shall nominate a representative and an alternate who will serve in the absence of the representative. In the case of representatives of multiple jurisdictions or agencies the nominations will be made by a poll of those represented.*

If you have any questions or comments, do not hesitate to call me. Thank you for your time and consideration of this memorandum.

I:\gm\gmadm\staff\paulette\old_IPAULETTE\WRPAC\010600 Informational Memo to WRPAC on Membership Changes.doc

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING) RESOLUTION NO. 00-2899
ANDREW STAMP, CHRIS HATHAWAY,)
BILL GAFFI AND KENDRA SMITH TO) Introduced by Councilor Susan McLain
THE WATER RESOURCES POLICY) Chair, WRPAC
ADVISORY 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, 99-2829 99-2845 and 99-2862 have subsequently established and appointed voting and non-voting members and alternates to serve on WRPAC; and

WHEREAS, Kelly Ross, Director of Governmental Affairs for the Metropolitan Homebuilders Association has informed the WRPAC Chair that they wish to fill the Homebuilders Association seat with Andrew Stamp, an attorney with Schwabe, Williamson and Wyatt; and

WHEREAS, Unified Sewerage Agency has informed the WRPAC Chair that they wish Bill Gaffi to move from alternate to member with Kendra Smith, Program Manager filling the alternate seat; and

WHEREAS, The Lower Columbia River Estuary Program has nominated Chris Hathaway to be the alternate for Debra Marriott; and

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 distributed at the WRPAC meeting on January 10, 2000 and no objections or comments were raised at that time; now, therefore,

BE IT RESOLVED. That the Metro Council appoints Andrew Stamp, Bill Gaffi and Kendra Smith to be voting members and alternates and Chris Hathaway to be a non-voting alternate.

ADOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

RESOLUTION NO. 00-2899
EXHIBIT A-1

From: "Kelly Ross" <KELLYR@hbamp.com>
To: MetCen.MRC-PO(wilkersonsone)
Date: Thu, Jan 6, 2000 11:49 AM
Subject: WRPAC Representative

Elaine,

The Home Builders Association would like to designate Andrew Stamp, an attorney with Schwabe, Williamson & Wyatt, as our representative to WRPAC. Andrew's address is 1211 SW 5th Ave. #1700, Portland, 97204; telephone and fax numbers are 222-9981 and 796-2900.

Please let me know if this email will suffice to make the designation, or whether a formal letter would be preferred.

Thanks,

Kelly



UNIFIED SEWERAGE AGENCY OF WASHINGTON COUNTY

January 6, 2000

Susan McClain
Deputy President Officer
Metro
600 NE Grand Avenue
Portland OR 97232-2736

Dear Ms. McClain:

SUBJECT: Water Resources Policy Advisory Commission (WRPAC)

Unified Sewerage Agency's (USA) representative on WRPAC has been John Jackson. John recently retired and can no longer serve in that capacity.

Please consider myself, Bill Gaffi, as USA's primary representative and Kendra Smith, Water Resources Program Manager, as my alternate.

Sincerely,

A handwritten signature in black ink that reads 'Bill Gaffi'. The signature is written in a cursive, flowing style.

Bill Gaffi
General Manager

C: Kendra Smith, USA

Agenda Item Number 10.2

**Resolution No. 00-2902, For the Purpose of Appointing Pat Russell and Dennis Ganoë to the Metro
Committee for Citizen Involvement..**

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2092 FOR THE PURPOSE OF APPOINTING PAT RUSSELL AND DENNIS GANOE TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT

FEBRUARY 16, 2000

KAREN WITHROW (x1539)

BRIEF DESCRIPTION OF RESOLUTION

This resolution is simply meant to appoint two new members to the Metro Committee for Citizen Involvement (MCCI).

EXISTING LAW

Metro Code Chapter 2.12 and MCCI's bylaws are the relevant legal documents related to this appointment. Both state that MCCI will nominate appointees to vacant positions and the Metro Council will give final approval.

BACKGROUND

For some time now, MCCI has had several vacancies, which we continue to attempt to fill. In addition to personal contacts, we have sent mailers and done some advertising. We thank the Metro Council for making contacts and sending us leads as well. At this time we have two candidates to present.

First, from District 2, is Dennis Ganoe. Dennis is currently a quality assurance engineer who is very familiar with the concept of process. He clearly understands that MCCI has a role, which involves looking at the process available for citizen involvement and assuring it is adequate. He is ready to commit to being a part of our team.

Secondly, we are extremely pleased to present Pat Russell from District 4. He came to us through a recommendation from Beaverton Committee for Citizen Involvement. He has very strong connections to his local community and a real sense of accountability to communicate to them what he learns through his involvement at Metro. He is also ready to commit time to serving the region's citizens as a member of MCCI.

BUDGET IMPACT

None

OUTSTANDING QUESTIONS

None

The MCCI Nominating Committee and full committee membership have both voted to send forward these nominations and we thank the Council for their consideration of this Resolution.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING PAT RUSSELL)
AND DENNIS GANOE TO THE METRO COMMITTEE) RESOLUTION NO. 00-2902
FOR CITIZEN INVOLVE MENT) INTRODUCED BY KAREN WITHROW

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

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

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

WHEREAS, there are vacancies in MCCI membership; and

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

Pat Russell	16308 SW Estuary Drive #208, Beaverton, 97006	District 4, Position 10
Dennis Ganoe	14723 SE Orchid Avenue, Milwaukie, 97267	District 2, Position 6

BE IT RESOLVED, that the Metro Council appoints Pat Russell and Dennis Ganoe as members of the Metro Committee for Citizen Involvement (MCCI).

ADOPTED BY THE METRO COUNCIL THIS _____ DAY OF _____, 2000.

Presiding Officer David Bragdon

Approved as to Form

Office of General Counsel

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING DENNIS GANOE)	
PAT RUSSELL, DARREN PENNINGTON, TOM JOSTE AND	)	RESOLUTION No. 00-2902
JUDITH ANDERSON TO THE METRO COMMITTEE	)	INTRODUCED BY KAREN WITHROW
FOR CITIZEN INVOLVEMENT (MCCI))	

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

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

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

WHEREAS, there are vacancies in MCCI membership; and

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

Dennis Ganoe	14723 SE Orchid Avenue, Milwaukie, 97267	District 2, Position 6
Pat Russell	16308 SW Estuary Drive #208, Beaverton, 97006	District 4, Position 10
Darren Pennington	10365 SW Day Road, Sherwood, 97140	District 4, Position 12
Tom Joste	15445 NW Troon Drive, Portland, 97229	District 4, Position 11
Judith Anderson	16640 SW Jordan Way, King City, 97224	District 3, Position 9

BE IT RESOLVED, that the Metro Council appoints Pat Russell and Dennis Ganoe as members of the Metro Committee for Citizen Involvement (MCCI).

ADOPTED BY THE METRO COUNCIL THIS _____ DAY OF _____, 2000.

Presiding Officer David Bragdon

Approved as to Form

Office of General Counsel

STAFF REPORT

FOR THE PURPOSE OF APPOINTING DENNIS GANOE, PAT RUSSELL, DARREN PENNINGTON, TOM JOSTE AND JUDITH ANDERSON TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI)

MARCH 16, 2000

KAREN WITHROW (X1539)

BRIEF DESCRIPTION OF RESOLUTION

This resolution is simply meant to appoint two new members to the Metro Committee for Citizen Involvement (MCCI).

EXISTING LAW

Metro Code Chapter 2.12 and MCCI's bylaws are the relevant legal documents related to this appointment. Both state that MCCI will nominate appointees to vacant positions and the Metro Council will give final approval.

BACKGROUND

For some time now, MCCI has had several vacancies, which we continue to attempt to fill. In addition to personal contacts, we have sent mailers and done some advertising. We thank the Metro Council for making contacts and sending us leads as well. At this time we have five candidates to present.

From District 2, is Dennis Ganoë, currently a quality assurance engineer who is very familiar with the concept of process. He clearly understands that MCCI's role involves looking at the process available for citizen involvement and assuring it is adequate. He is ready to commit to being a part of our team.

We are extremely pleased to present three candidates from District 4. The Beaverton Committee for Citizen Involvement recommended Pat Russell who has very strong connections to his local community and a real sense of accountability to communicate with them what he learns at Metro. Tom Joste is a retired engineer with volunteer background and lots of life experience. Darren Pennington is committed to the importance of citizen involvement and wants to learn through his involvement at Metro. His father set an example of involvement throughout his life. All three understand the time required and are ready to serve the region's citizens as a member of MCCI.

Judith Anderson, from District 3, is extremely qualified in the area of citizen involvement. She has formed homeowner associations, created and maintained large neighborhood groups and is chair of her CPO in Washington County. She has lots of energy and is ready to share her talents with MCCI.

BUDGET IMPACT

None

OUTSTANDING QUESTIONS

None

The MCCI Nominating Committee and full committee membership have both voted to send forward these nominations and we thank the Council for their consideration of this Resolution.

RECEIVED

Application for Citizen Involvement

APR 19 1999

Name Dennis Gance Council district/County Clackamas
 Address 14723 SE Orchid Ave Milwaukie State/ZIP OR 97267 EXECUTIVE OFFICER
 Phone: Home 657-9281 Work (360) 887-8833 FAX (360) 886-9724 e-mail dgance@arcnet.com
 Occupation/place of employment Software Quality Assurance Engineer / Warcom Technology, Inc.
 work# 517-2867 as of 1-19-00 (main# 226-1301)

Education, work or volunteer experience BS Computer Science OSU 1983
13 years military service (USN/USMC)

List and describe any involvement you have had with groups, boards, organizations, etc.
City member of North Clackamas Citizens Association (a CPO)
Board Member of Pacific Northwest Software Quality Conference (PNSQC)

Name the committee(s) you are interested in and explain why you think the committee issues are important
Planning Committee - I'm interested in being apart of planning the growth of our area. Growth is inevitable but it should be planned so it doesn't adversely affect our life styles.

WILLIAMETTE UNIVERSITY ADVISORY COMMITTEE



ETRO

list relevant experiences, skills or interests that have helped to prepare you for a position in this committee

Active Citizen Involvement in my Community, including door to door canvassing, attending meetings and speaking at legislative hearings

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

Charles Surface (Pres NCCA, CPO)
Ann Segrest

Optional: Attach resume

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

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

Signature [Handwritten Signature] Date _____

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

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

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

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

Dennis Gamoe

RECEIVED

MAY 14 1999

MCCI SUPPLEMENTAL APPLICATION QUESTIONS

EXECUTIVE OFFICER

1. Why would you like to serve as a member of the Metro Committee for Citizen Involvement (MCCI)?

I would like to participate in the growth process planning for the metro area.

2. What do you anticipate enjoying most about being a member of MCCI?

Learning about how our area works, how it grows and the people involved.

3. What strengths, knowledge and skills do you bring to MCCI?

Strong analytical skills and extensive interest in the growth of our area.

4. Do you have personal or professional goals that may be impacted by your participation on MCCI?

No

5. Do you have any questions or concerns about becoming an MCCI member?

No

Please list three references who are familiar with your citizen involvement experience (please list name, affiliation and phone number).

- a. Chuck Serfous NCCA 655-2126
- b. Ann Serfous Friend (503) 699-9594
- c. Judy Burke-Crow wife 657-9281

Application for Citizen Involvement

Please See Attached

Name MR. PAT RUSSELL Council district/County _____

Address _____ State/ZIP _____

Phone: Home _____ Work _____ FAX _____ e-mail _____

Occupation/place of employment _____

Education, work or volunteer experience 1/25/2000 _____

See Attached #1

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

See Attached #2

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

See Attached #3

MEMBER ONLY



any relevant experiences, skills or interests that have helped to prepare you for a position
this committee _____

See Attached #4

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

See Attached #5

Optional: Attach resume

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

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

Signature *Patricia P. Russell*

Date 01-25-2000

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

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

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

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

Mr. Pat Russell
16308 SW Estuary Dr. #208
Beaverton, OR 97006
(503) 533-8887

January 25, 2000

Application for Citizen Involvement Metro CCI

My Council District: District #4 (Northwest Beaverton--SW quadrant Walker/158th)

FAX available by arrangement

E-MAIL available by arrangement

Occupation: Self-employed, Mr. Mom (3 kids 5.5 - 3.3 - 2.0)

Rambling Rose Landscaping -- Commercial/residential landscape maintenance (Part-time)

Responses to Questions 1 through 5

Question 1: Education, Work or Experience

As noted on my attached Resume, I obtained a BLA in Landscape Architecture from the University of Oregon in 1973 and have attended post-grad courses in urban planning at various universities. In addition to office level expertise in the field of Landscape Architecture, my university experience mirrored emerging environmental planning and legislative issues--later I became immersed into WA St. SEPA, Ca. St. CEQA and federal NEPA. As an example of technical environmental administration/legislation, I participated in Endangered Species listing administration at the local level involving Big Horn Sheep (CA) and Desert Tortoise & Fringed-toed Lizard (CA desert) during the 80's/90's (Conservation Plans, Multiple Species Habitat Plan). In addition, my local governmental planning experience within the Coachella Valley (Palm Springs area) included developing compliance legislation in response to mandates from EPA/SCAQMD concerning PM-10 (dust particulates).

Since my graduation from the U of O in 73 until 1992, I was a government planning bureaucrat at the city, county and semi-regional level (council of governments) in three states covering design review, urban form, comp plan/zoning/specific plan administration/legislation, CIP planning, transportation planning, neighborhood planning, housing need, airport planning, urban redevelopment, growth impact mitigation/funding techniques, environmental review, annexation. Upon returning to Beaverton in 1992 I have participated in advocacy causes including MAX planning, sensible transportation options, preservation of forest and water resources, protection of wetlands and riparian habitats, aesthetic urban infill, efficient transportation systems, state legislative activities affecting land use--perhaps utopian hopes and interests in making Oregon a more livable and (excuse me) sustainable environment.

At the same time I started a new family and have become Mr. Mom -- shifting my full time employment in the landscape industry to part time. I have taken the available time to become more involved at the local level (participating in my Neighborhood Association and city and county CCI) and focusing toward local environmental and pressing growth issues (Tualatin River Watershed Council, Wa. Co. USA policies, transportation and storm drainage CIP and regulation and city of Beaverton planning legislation). My urge is to facilitate the

-2-

MCCI Application
Pat Russell

informing of concerned residents about the issues and possible alternative solutions (citizen awareness). I believe that with my governmental planning experience I can understand the needs/concerns of local politicians and administrators, the planning/implementation process and effective citizen involvement (asking the right questions). I believe that the more one becomes involved in planning, the more one appreciates the diversity of opinions in the region, the need for consensus on important issues and the yearning for honest leadership.

Question 2: Involvement with groups, boards, organizations

Based upon my professional planning experience I have served as a staff liaison for Design Review Boards, Planning Commissions, City Councils, Board of County Commissioners, Annexation Boards, COGs, including being a chair of a TAC of a COG among my peers. I have represented my jurisdiction's views and recommendations before county, regional and state agencies. I have always advocated neighborhood involvement in the decision-making process. I have been Club Treasurer for my daughter's local swim club. I have also advanced my personal causes by participating in various environmental/planning non-profit groups when time allowed, as noted in my resume. Since 1973, I have enjoyed being a citizen and participating in focused legislation sponsored by such groups as Metro, city of Beaverton, Wa. Co. USA, Tri-Met (MAX planning), ODOT (Westside Freeway and Sunrise Corridor); generally I have been on the "outside" looking "in", wherein I used to be on the "inside" and party to the "game plan." I currently enjoy the autonomy of pursuing my values, without reprimand, raising political and planning issues and participating in select solutions/activities. I believe neighborhoods and citizens are generally at a disadvantage in the political process. Too often decisions have been made before patronizing citizen involvement (beyond the trial balloon stage).

Question 3: Interest in Metro committees

Right now, I have expressed an interest in citizen involvement, because such involvement is broad based and allows me to evaluate the political environment before expending energy in my favorite areas-- such as urban design (ie quality infill), infrastructure planning, transportation, housing, open space and environmental protection (including habitat rehabilitation). I also feel that my city and we as a region have not adequately tapped recycling opportunities. I do enjoy detailed planning afforded at the local level (neighborhood, city).

Question 4: Relevant experience, skills, or interest that prepares me for MCCI

As noted above, I have participated as an active listener in various capacities surrounding an issue. I have also acted to achieve goals of various groups where I support common views. I understand the difference in pursuing my own agenda vs. pursuing an agenda representing the interests of my community (ie what's good for Beaverton, as well as the region). I believe that MCCI serves as an information/partial advocacy forum. The group's most important charge is to pursue practical ways to communicate with the citizens and voters of the region on the issues so that they are informed and they are allowed to make good decisions in how they interact within the environment. Hopefully they are the right decisions... the leap of faith. With a reasonably healthy local economy, now is the time to plan ahead and build our savings for the future. We need to begin to repair the environmental damage caused by our past and present generations.

-3-

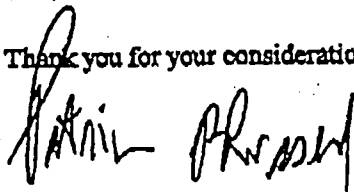
MCCI Application
Pat Russell

Question 5: References

JoAnn Eden, Chairman of the Five-Oaks/Triple Creek NAC (NW Beaverton area), city of Beaverton
(503) 645-8725

Bob Tenner, Chair Beaverton CCI
(503) 646-5866

Thank you for your consideration,



Pat Russell

Enclosed: Resume

Professional Qualifications
Mr. Pat Russell
 16308 SW Estuary Dr., #208
 Beaverton, OR 97006
 (503) 533-8887

Committed To:

Landscape Architecture
 Conceptual Planning / Site Planning
 Environmental / Resource Planning
 Urban Infill, Neotraditionalism, Transit Facilities
 Mixed Use Urban Projects / Downtowns
 Pedestrian-friendly Streets / Neighborhoods

1998 to present - Rambling Rose Landscaping (self-employed)

Commercial, residential landscape maintenance services in Portland Metro area

1996 to 1998 - David Christian Landscaping

Assisting in residential and commercial landscape maintenance in Oregon's North Coast area

1993 to 1996- ERNST Home Centers

15550 SE McLoughlin, Milwaukie, OR 97267

Sales Manager in Nursery/Lawn and Garden Dept. (Power Equip. and Hardgoods)

(20 years public planning; 12 in southern California, 8 in Portland area)

1986 to 1992 - City of Cathedral City (Palm Springs area)

Senior Planner: Planning Division Manager overseeing current and advanced planning within Department of Community Development (Engineering, Public Works, Building, Code Enforcement, and redevelopment functions) of a rapid-growth community of 35,000.

1981 to 1986 - City of Norco (Riverside, Ca., I-15 corridor)

Associate Planner: Middle management duties, including full range of long and short term planning serving the Director of Community Development, assisting Code Enforcement, Engineering, and the Building Division; Redevelopment programs and Contract administration within growth-impacted suburban/agricultural community of 33,000.

1976 to 1981 - Regional Planning Council of Clark County (WA)

Senior Planner: Assisted the Assistant Planning Director in overseeing the current planning programs provided to member agencies (Clark County and City of Vancouver). Handled historically heavy work loads to accommodate subdivision activity in Clark County. Served respective Planning Commissions, City Councils, and the Board of Commissioners. Administered all annexations in the county as Chief Clerk of the Boundary Review Board.

1973 to 1976 - City of Beaverton (Portland area)

Assistant Planner: Administered the Design Review Board program, completed research, wrote staff reports, and presented staff recommendations before the Board, the Planning Commission, and City Council. Street tree planting programs, Bikeway, downtown, and neighborhood planning assignments. Assisted in drafting sign, subdivision, zoning, and tree preservation ordinances. Assisted in General Plan amendments.

-2-

Professional Resume
Pat Russell

Summer Internships

1972 - Wolf Creek Garden Center, Dayton Ohio area. Assisted in installation of golf course, industrial, and residential irrigation systems.
1968, 69, 70, 71 - Nevada State Highway Department (Carson City). Landscape Design Section, Soil and Aggregate Testing Labs.

Education and Affiliations

1964 to 1968: Graduated from Carson City High School, Carson City, Nevada
Nevada Boys State 1967
1968 to 1970: University of Loyola at Los Angeles, CA, majoring in Pre-dental and Biology; completed two years college credit.
1970 to 1973: University of Oregon at Eugene, OR, majoring in a 5-year professional Landscape Architecture program. Graduated with a BLA.
Emphasis in design, office operations, horticulture, natural resources analysis, urban design, environmental planning, and computer application.
1973 to Post graduate studies at Portland State University and University of California at Irvine and Riverside in urban planning, zoning, subdivision, and environmental law, design review, neotraditional/transit-oriented development.

Current Community Involvement Activities:

- member City of Beaverton, 5 Oaks, Triple Creek NAC
- active monitoring of local land use/environmental issues--such as attending meetings of Tualatin River Watershed Council, Wa. Co. Unified Sewerage Agency (USA), city of Beaverton
- Salmon Habitat, Urban Stream corridors
- Urban Physical Design and Infill
- Tree Preservation
- Transportation options (TODs, arterial corridor mixed use infill, signal synchronization, citizen awareness, use efficiency, pedestrian ambience)

Past Memberships:

- American Planning Association (APA)
- Sierra Club
- 1000 Friends of Oregon
- Sensible Transportation Options for People (STOP)
- The Wetlands Conservancy (Tualatin, OR)
- Tualatin Hills Swim Club (US Swimming)
- Tualatin Hills Water Polo Club (USWP)
- Program Coordinator for APA Cahuilla District of Inland Empire Section of California Chapter (Palm Springs area) 1991, 1992
- Chair, Technical Planning Subcommittee, Cathedral City Liason, Coachella Valley Assoc. of Governments (Palm Springs area), 1991--\$400 million Transportation Plan
- Treasurer, Palm Springs Piranhas Swim Club (US Swimming)

Application for Citizen Involvement

Name DARREN C. PENNINGTON Council district/County DIST 3 / WASHINGTON CO.
 Address 10365 SW DAY RD, STEENWOOD State/ZIP OR 97140
 Phone: Home 570-9856 Work 215-5169 FAX 215-6863 e-mail DARREN.PENNINGTON@GTE.NET
 Occupation/place of employment RESEARCH ANALYST PROVIDENCE PORTLAND MEDICAL CENTER

Education, work or volunteer experience

EDUCATION - AA, BS, MS, Ph.D. - MOSTLY SOCIAL SCIENCES
WORK - RESEARCH ANALYST FOR PROVIDENCE PORTLAND MEDICAL CENTER AND OREGON SENIOR AND DISABLED SERVICES DIVISION
INSTRUCTOR - OREGON STATE UNIVERSITY AND WESTERN OREGON STATE COLLEGE

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

PRISON ADVISORY COMMITTEE MEMBER WILSONVILLE WOMEN'S PRISON
CITIZENS FOR ACCOUNTABILITY IN PRISON SITING MEMBER
PROVIDENCE ACCESS USER GROUP - FOUNDER

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

COMMITTEE FOR CITIZEN INVOLVEMENT
WITHOUT STRONG CITIZEN INVOLVEMENT METRO'S EFFECTIVENESS AS WELL AS FUTURE IS THREATENED.

any relevant experiences, skills or interests that have helped to prepare you for a position
this committee _____

TWO YEAR PRISON FIGHT INCLUDING PUBLIC MEETINGS, HEARINGS, TESTIMONY
BEFORE WASHINGTON COUNTY BOARD, METRO COUNCIL, STATE LEGISLATURE, ETC.

INCREASING INTEREST IN URBAN PLANNING AND GROWTH MANAGEMENT.
INCLUDES SELF STUDY AS WELL AS PARTICIPATION IN LOCAL GOVERNMENT
I.E. WILSONVILLE & TUALATIN

FAMILY HISTORY IN LOCAL GOVERNMENT (FATHER WORKED AT VARIOUS LEVELS
DURING ENTIRE CAREER)

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

LOU OGDEN, MAYOR OF TUALATIN
STEPHAN LASHBROOK, CITY PLANNER, WILSONVILLE

Additional: Attach resume

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

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

Signature



Date 2-13-2000

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

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

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

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

Application for Citizen Involvement

Name Judith Anderson Council district/County District 3 / Washington
Address 16640 SW Jordan Way State/ZIP King City OR 97224
Phone: Home (503) 624-0134 Work FAX e-mail vider@teleport.com
Occupation/place of employment Retired - Currently temporary employment with Census Bureau

Education, work or volunteer experience Education - two MS degrees from the University of Oregon, Public Administration the second in Industrial Relations.
Work - Federal employee for 11 years with the Office of Personnel Management in Washington DC. Work responsibilities as a Senior Analyst included technical interpretation of federal laws, ensuring compliance for fiscal and reporting requirements.
Volunteer - 20 year experience as a civic activist. Most recently the founder of Citizens for Sensible Development in the King City area. Chief of Staff, Chair of the Oregon House Revenue Committee, 1986-88. Founder and Vice President of CPO 4K.

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

Currently, Vice President of the Citizen Participation Organization CPO 4-K in Washington County Representative to the Washington County Committee for Citizen Involvement.
Member of the King City Social Services Committee.
Prior to moving to Oregon in July 1998 - founded the Wheaton Citizens Coalition - A umbrella citizen group in Wheaton Maryland that promoted the neighborhood improvement in an aging middle class community. Worked on securing grants for development of an affordable community restoration in Wheaton Maryland.

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

Metro Committee for Citizen Involvement - The mission of MCCI is to analyze the process - through or by which citizen involvement occurs - members offer guidance and suggestion for improving or increasing citizen involvement.
Citizen involvement is central to the democratic process. It is the very underpinning of our governmental system in the U.S. I believe strongly in our system of government. I believe that the involvement of citizens brings about a better set of decisions and actions. I also believe that communities become better places to live and work. It is through citizen participation in local and regional government that people get a sense of belonging a sense of community. When citizens are involved public leaders can do better job - since they will know what citizens want and care about for their communities.
In King City, we do not have a citizen involvement program. The citizens are angry and confused. The CPO is working to increase citizen participation and inform citizens of the many changes facing King City citizens. The City Council is beginning to agree and make Citizen Participation one of the City's goals for 2000.

any relevant experiences, skills or interests that have helped to prepare you for a position

this committee Strong committ commitment to community service. Solid
educational and employment history that prepares me for analyzing
problems and seeking alternatives/solutions.
Commitment to increasing affordable housing stock and some
experience with "Smart growth" in Maryland.
Understanding of how the bureaucratic process works and a knowledge
of how to play the games.
Awareness of the complexity of planning and social issues and
a commitment to balancing community and individual needs

two references who are familiar with your community and volunteer work

Bud Wilkensen, King City Council Member 503 598-3955
Terri Fusing Extension Agent CPO Coordinator Wash Co. 503 725-2117

Additional: Attach resume

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

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

Signature Judith Anderson Date 2/10/00

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

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

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

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

Application for Citizen Involvement

Name: Thomas R. Noste Council district/County District 4 - ~~Washington~~
 Address: 15445 NW Troon Dr. State/ZIP Portland, OR 97229
 Phone: Home (503) 439-9302 Work - FAX - e-mail bettonj@telepatt.com
 Occupation/place of employment Retired

Education, work or volunteer experience

Education - BS - US Naval Academy
MBA - Univ. of California - Berkeley

Work Experience -
30 years with Lockheed Aircraft Corp.
Worked in Weapon System
Program Management
SMART Volunteer - 1998

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

Vice President - Backcountry Horsemen -
Hamilton, Montana

Recorder - Clarendon Greens Finance Committee

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

Transportation Policy Alternatives Committee -
Providing adequate public transportation
will aid in solution to Urban Sprawl
Problem

Regional Parks & Greenspaces Advisory Committee -
Open space is an important part of
Urban Living. It must be maintained
and upgraded to match population
growth.

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

I have always been interested in the preservation and improvement of the environment. My education and work experience provide my preparation for a committee position.

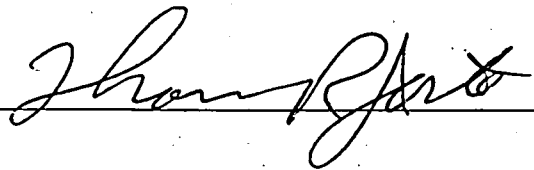
two references who are familiar with your community and volunteer work:

We recently moved to this region so I don't have any references

Additional: Attach resume

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

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

Signature: 

Date: 29 Dec 1999

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

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

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

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

From: Karen Withrow
To: "lou.ogden@juno.com"@MetCen.GWIA
Subject: Re:

Lou,

I have actually not received his application yet, but it sounds like I will and for that I am very grateful. I will keep your kind note in my file and put it with his application upon receipt.

Thank you again
Karen Withrow
Metro Executive Office
797-1539

>>> <lou.ogden@juno.com> 02/16 2:57 PM >>>
Karen,

I understand that Darren Pennington, of Wilsonville has applied for a seat on MCCI. I don't know who makes that selection but would you please pass on to the powers that be that I **STRONGLY** recommend Darren. He is thoughtful, insightful, provocative, and cooperative. He is very sincere and a very hard worker. If there is anyone I should contact regarding Darren's application, please let me know.

Lou Ogden
21040 SW 90th Ave.
Tualatin, OR 97062
503/692-0163 phone & fax
lou.ogden@juno.com

Agenda Item Number 10.3

**Resolution No. 00-2914, For the Purpose of Granting Time Extensions to the
Functional Plan Compliance Deadline for the City of Troutdale.**

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING TIME) RESOLUTION NO. 00-2914
EXTENSION TO THE FUNCTIONAL PLAN)
COMPLIANCE DEADLINE FOR THE CITY OF) Introduced by Executive Officer Mike Burton
TROUTDALE)
)

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 Urban Growth Management Functional Plan requires that all jurisdictions in the region make plan and implementing ordinance changes needed to come into compliance with this functional plan by February 19, 1999; and

WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines under this 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 City of Troutdale has requested a time extension to complete compliance work based on evidence showing "substantial progress or proof of good cause" for failing to meet the February 19, 1999 compliance deadline and has submitted a detailed timeline showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That the City of Troutdale shall receive a Functional Plan compliance time extension as shown in Exhibit A.
2. That no further requests for time extensions be considered for Troutdale on Titles 1 and 6 requirements.

ADOPTED by the Metro Council this _____ day of _____ 2000.

David Bragdon, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

EXHIBIT A

Functional Plan Compliance Time Extension for the City of Troutdale

Metro Code numbers are used to cite Functional Plan requirements with the applicable Functional Plan title following in parentheses (). Resolution 00-2914 does not include time extension requests for compliance with the requirements of Title 3. The Table below identifies the Functional Plan titles for reference.

Functional Plan Titles

Title 1	<i>Requirements for housing and employment accommodation</i>
Title 2	<i>Regional parking policy</i>
Title 3	<i>Water quality, flood management conservation</i>
Title 4	<i>Retail in employment and industrial areas</i>
Title 5	<i>Requirements for rural reserves and green corridors</i>
Title 6	<i>Regional accessibility</i>
Title 7	<i>Affordable housing</i>
Title 8	<i>Compliance procedures</i>

Troutdale June 2000

- Adopt development code amendments to implement minimum density standard of 80% as required by Metro Code 3.07.120A (Title 1).
- Adopt development code amendments to allow accessory dwelling units as required by Metro Code 3.07.120.C (Title 1).
- Amend development code to comply with the street design requirements of Metro Code 3.07.620 (Title 6).
- Amend development code to comply with the street connectivity standards of Metro Code 3.07.630 (Title 6).

STAFF REPORT

**CONSIDERATION OF RESOLUTION NO. 00-2914 GRANTING
AN ADDITIONAL TIME EXTENSION TO THE FUNCTIONAL
PLAN COMPLIANCE DEADLINE FOR THE CITY OF
TROUTDALE**

Date: February 28, 2000

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

PROPOSED ACTION

Adoption of Resolution No. 00-2914 granting an additional time extension to meet the requirements of the Functional Plan for the City of Troutdale.

EXISTING LAW

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."

BACKGROUND AND ANALYSIS

The deadline for compliance with the requirements of the Functional Plan was February 19, 1999. Many jurisdictions required more time to make the necessary changes to their codes and plans to come into compliance. The City of Troutdale has requested additional time to implement a portion of the requirements of the Functional Plan. The letter requesting the time extension is attached to this report.

Metro Code numbers are used to cite Functional Plan requirements. The applicable Functional Plan title follows each citation in parentheses (). Resolution 00-2914 does not include time extension requests for compliance with the requirements of Title 3. The Title 3 time extension requests will be reported on separately. The Table below identifies the Functional Plan titles for reference.

Functional Plan Titles

- Title 1 *Requirements for housing and employment accommodation*
- Title 2 *Regional parking policy*
- Title 3 *Water quality, flood management conservation*
- Title 4 *Retail in employment and industrial areas*
- Title 5 *Requirements for rural reserves and green corridors*
- Title 6 *Regional accessibility*
- Title 7 *Affordable housing*
- Title 8 *Compliance procedures*

COMPLIANCE PROGRESS

Troutdale

Although the City of Troutdale has requested additional time to complete Functional Plan compliance, it has made significant progress towards meeting the Functional Plan goals. Troutdale has completed its capacity analysis and adopted parking standards and prohibitions to large-scale retail uses in Industrial and Employment Areas. The City has 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).

Troutdale has prepared the amendments to the development code to meet the outstanding requirements of Titles 1 and 6. The additional time is requested to include more public participation in the adoption process. Previously Metro Council had granted the City a time extension to May 1999 to adopt minimum densities required under Title 1 and to December 1999 to adopt street design and connectivity standards required under Title 6. Troutdale had not requested a time extension for accessory dwelling units. Troutdale intends to complete the remaining work needed for Titles 1 and 6 as follows:

June 2000

- Adopt development code amendments to implement minimum density standard of 80% as required by Metro Code 3.07.120A (Title 1).
- Adopt development code amendments to allow accessory dwelling units as required by Metro Code 3.07.120.C (Title 1).
- Amend development code to comply with the street design requirements of Metro Code 3.07.620 (Title 6).
- Amend development code to comply with the street connectivity standards of Metro Code 3.07.630 (Title 6).

Staff recommends that no additional time extensions be considered beyond the June 2000 extension for adoption of minimum densities, accessory dwelling units, street design standards and street connectivity standards.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

The Functional Plan time extension request for the City of Troutdale is recommended for approval. No additional time extensions will be considered for Troutdale on Titles 1 and 6 requirements.

\\alex\work\gm\community_development\projects\COMPLIANCE\ExtensionRequests\2000extensions.staff report.Troutdale.doc

CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"



Mayor

Paul Thalhofer

City Council

Pat Smith
David Ripma
Bruce Thompson
Jim Kight
Paul Rabe
Doug Daoust

December 7, 1999

Mr. Mike Burton
Metro Executive Officer
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mr. Burton:

The City of Troutdale would like to request a further extension to our previously approved May 1999 extension to complete implementation of portions of Metro's Urban Growth Management Functional Plan. An extension to June 2000 is needed to complete compliance work on the following Functional Plan provisions:

- Section 3.07.120A Minimum Density Standard
- Section 3.07.120C Accessory Dwelling Units
- Section 3.07.630 Design Standards for Street Connectivity

STATUS REPORT OF REMAINING COMPLIANCE ITEMS

Section 3.07.120A Minimum Density for New Residential Developments

Amendments to the Troutdale Development Code (TDC) to comply with this functional plan requirement have already been prepared. These amendments propose that all new residential development be built at 80% or more of the maximum number of dwelling units per net acre. The Troutdale Planning Commission conducted a public hearing on these proposed amendments in March 1999 and forwarded them onto the City Council for further public hearing and adoption. The City Council held public hearings on May 11 and May 25, 1999, but did not take action. They put the amendments on hold in order to gather more information about their meaning and impacts.

Although the minimum density amendments have been on hold since May, the Council has requested a work session early next year to further study the proposal. The Council would like a better understanding of how these amendments will affect future buildout if implemented. Since September, the Council has been focused on Title 3 related amendments. Now that the Title 3 amendments have been set aside pending Metro's completion of the Goal 5 resource work, the Council is prepared to turn its attention once again to study the minimum density issue.

Mr. Mike Burton
December 7, 1999
Page 2

Section 3.07.120C Accessory Dwelling Units (ADU)

The Troutdale City Council has already rejected proposed amendments to meet functional plan requirements concerning ADU. Amendments to the TDC to allow ADU within the town center area of Troutdale were rejected in early 1998, and it appeared that a functional plan exception would be needed. However, the Council has recently expressed a willingness to revisit this issue and would like to look at a new proposal for allowing ADU in the town center area. The Council has instructed the planning staff to draft amendments to the TDC to satisfy this functional plan provision. These amendments will likely be considered at the same time as minimum density amendments.

Section 3.07.630 Design Standards for Street Connectivity

TDC amendments to comply with street connectivity design standards from the functional plan were presented to the City Council in May of this year. Like minimum density amendments, the Planning Commission held a public hearing in March 1999 and forwarded them onto the City Council for public hearing and adoption. The Council held public hearings on May 11 and May 25, 1999, but did not adopt the amendments. Action was delayed on the entire package of amendments in order to gather more information on the meaning and impact of minimum density standards.

Title 3 Water Quality and Flood Management

The City of Troutdale would like to request an extension to December 2000 to complete compliance work on Title 3 related amendments to the TDC. The extension is requested so that the results of Metro's Goal 5 resource work can be incorporated into the proposed TDC amendments.

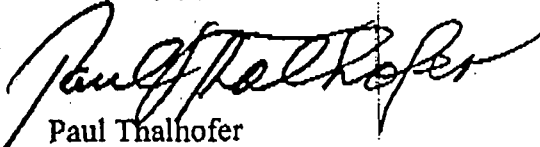
Title 3 amendments have been drafted and were reviewed by the Troutdale Planning Commission during a public hearing in September 1999. Although these amendments have been forwarded to the City Council for adoption, the Council believes it would be prudent to postpone action until the outcome of the Goal 5 work is known. It is anticipated that setback standards from protected water features will be increased as a result of Goal 5 resource protection standards. The City of Troutdale would prefer to conduct adoption hearings on riparian corridor standards one time, rather than have to consider revisions in the near future after Goal 5 work is completed. For this reason, the City would like six months following the Metro Council's adoption of the Goal 5 requirements in order to complete implementation. It is our understanding that the Metro Council expects to adopt Goal 5 requirements in May or June 2000.

Mr. Mike Burton
December 7, 1999
Page 3

The City of Troutdale has made substantial progress toward completing the four functional plan compliance tasks discussed above. We believe that the extensions we seek will afford us the time needed to successfully meet the remaining requirements of the Metro plan. A work plan for completing compliance work for the four tasks discussed above is attached.

For further information or clarification on this extension request, please contact me or Rich Faith of the City's Community Development Department at 665-5175.


Sincerely yours,



Paul Thalhofer
Mayor

PT/rc
Attachments

**City of Troutdale
Urban Growth Management Functional Plan Compliance
Work Plan**

Compliance Task	Dec-1999	Jan-2000	Feb/Mar 2000	Apr-2000	May-2000	Jun-2000	Jul/Aug 2000	Sep-2000	Oct-2000	Nov/Dec 2000
Minimum Density Standards Accessory Dwelling Units Street Connectivity	Submit extension request to Metro and receive response.	Staff analysis of previous proposed TDC amendments and revisions as needed.	City Council work session. Revise draft amendments. Follow-up work session as needed.	Planning Commission public hearing.	City Council first public hearing.	Adoption of TDC amendments.				
Title 3	Monitor Metro's Goal 5 Process (ongoing) 					Metro Council adoption of Goal 5 standards.	Incorporate Goal 5 standards into existing draft amendments.	Public open houses.	Planning Commission public hearing.	City Council public hearing and adoption.

CITY OF T. DALE CD DEPT FAX: 503-667-0524 DEC 8 '99 9:32 P. 03/03

Agenda Item Number 10.4

Resolution No. 00-2915, For the Purpose of Granting a Time Extension to the City of Troutdale for Compliance with Title 3 of the Urban Growth Management Functional Plan.

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A TIME) RESOLUTION NO. 00-2915
EXTENSION TO THE CITY OF TROUTDALE)
FOR COMPLIANCE WITH TITLE 3 OF THE) Introduced by Executive Officer Mike Burton
URBAN GROWTH 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 Nos. 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 City of Troutdale has requested a time extension to complete Title 3 compliance work based on evidence showing "substantial progress or proof of good cause" for failing to meet the January 27, 2000 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 City of Troutdale receive a time extension for compliance with Title 3 of the Functional Plan as shown in Exhibit A.

2. That no further requests for time extensions will be considered for Troutdale on the water quality protection and floodplain management requirements of Title 3.

ADOPTED by the Metro Council this _____ day of _____ 2000.

David Bragdon, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

EXHIBIT A

Title 3 Functional Plan time extension for the City of Troutdale

Troutdale

May 2000

The City has drafted the necessary Comprehensive Plan and Zoning Code amendments to implement the requirements of Title 3. Troutdale was in final hearings when the process was halted to allow more time for public involvement. Originally, it was anticipated that the City could, with the delay for further public involvement, adopt the requirements by February 2000. The City sent a letter requesting a time extension to December so that it could tie the water quality and floodplain management work with the fish and wildlife habitat work. The fish and wildlife habitat requirements, while scheduled to be adopted by Metro Council by June 2000, are not in place at this time. Staff anticipates that local jurisdictions will need more than 6 months to come into compliance with these requirements.

When originally adopting Title 3 in November 1996, Metro Council decided to move ahead with water quality protection and floodplain management as an early measure, with protection for fish and wildlife habitat to follow. As the City's water quality and floodplain management amendments are ready for adoption, there should be no further delay in implementing this action. In a letter dated January 20, 2000, the Executive Officer informed the Mayor of Troutdale that he would recommend an extension to March 2000. The City has not yet undertaken the additional public involvement. As a two-month timeframe was seen to be sufficient, it is recommended that Troutdale be granted an extension to May 2000 to adopt the water quality protection and floodplain management requirements of Title 3 and that no additional time extensions be considered.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2915 GRANTING TIME EXTENSION FOR THE CITY OF TROUTDALE FOR COMPLIANCE WITH THE WATER QUALITY PROTECTION AND FLOODPLAIN MANAGEMENT REQUIREMENTS OF TITLE 3 OF THE URBAN GROWTH MANANAGEMENT FUNCTIONAL PLAN

Date: March 3, 2000

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

PROPOSED ACTION

Adoption of Resolution No. 00-2915 granting a timeline extension to the Functional Plan compliance deadline for the Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation to the City of Troutdale.

Legal Basis

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."

BACKGROUND AND ANALYSIS

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. Troutdale has elements of the requirements in place and is working towards amending current standards to be consistent with water quality protection and flood plain management requirements of Title 3. The letter requesting the time extension is attached to this report.

Compliance Progress

On December 7, 1999 Troutdale requested a time extension to tie its water quality protection and flood plain management efforts with fish and wildlife habitat protection efforts. When adopting Title 3 in November 1996, Metro Council decided to move ahead with water quality protection and floodplain management as an early measure, with protection for fish and wildlife habitat to follow. While Metro recognizes that there are difficulties with changing the width of the regulated area for Goal 5, the choice was made to move ahead with these protections because it was believed that it was important to address water quality issues as soon as possible.

Troutdale has erosion and sediment controls in place and some protections in place for a number of the water features within the City. According to City staff, approximately 800 acres are potentially affected by the City's proposed Title 3 changes. The additional protections would include areas along Beaver Creek, Arata Creek, Salmon Creek and the Sandy River. Setbacks from wetlands would be increased from the current 25 feet to 50 feet. The City is proposing minimum setbacks of 75 feet from the Sandy River.

The City has drafted the necessary Comprehensive Plan and Zoning Code amendments to implement the requirements of Title 3. Troutdale was in final hearings when the process was halted to allow more time for public involvement. Originally, Troutdale staff indicated that the City could, with the delay for further public involvement, adopt the requirements by February 2000. The City sent a letter requesting a time extension to December 2000 so that it could tie the water quality protection and floodplain management work with the fish and wildlife habitat work. The fish and wildlife habitat requirements, while scheduled to be adopted by Metro Council by June 2000, are not in place at this time. At the February 22, 2000 meeting of the Troutdale City Council, Metro staff presented the proposed regional fish and wildlife habitat protection program (Goal 5). At that time, the Mayor expressed concern about the City's ability to complete Metro's Goal 5 requirements quickly because of its complexity. Metro staff indicated that local jurisdictions will likely have a year to eighteen months to come into compliance with the Goal 5 requirements.

As noted above, when adopting Title 3, a conscious decision was made to move ahead with water quality protection and floodplain management, with protection for fish and wildlife habitat to follow. As the City's water quality and floodplain management amendments are ready for adoption, there should be no further delay in implementing this action. By adopting the protections as soon as possible, they will be in place for much of this year's building season.

In a letter dated January 20, 2000 (attached), the Executive Officer informed the Mayor of Troutdale that he would recommend an extension to March 2000. The City has not yet undertaken the additional public involvement. As a two-month timeframe was seen to be sufficient, it is recommended that Troutdale be granted an extension to May 2000 to adopt the water quality protection and floodplain management requirements of Title 3 and that no additional time extensions be considered.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

It is recommended that the City of Troutdale be granted a time extension to May 2000 to meet the requirements of Title 3. No additional time extensions will be considered for Troutdale on Titles 3 requirements.

CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

December 7, 1999



Mayor

Paul Thalhofer

City Council

Pat Smith
David Ripma
Bruce Thompson
Jim Kight
Paul Rabe
Doug Daoust

Mr. Mike Burton
Metro Executive Officer
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mr. Burton:

The City of Troutdale would like to request a further extension to our previously approved May 1999 extension to complete implementation of portions of Metro's Urban Growth Management Functional Plan. An extension to June 2000 is needed to complete compliance work on the following Functional Plan provisions:

- Section 3.07.120A Minimum Density Standard
- Section 3.07.120C Accessory Dwelling Units
- Section 3.07.630 Design Standards for Street Connectivity

STATUS REPORT OF REMAINING COMPLIANCE ITEMS

Section 3.07.120A Minimum Density for New Residential Developments

Amendments to the Troutdale Development Code (TDC) to comply with this functional plan requirement have already been prepared. These amendments propose that all new residential development be built at 80% or more of the maximum number of dwelling units per net acre. The Troutdale Planning Commission conducted a public hearing on these proposed amendments in March 1999 and forwarded them onto the City Council for further public hearing and adoption. The City Council held public hearings on May 11 and May 25, 1999, but did not take action. They put the amendments on hold in order to gather more information about their meaning and impacts.

Although the minimum density amendments have been on hold since May, the Council has requested a work session early next year to further study the proposal. The Council would like a better understanding of how these amendments will affect future buildout if implemented. Since September, the Council has been focused on Title 3 related amendments. Now that the Title 3 amendments have been set aside pending Metro's completion of the Goal 5 resource work, the Council is prepared to turn its attention once again to study the minimum density issue.

Mr. Mike Burton
December 7, 1999
Page 2

Section 3.07.120C Accessory Dwelling Units (ADU)

The Troutdale City Council has already rejected proposed amendments to meet functional plan requirements concerning ADU. Amendments to the TDC to allow ADU within the town center area of Troutdale were rejected in early 1998, and it appeared that a functional plan exception would be needed. However, the Council has recently expressed a willingness to revisit this issue and would like to look at a new proposal for allowing ADU in the town center area. The Council has instructed the planning staff to draft amendments to the TDC to satisfy this functional plan provision. These amendments will likely be considered at the same time as minimum density amendments.

Section 3.07.630 Design Standards for Street Connectivity

TDC amendments to comply with street connectivity design standards from the functional plan were presented to the City Council in May of this year. Like minimum density amendments, the Planning Commission held a public hearing in March 1999 and forwarded them onto the City Council for public hearing and adoption. The Council held public hearings on May 11 and May 25, 1999, but did not adopt the amendments. Action was delayed on the entire package of amendments in order to gather more information on the meaning and impact of minimum density standards.

Title 3 Water Quality and Flood Management

The City of Troutdale would like to request an extension to December 2000 to complete compliance work on Title 3 related amendments to the TDC. The extension is requested so that the results of Metro's Goal 5 resource work can be incorporated into the proposed TDC amendments.

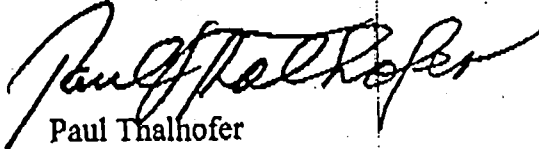
Title 3 amendments have been drafted and were reviewed by the Troutdale Planning Commission during a public hearing in September 1999. Although these amendments have been forwarded to the City Council for adoption, the Council believes it would be prudent to postpone action until the outcome of the Goal 5 work is known. It is anticipated that setback standards from protected water features will be increased as a result of Goal 5 resource protection standards. The City of Troutdale would prefer to conduct adoption hearings on riparian corridor standards one time, rather than have to consider revisions in the near future after Goal 5 work is completed. For this reason, the City would like six months following the Metro Council's adoption of the Goal 5 requirements in order to complete implementation. It is our understanding that the Metro Council expects to adopt Goal 5 requirements in May or June 2000.

Mr. Mike Burton
December 7, 1999
Page 3

The City of Troutdale has made substantial progress toward completing the four functional plan compliance tasks discussed above. We believe that the extensions we seek will afford us the time needed to successfully meet the remaining requirements of the Metro plan. A work plan for completing compliance work for the four tasks discussed above is attached.

For further information or clarification on this extension request, please contact me or Rich Faith of the City's Community Development Department at 665-5175.

Sincerely yours,



Paul Thalhofer
Mayor

PT/rc
Attachments

City of Troutdale Urban Growth Management Functional Plan Compliance Work Plan

Compliance Task	Dec-1999	Jan-2000	Feb/Mar 2000	Apr-2000	May-2000	Jun-2000	Jul/Aug 2000	Sep-2000	Oct-2000	Nov/Dec 2000		
Minimum Density Standards	Submit extension request to Metro and receive response.	Staff analysis of previous proposed TDC amendments and revisions as needed.	City Council work session. Revise draft amendments. Follow-up work session as needed.	Planning Commission public hearing.	City Council first public hearing.	Adoption of TDC amendments.						
Accessory Dwelling Units												
Street Connectivity												
Title 3	Monitor Metro's Goal 5 Process (ongoing)	—————→				Metro Council adoption of Goal 5 standards.	Incorporate Goal 5 standards into existing draft amendments.	Public open houses.	Planning Commission public hearing.	City Council public hearing and adoption.		

Mary



METRO

January 20, 2000

The Honorable Paul Thalhfer
Mayor, City of Troutdale
104 SE Kibling Avenue
Troutdale, OR 97060-2099

Re: Extension requests - Titles 1, 3 and 6

Dear Mayor Thalhfer:

Paul

I have received your requests for additional time extensions to complete Titles 1, 3, and 6 of the Urban Growth Functional Plan.

I cannot recommend an extension of Troutdale's Title 3 deadline to December 2000. The Metro Council, acting on the advice of the Metropolitan Policy Advisory Committee (MPAC), considered and explicitly rejected the option of delaying Title 3 to coincide with Goal 5. The Council concluded that floodplain and water quality protections needed to be implemented as soon as possible. I agree.

is this so?

I understand that Troutdale's Title 3 amendments have been drafted, reviewed by the planning commission and forwarded to the City Council for adoption. I am prepared to recommend an extension until March 2000.

Your requests for extensions regarding Titles 1 and 6 are still under review by Metro staff. I will update you as soon as I have more information.

Please call me if you have questions.

Sincerely,

Mike Burton

Mike Burton
Metro Executive Officer

c: Hon. Rod Park, Metro Councilor
Elaine Wilkerson, Growth Management Director ✓

Agenda Item Number 10.5

Resolution No. 00-2919, For the Purpose of Approving New Citizen Members to TPAC and the Transportation Demand Management (TDM) Subcommittee of TPAC, in Accordance with Resolution No. 92-1610.

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2919 FOR THE PURPOSE OF APPROVING NEW CITIZEN MEMBERS TO TPAC AND THE TRANSPORTATION DEMAND MANAGEMENT (TDM) SUBCOMMITTEE OF TPAC, IN ACCORDANCE WITH RESOLUTION 92-1610.

March 9, 2000

Presented by: Andrew Cotugno

BRIEF DESCRIPTION OF RESOLUTION

Resolution No. 00-2919 replaces one citizen member on the Transportation Policy Alternatives Committee (TPAC) and three citizen members on the Transportation Demand Management (TDM) Subcommittee of TPAC to respond to citizen member vacancies on these committees.

The Council Transportation Committee reviewed the nominations at their March 21 meeting and recommends approval of new members to TPAC and the TDM Subcommittee of TPAC.

EXISTING LAW

In accordance with Resolution No. 92-1610, changes to the TPAC's TDM Subcommittee membership must be approved by resolution. New TPAC members must also be approved by resolution.

BACKGROUND

One current citizen member on TPAC has not been able to attend regular meetings. A new member has been nominated by the Nominations Committee, which consisted of Councilors Rod Monroe and Ed Washington, Transportation Director Andy Cotugno, Metro staff Bill Barber and Marilyn Matteson and Tri-Met staff person Tony Mendoza. In addition, three new citizen members were needed on the Transportation Demand Management (TDM) Subcommittee of TPAC. They were nominated at the same time by the Nominations Committee. A total of 10 applications were received for both committees, and six people were interviewed by the committee.

Members are nominated to fill two-year terms, as follows:

Nominated for one citizen position on TPAC:

Bill Maris, Multnomah County

Chief financial officer and treasurer of Market Transport, Ltd, a trucking company in North Portland. He is a member of the Columbia Corridor Association, serving on the Transportation Committee. Related experience includes serving on the I-5 Freight Leadership Group; the Transportation 2000 Forum; and the North Portland Neighborhoods Coalition.

Nominated for three citizen positions on the TDM Subcommittee of TPAC:

Linda Odekirk, Washington County

Transportation Specialist at Nike, Inc. in Beaverton, working on TDM commuting strategies with staff, and freight traffic flow issues. She is a founding member and current secretary/treasurer of the Westside Transportation Alliance and a member of the Association for Commuter Transportation.

Frank M. Orem, Clackamas County

Engineer in transportation systems management for ACEX Technologies, Inc. and Bonneville Power Administration systems analyst. He worked on Sierra Club transportation and land use issues in San Francisco and Portland. He also worked with groups to revise Alameda County transportation plans; and with Contra Costa County to initiate community discussion of transportation/land use strategies.

Richard L. Thompson, Multnomah County

Letter carrier for the U.S. Postal Service for 26 years and a business consultant. In his work, he volunteered as transportation coordinator for the University Station Post Office and promoted and developed an employee transportation plan, including a PassPort bus pass program. Other experience includes Benson High School Site Council, union shop steward and PTA activities.

BUDGET IMPACT

None

OUTSTANDING QUESTIONS

None

MM:ymb

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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING)
NEW CITIZEN MEMBERS TO TPAC)
AND THE TRANSPORTATION DEMAND)
MANAGEMENT (TDM))
SUBCOMMITTEE OF TPAC, IN)
ACCORDANCE WITH RESOLUTION 92-
1610.

RESOLUTION NO. 00-2919

Introduced by Councilor Rod Monroe,
Transportation Committee Chair

WHEREAS, the TPAC and Transportation Demand Management (TDM) Subcommittee are in need of new citizen members; and

WHEREAS, the Nominations Committee nominated and the Council Transportation Committee recommended citizens to serve;

BE IT RESOLVED,

That the Metro Council approve the following new citizen members to two-year terms on:

1. TPAC – Bill Maris, Multnomah County
2. TDM Subcommittee – Linda Odekirk, Washington County; Frank Orem, Clackamas County; and Richard Thompson, Multnomah County.

ADOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

MM:rmb

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Certified A True Copy of the Original Thereof
J. Williams
Clerk of the Council

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO. 92-1610
THE TPAC TRANSPORTATION DEMAND)
MANAGEMENT SUBCOMMITTEE) Introduced by
Councilor Jim Gardner

WHEREAS, The Joint Policy Advisory Committee on Transportation (JPACT) and the Transportation Policy Alternatives Committee (TPAC) will be addressing a number of Transportation Demand Management policy, program, and project activities over the coming years as a result of federal, state and local actions; and

WHEREAS, The TDM activities are 1) promoted through the Clean Air Act Amendments of 1990, the Intermodal Surface Transportation Efficiency Act of 1991, the State Transportation Rule 12, the draft Policy Element of the Oregon Transportation Plan, the adoption of the Regional Urban Growth Goals and Objectives (RUGGO) and the adopted Regional Transportation Plan (RTP); and 2) are being examined through the Governor's Task Force on Automobile Emissions in the Portland Area, the Region 2040 study and the 1992 update of the RTP; and

WHEREAS, The TDM activities require substantial background analysis, study and associated effort leading to regional coordination and consensus; and

WHEREAS, The associated work and effort are in addition to the current duties, responsibilities and activities of both JPACT and TPAC; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District adopts the following recommendations:

1. That a TPAC TDM Subcommittee be appointed by TPAC for the purpose of being responsible for the initial development, evaluation and recommendations related to the region's TDM planning, programming and implementation activities, in particular, to those federal, state and regional actions identified above in this resolution.

2. That the TPAC TDM Subcommittee would report to and develop recommendations for TPAC consideration. Where appropriate, recommendations will be forwarded to JPACT and the Metro Council for review and adoption.

3. That the TPAC TDM Subcommittee include representatives of Metro; ODOT; Tri-Met; Washington, Clackamas and Multnomah Counties; City of Portland; Oregon Department of Energy; DLCD; DEQ; one citizen member; one bicycle/pedestrian advocacy member; one representative from the other cities; one business representative; and a representative from the Clark County Strategic Planning Group.

4. That the TPAC TDM Subcommittee be chaired by Metro; that meetings be held monthly (unless otherwise noted); that Metro, through consultation with TPAC, JPACT and the subcommittee, be responsible for meeting agendas; and that Metro keep regular meeting reports.

5. That establishment of the TPAC TDM Subcommittee be effective immediately upon adoption of this resolution.

ADOPTED by the Council of the Metropolitan Service District
this 28th day of May, 1992.


Jim Gardner, Presiding Officer

92-1610.RES/5-5-92

Agenda Item Number 10.6

Resolution No. 00-2920, For the Purpose of Endorsing Voter Approval of Ballot Measure 82.

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING)
VOTER APPROVAL OF BALLOT)
MEASURE 82)

RESOLUTION NO. 00-2920
Introduced by Councilor Rod Monroe

WHEREAS, the 1999 Oregon Legislature passed, and the Governor signed, House Bill 2082 to increase the gas tax and vehicle registration fees and substitute the truck weight-mile tax with a diesel tax; and

WHEREAS, House Bill 2082 will be referred to the voters as Ballot Measure 82 at the May 16, 2000, Primary; and

WHEREAS, regional transportation improvements are an essential element of the Metro 2040 Growth Concept; and

WHEREAS, by Resolution No. 99-2878B, Metro adopted the Regional Transportation Plan; and

WHEREAS, funding for operation, maintenance and improvement of the Regional Transportation System is severely underfunded; and

WHEREAS, the Oregon Legislature last increased funding for transportation at the 1991 session; and

WHEREAS, the consequences of continued underfunding included further deterioration of state and local roads, increased congestion and gridlock; and

WHEREAS, Ballot Measure 82 includes a \$600 million Bond Program for improvements to the State Highway System, including \$190 million of improvements in the Metro region; and

WHEREAS, Metro's local partners will received \$29 million annually to address critical local transportation needs; and

WHEREAS, Ballot Measure 82 includes increased fees on autos and trucks, maintaining equitable cost-responsibility between heavy and light vehicles; now therefore

BE IT RESOLVED

That the Metro Council endorses voter approval of Ballot Measure 82.

ADOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to form:

Daniel B. Cooper, General Council

ACC:rmb
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Staff Report

IN CONSIDERATION OF RESOLUTION NO. 00-2920, FOR THE PURPOSE OF ENDORSING VOTER APPROVAL OF BALLOT MEASURE 82

March 1, 2000

Presented by: Councilor Monroe

Purpose

Adoption of Resolution No. 00-2920 would provide for Council endorsement of voter approval of Ballot Measure 82 on the May primary election ballot.

Background

The 1999 Oregon Legislative Assembly enacted House Bill 2082 for the purpose of increasing the state gas tax and vehicle registration fees and replacing the truck weight-mile tax with a diesel fuel tax. The legislation also would permit counties to establish a local vehicle registration fee, not to exceed \$10 annually. AAA of Oregon subsequently gathered a sufficient number of signatures to refer the measure to the May 16 primary election. The referred measure is designated as Ballot Measure 82.

The proposed measure would increase the state's per gallon gas tax by 5 cents, from 24 cents to 29 cents. This would be the first increase in the gas tax since 1993. The state vehicle registration fee would increase \$5 annually (\$40 for the two-year renewal period). These additional revenues would provide \$120 million annually for road maintenance and preservation and would fund a \$600 million bond measure for new highway projects. The state/local breakdown of the funds would be as follows:

- Three cents of the five-cent increase—Directly to local governments for road and bridge maintenance, preservation and modernization.
- One cent for state highway maintenance and preservation.
- One cent for the \$600 million bond measure.

Supporters of the measure calculate that the combined effect of the gas tax increase, state vehicle registration fee increase and a local option vehicle registration fee would be about \$45 annually, or \$3.75/month for the average motorist

Regional Impacts. The Portland metropolitan region faces an enormous deficit between its transportation system needs that have been defined in project lists adopted by JPACT and the Metro Council and projected available funds. Over the next 20 years, it is estimated that the total regional needs for the road system alone total \$3.5 billion, while projected revenues are estimated to be \$1 billion.

The passage of Measure 82 would provide significant new revenue to the region to meet these needs. For example, the proposed \$600 million bond measure would provide \$188 million for 16 new highway improvement projects in the Portland region. Some of these projects are designed to relieve congestion on major highways, such as I-5, the Sunset Highway and Highway 217. The more efficient movement of freight is addressed by projects along Columbia Boulevard and Killingsworth and connections to I-205 in Clackamas County. Other projects will

directly relate to the implementation of the 2040 Growth Concept, such as the modernization of Sandy and Barbur Boulevards using Metro's Main Street design guidelines.

In addition to the projects funded by the bond measure, the region's local governments also will receive an estimated \$29.4 million annually from the local allocation of additional gas tax revenues. These funds will assist these governments in meeting their ongoing road maintenance and preservation needs. The optional local vehicle registration fee also could assist in meeting these needs.

Outstanding Issues. The principal issue related to Ballot Measure 82 concerns the relative level of taxes to be paid by motor vehicles and trucks. AAA argues that the replacement of the weight-mile tax with a diesel tax represents a \$50 million shift of the overall tax burden from trucks to motorists. The organization recently released a study, which it claims supports this conclusion.

Supporters of the measure cite a study completed by the non-partisan Legislative Research Office that concluded that the effect on trucks and motorists would be revenue-neutral. Supporters also note that Measure 76, approved by the voters in November 1999, will insure that the tax system remains fair and that there will be no shift of cost responsibility from trucks to motorists. In addition, the effects of the proposed changes on cost-responsibility will be periodically reviewed and the truck diesel tax and registration fee increases will be automatically repealed in 2006 and the weight-mile tax reinstated unless a super-majority (60%) of both houses of the legislature votes to renew them.

Various anti-tax organizations also have indicated opposition to the measure. These groups have questioned the size of the tax increase and argued that better management of existing resources would provide adequate funding to meet the state's transportation needs. Supporters have countered this argument by noting that, while Oregon's gas tax is relatively high, the total of all transportation-related state taxes and fees are the lowest among the western states. Oregon's vehicle registration fee is among the lowest in the nation and the state has no sales or ad valorem taxes related to vehicle ownership.

Some environmental organizations have expressed that increased funding for the state's road system may contribute to increased sprawl. However, Metro is actively endeavoring to insure that this does not occur. For example, Metro has adopted the 2040 Growth Concept, and will adopt a new Regional Transportation Plan in July that will closely tie development of the transportation system to implementation of the 2040 Growth Concept. In addition, the allocation of MTIP flexible transportation funds is based, in part, on how the proposed projects support the 2040 Growth Concept.

Budget Impact

The passage of Ballot Measure 82 would supplement the resources available for the maintenance, preservation and modernization of the region's transportation system. The large volume of new projects could result in increased demand for Metro's transportation planning and local government technical assistance services.

Agenda Item Number 11.1

Resolution No. 00-2913, For the Purpose of Amending the Contract Between Metro and Ankrom Moisan Associated Architects (Contract No. 903749) for the Architectural Services Associated with the Great Northwest Project at the Oregon Zoo.

**Metro Council Meeting
Thursday, March 30, 2000
Metro Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AMENDING THE	)	RESOLUTION NO. 00-2913
CONTRACT BETWEEN METRO AND ANKROM)	
MOISAN ASSOCIATED ARCHITECTS	)	Introduced by Mike Burton
(CONTRACT NO. 903749) FOR ARCHITECTURAL	)	Executive Officer
SERVICES ASSOCIATED WITH THE GREAT)	
NORTHWEST PROJECT AT THE OREGON ZOO)	

WHEREAS, Ankrom Moisan Associated Architects heads the architectural team for the Oregon project called "The Great Northwest;" and

WHEREAS, In order to improve visitor circulation and maximize the zoo's limited square footage relocation of the train station is necessary. Moving the station to the area adjacent to the family farm site will not only improve circulation, it should increase train usage and allow future development of the site of the old zoo entrance. This amendment to the architectural services contract would allow the zoo up to an additional \$300,000 in architectural services to redesign the train route, including a new trestle and tunnel experience, geotechnical services, and surveying.

BE IT RESOLVED:

Amendment of contract with Ankrom Moisan Associated Architects (see Exhibit A, contract amendment, attached) to increase the architectural services contract by \$300,000 for using funds from the bond proceeds in the Zoo's Capital Fund.

ADOPTED by the Metro Contract Review board this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to form:

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2913 FOR THE PURPOSE OF AMENDING THE CONTRACT BETWEEN METRO AND ANKROM MOISAN ASSOCIATED ARCHITECTS (CONTRACT NO. 903749) FOR ARCHITECTURAL SERVICES ASSOCIATED WITH THE GREAT NORTHWEST PROJECT AT THE OREGON ZOO

Date: March 2000

Presented by: Kathy Kiaunis

FACTUAL BACKGROUND AND ANALYSIS

The architectural team for the Oregon project called "The Great Northwest" was established in June of 1994 through an extensive RFP process. Ankrom Moisan Associated Architects is the lead architect and responsible for the entry buildings and overall project coordination. The Portico Group is the exhibit designer and Mayer-Reed is the landscape architect for the project.

The Metro Council initially allocated \$280,000 for concept design. After voters approved the bond measure for the project in September 1996, council subsequently authorized \$3,982,684 for complete design through construction oversight for the project.

In October of 1997, council authorized additional services to be incorporated under the architectural contract, including soils engineer, hazardous material abatement, conditional use permit appeal, structural inspection and testing, telephone and data, and ADA consultant, adding \$230,000 to the contract amount.

Subsequent to the initial design, it became apparent that in order to improve visitor circulation and maximize the zoo's limited square footage, a relocation of the train station was necessary. Moving of the train station to the area adjacent to the site of the family farm will not only improve circulation, it should increase train usage, and allow for future development at the site of the old entrance. This amendment to the architectural services contract would allow the zoo to request up to an additional \$300,000 in architectural services to redesign the train route, including a new trestle and tunnel experience, geotechnical services, and surveying.

FISCAL IMPACT

This action would increase the architectural services contract by \$300,000 using funds from the bond proceeds in the Zoo's Capital fund.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 00-2913.

Councilor Park

Friendly Technical Amendment to Ordinance No. 00-849

Our legal counsel has found a small technical amendment:

The amendment is as follows:

Strike on Page 3, subsection c, 4th line following the word Official
“or to a political committee supporting the election of the Metro Elected
Official to a public office”

GROWTH MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. OO-2915, FOR THE PURPOSE OF GRANTING A TIME EXTENSION TO THE CITY OF TROUTDALE FOR COMPLIANCE WITH TITLE 3 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN.

Date: March 30, 2000

Presented by: Councilor Park

Committee Action: At its March 21, 2000 meeting, the Growth Management Committee voted 2-1 to recommend Council adoption of Resolution 00-2915. Voting in favor: Councilors Monroe and Park. Voting no: Councilor Washington.

Existing Law: Metro Code 3.07.820C (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."

Budget Impact: There is no budget impact associated with this resolution.

Committee Issues/Discussion: Mary Weber, Community Development manager, gave the staff presentation. The City of Troutdale made a request to Metro in December of 1999, for a Title 3 extension to December of 2000. Resolution 00-2915 grants an extension until May of 2000. The staff report states that the city has drafted the necessary comprehensive plan and zoning code amendments to implement the requirements of Title 3, and was in final hearings when the process was delayed to allow more time for public involvement.

Now, the city is indicating that in addition to more time for public involvement, it also wants the time to be able to complete a Goal 5 work program as well.

Chair Park opened a public hearing on this resolution, the Mayor of Troutdale and staff testified that they feel that they already (nearly) substantially comply with Title 3 requirements, for example with regard to erosion control and steep slope requirements. They then pointed out that they timed their extension request to December 2000 under the assumption that Metro's Goal 5 work, and functional plan requirements, were scheduled to be adopted in June of 2000, thus giving them six months to finish their work.

Councilor McLain pointed out that MPAC had discussed the issue of Title 3 and Goal 5 linkage, and indicated its desire to have these items go forward separately.

Furthermore, although Washington County has originally desired to link the two, ultimately they went ahead and completed their Title 3 work first. She also indicated that balanced cut-and-fill and 50-foot corridors, still not entirely resolved by Troutdale, were substantial issues, in her view, therefore Troutdale was not close to substantial compliance.

Councilor Park established that in instances where development would require a zoning or comprehensive plan change, Title 3 requirements would apply, even in the absence of Troutdale's adoption of Title 3 measures. He also responded to the Mayor's concerns about citizen's property rights, stating that if Troutdale believed that it was already largely complying with Title 3, then it should have already addressed property rights issues.

Committee members, and those sitting in on the meeting, expressed the desire to work with local jurisdictions as much as possible, but also indicated their wish to see this important work finished in a timely manner. Monroe and Park voted in favor of resolution 00-2915 and Councilor Washington voted no, not being comfortable that the committee was being responsive to Troutdale's concerns.