

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
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METRO

**PLEASE NOTE MEETING PLACE
CHANGE – East on Powell, Right on 80th,
Right on Rhine, Left on 79th, Left into
Parish parking lot (approx. 2 blocks)**

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: April 13, 2000
DAY: Thursday
TIME: 2:00 PM
PLACE: St. Anthony's Parish Hall, 3618 SE 79th, Portland

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. EXECUTIVE OFFICER COMMUNICATIONS
4. AUDITOR COMMUNICATIONS
5. PRESENTATION ON AFFORDABLE HOUSING Fr. Maslowsky
6. HTAC PRESENTATION Commissioner Linn
7. MPAC COMMUNICATIONS
8. CONSENT AGENDA
- 8.1 Consideration of Minutes for the April 6, 2000 Metro Council Regular Meeting.
9. ORDINANCES – FIRST READING
- 9.1 **Ordinance No. 00-854**, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting Cost of Living Adjustments and Health And Welfare increases, and Declaring an Emergency.
- 9.2 **Ordinance No. 00-855**, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting an authorized interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund, and Declaring an Emergency.

10. ORDINANCES – SECOND READING

10.1 **Ordinance No. 00-853**, For the Purpose of Amending the FY 1999-00 Budget to Increase the Full-Time Equivalentents 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. McLain

11. RESOLUTIONS

11.1 **Resolution No. 00-2922**, For the Purpose of Appointing Michael Carlson and Hilary Abraham to the Water Resources Policy Advisory Committee. McLain

11.2 **Resolution No. 00-2923**, For the Purpose of Issuing a Solid Waste Facility License to Tire Disposal and Recycling, Inc. Washington

11.3 **Resolution No. 00-2924**, For the Purpose of Replacing a Solid Waste Franchise Issued to Waste Recovery with a Solid Waste Facility License to be Issued to RB Recycling. Park

11.4 **Resolution No. 00-2933A**, For the Purpose of Authorizing An Amendment to the Intergovernmental Agreement with the City of Portland Regarding the Civic Stadium and the Portland Center for the Performing Arts. Washington

11.5 **Resolution No. 00-2934**, For the Purpose of Requesting Periodic Review of the Regional Urban Growth Boundary. Park

11.6 **Resolution No. 00-2935**, For the Purpose of Amending the Year 2000 Growth Management Committee Work Plan. Washington

12. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for April 13, 2000 Metro Council Meeting

	Sunday (4/16)	Monday (4/17)	Tuesday (4/18)	Wednesday (4/19)	Thursday (4/13)	Friday (4/14)	Saturday (4/15)
CHANNEL 11 (Community Access Network) (most of Portland area)		4:00 P.M.					
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)							
CHANNEL 30 (TVCA) (NE Washington Co. – people in Wash. Co. who get Portland TCI)							
CHANNEL 30 (CityNet 30) (most of City of Portland)	8:30 P.M.						
CHANNEL 30 (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)	8:00 A.M. (previous meeting)	9:00 A.M. (previous meeting)	10:00 A.M. (previous meeting)	2:00 P.M. (previous meeting)		8:00 P.M. (previous meeting)	12:00 P.M. (previous meeting)
CHANNEL 33 (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

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

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 April 6, 2000 Regular Metro Council Meeting minutes.

Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall

Agenda Item Number 9.1

Ordinance No. 00-854, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting Cost of Living Adjustments and Health and Welfare Increases, and Declaring an Emergency.

First Reading

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1999-00)	ORDINANCE NO. 00-854
BUDGET AND APPROPRIATIONS)	
SCHEDULE FOR THE PURPOSE OF)	
REFLECTING COST OF LIVING)	Introduced by Mike Burton,
ADJUSTMENTS AND HEALTH & WELFARE)	Executive Officer
INCREASES; AND DECLARING AN)	
EMERGENCY)	

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

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1999-00 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring funds from various contingencies to various personal services accounts to reflect the cost of living adjustments for Local 483 and AFSCME represented employees and health and welfare increases for all Metro employees.

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

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

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Building Management Fund							
Expenditures							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Program Director I	0.10	8,300	0.00	0	0.10	8,300
	Service Supervisor II	0.80	35,360	0.00	0	0.80	35,360
	Management Technician	0.55	21,342	0.00	534	0.55	21,876
5015	Reg Empl-Full Time-Non-Exempt						
	Building Service Worker	0.55	17,177	0.00	429	0.55	17,606
	Building Services Technician	0.55	22,134	0.00	554	0.55	22,688
	Security Officer I	1.00	23,300	0.00	583	1.00	23,883
	Security Officer II	1.00	23,306	0.00	582	1.00	23,888
5080	Overtime		3,906		98		4,004
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		59,795		3,266		63,061
Total Personal Services		4.55	\$214,620	0.00	\$6,046	4.55	\$220,666
Total Materials & Services			\$532,960		\$0		\$532,960
Total Capital Outlay			\$15,000		\$0		\$15,000
Total Interfund Transfers			\$1,689,020		\$0		\$1,689,020
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency						
	* Regional Center Operations		45,422		(6,046)		39,376
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Regional Center Debt Reserves		146,000		0		146,000
	* Depreciation Reserve		774,815		0		774,815
	* Parking Structure Debt Reserves		263,000		0		263,000
Total Contingency and Ending Balance			\$1,229,237		(\$6,046)		\$1,223,191
TOTAL REQUIREMENTS		4.55	\$3,680,837	0.00	\$0	4.55	\$3,680,837

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Council Office Total							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5000	Elected Official Salaries						
	Councilors	7.00	241,112		0	7.00	241,112
5010	Reg Employees-Full Time-Exempt						
	Council Chief of Staff	1.00	52,706		0	1.00	52,706
	Council Analyst	4.00	176,991		0	4.00	176,991
	Office Manager	1.00	51,216		0	1.00	51,216
	Senior Public Affairs Specialist	1.00	51,173		0	1.00	51,173
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Support Assistant C	1.00	31,633		0	1.00	31,633
	Council Assistant	5.00	147,154		0	5.00	147,154
	Public Information Assistant	1.00	26,549		0	1.00	26,549
	Senior Council Assistant	1.00	39,559		0	1.00	39,559
5025	Reg Empl-Part Time-Non-Exempt						
	Administrative Assistant	0.13	7,000		0	0.13	7,000
5080	Overtime	0.00	1,020		0	0.00	1,020
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits	0.00	291,558		12,636	0.00	304,194
Total Personal Services		22.13	\$1,117,671	0.00	\$12,636	22.13	\$1,130,307
Total Materials & Services			\$207,549		\$0		\$207,549
TOTAL REQUIREMENTS		22.13	\$1,325,220	0.00	\$12,636	22.13	\$1,337,856

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Office of the Executive Officer Total							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5000	Elected Official Salaries						
	Executive Officer	1.00	90,418		0	1.00	90,418
5010	Reg Employees-Full Time-Exempt						
	Chief Operations Officer	1.00	99,000		0	1.00	99,000
	Executive Analyst	3.00	162,620		0	3.00	162,620
	Executive Administrative Assistant	1.00	39,656		0	1.00	39,656
	Manager I	1.00	66,921		0	1.00	66,921
	Assistant Creative Services Specialist	1.00	45,554		1,139	1.00	46,693
	Associate Graphic Design Specialist	2.00	97,146		2,429	2.00	99,575
	Management Technician	1.00	33,339		833	1.00	34,172
	Senior Public Affairs Specialist	5.00	257,242		3,909	5.00	261,151
	Associate Public Affairs Specialist	1.00	50,711		1,268	1.00	51,979
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Support Assistant C	1.00	35,641		0	1.00	35,641
5030	Temporary Employees		5,000		0		5,000
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits		325,786		12,577		338,363
Total Personal Services		18.00	\$1,309,034	0.00	\$22,155	18.00	\$1,331,189
Total Materials & Services			\$226,165		\$0		\$226,165
TOTAL REQUIREMENTS		18.00	\$1,535,199	0.00	\$22,155	18.00	\$1,557,354

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenses							
<i>Interfund Transfers</i>							
<i>INTCHG</i>	<i>Internal Service Transfers</i>						
5800	Transfer for Indirect Costs						
	* to Building Management Fund		341,346		0		341,346
	* to Support Services Fund		638,214		0		638,214
	* to Risk Mgmt Fund-Liability		4,687		0		4,687
	* to Risk Mgmt Fund-Worker Comp		1,542		0		1,542
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to Planning Fund		4,034,854		0		4,034,854
	* to Support Services Fund		117,000		0		117,000
	* to Reg. Parks Fund (general allocation)		653,802		0		653,802
	* to Reg. Parks Fund (1% on SW revenues)		692,028		0		692,028
	* to Reg. Parks Fund (landbanking)		224,965		0		224,965
	* to Reg. Parks Fund (earned on facilities)		155,534		0		155,534
Total Interfund Transfers			\$6,863,972		\$0		\$6,863,972
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General Contingency		195,406		(34,791)		160,615
Total Contingency and Ending Balance			\$195,406		(\$34,791)		\$160,615
TOTAL REQUIREMENTS		40.13	\$10,094,797	0.00	\$0	40.13	\$10,094,797

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Open Spaces Fund							
Total Open Spaces Fund							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	0.25	24,306	0	0	0.25	24,306
	Manager I	1.00	72,283	0	0	1.00	72,283
	Manager II	1.00	79,680	0	0	1.00	79,680
	Program Analyst III	0.50	29,728	0	0	0.50	29,728
	Legal Counsel I	1.00	58,561	0	0	1.00	58,561
	Legal Counsel II	0.75	48,017	0	0	0.75	48,017
	Associate Management Analyst	0.25	11,720		293	0.25	12,013
	Associate Public Affairs Specialist	1.00	49,612		1,240	1.00	50,852
	Associate Regional Planner	1.00	49,612		1,240	1.00	50,852
	Paralegal	2.00	94,464		0	2.00	94,464
	Real Estate Negotiator	4.00	213,862		5,347	4.00	219,209
	Senior Regional Planner	2.25	123,798		3,095	2.25	126,893
5015	Reg Empl-Full Time-Non-Exempt						
	Program Assistant 2	1.00	35,104		878	1.00	35,982
	Secretary	1.00	27,172		680	1.00	27,852
5030	Temporary Employees	0.00	15,660		0	0.00	15,660
5080	Overtime	0.00	5,000		0	0.00	5,000
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits	0.00	309,838		12,774	0.00	322,612
Total Personal Services		17.00	\$1,248,417	0.00	\$25,547	17.00	\$1,273,964
Total Materials & Services			\$10,053,193		\$0		\$10,053,193
Total Capital Outlay			\$25,605,460		\$0		\$25,605,460
Total Interfund Transfers			\$2,602,576		\$0		\$2,602,576
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		25,000,000		(25,547)		24,974,453
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Unappropriated Balance		216,096		0		216,096
	* Reserve for Arbitrage Rebate		200,000		0		200,000
Total Contingency and Ending Balance			\$25,416,096		(\$25,547)		\$25,390,549
TOTAL REQUIREMENTS		17.00	\$64,925,742	0.00	\$0	17.00	\$64,925,742

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Planning Fund							
Growth Management Services							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	98,852	0	0	1.00	98,852
	Manager I	2.00	134,844	0	0	2.00	134,844
	Manager II	2.01	148,727	0	0	2.01	148,727
	Program Supervisor II	4.85	299,796	0	0	4.85	299,796
	Administrative Assistant	1.00	37,799	945	0	1.00	38,744
	Assoc. Management Analyst	1.00	41,274	1,032	0	1.00	42,306
	Assoc. Regional Planner	7.85	342,939	8,573	0	7.85	351,512
	Asst. Regional Planner	5.00	185,086	4,627	0	5.00	189,713
	Asst. Trans. Planner	0.05	2,247	56	0	0.05	2,303
	Program Analyst IV	1.00	60,275	0	0	1.00	60,275
	Senior Accountant	0.30	15,213	380	0	0.30	15,593
	Senior Management Analyst	1.00	55,830	1,396	0	1.00	57,226
	Senior Regional Planner	7.65	407,251	10,181	0	7.65	417,432
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Secretary	1.00	33,431	836	0	1.00	34,267
	Program Assistant I	1.00	31,094	777	0	1.00	31,871
5030	Temporary Employees		67,136		0		67,136
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		650,823		27,874		678,697
Total Personal Services		36.71	\$2,612,617	0.00	\$56,677	36.71	\$2,669,294
Total Materials & Services			\$1,398,825		\$0		\$1,398,825
Total Debt Service			\$91,230		\$0		\$91,230
Total Capital Outlay			\$24,000		\$0		\$24,000
Total Interfund Transfers			\$971,941		\$0		\$971,941
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		282,671		(56,677)		225,994
Total Contingency and Ending Balance			\$282,671		(\$56,677)		\$225,994
TOTAL REQUIREMENTS		36.71	\$5,381,284	0.00	\$0	36.71	\$5,381,284

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Planning Fund							
Transportation							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	99,997	0	0	1.00	99,997
	Manager I	3.00	214,077	0	0	3.00	214,077
	Manager II	2.99	237,941	0	0	2.99	237,941
	Program Director I	1.00	87,688	0	0	1.00	87,688
	Program Director III	1.00	99,046	0	0	1.00	99,046
	Program Supervisor II	6.15	392,089	0	0	6.15	392,089
	Administrative Assistant	1.00	39,249	981	981	1.00	40,230
	Assoc Public Affairs Specialist	3.00	152,605	3,815	3,815	3.00	156,420
	Assoc. Management Analyst	2.00	96,514	2,413	2,413	2.00	98,927
	Assoc. Regional Planner	1.15	55,016	1,375	1,375	1.15	56,391
	Assoc. Trans. Planner	6.95	326,265	8,157	8,157	6.95	334,422
	Asst. Trans. Planner	3.00	112,391	2,810	2,810	3.00	115,201
	Principal Transportation Planner	2.00	118,952	0	0	2.00	118,952
	Senior Accountant	0.70	35,498	887	887	0.70	36,385
	Senior Management Analyst	1.00	58,073	1,452	1,452	1.00	59,525
	Senior Public Affairs Specialist	0.90	47,324	0	0	0.90	47,324
	Senior Regional Planner	1.10	58,676	1,467	1,467	1.10	60,143
	Senior Trans. Planner	8.00	444,241	11,106	11,106	8.00	455,347
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Secretary	2.00	62,930	1,573	1,573	2.00	64,503
	Secretary	2.00	57,232	1,431	1,431	2.00	58,663
5030	Temporary Employees		88,764		0		88,764
5080	Overtime		12,000		0		12,000
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		961,759		37,508		999,267
Total Personal Services		49.94	\$3,858,327	0.00	\$74,975	49.94	\$3,933,302
Total Materials & Services			\$9,026,186		\$0		\$9,026,186
Total Debt Service			\$1,074,500		\$0		\$1,074,500
Total Capital Outlay			\$490,000		\$0		\$490,000
Total Interfund Transfers			\$1,435,372		\$0		\$1,435,372
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		187,872		(74,975)		112,897
Total Contingency and Ending Balance			\$187,872		(\$74,975)		\$112,897
TOTAL REQUIREMENTS		49.94	\$16,072,257	0.00	\$0	49.94	\$16,072,257

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Regional Parks Fund							
Regional Parks & Greenspaces Department							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	0.75	72,917	0	0.75	72,917	
	Manager II	2.00	131,735	0	2.00	131,735	
	Program Analyst III	0.50	29,728	0	0.50	29,728	
	Administrative Assistant	2.00	73,711	0	2.00	73,711	
	Associate Management Analyst	0.75	32,951	824	0.75	33,775	
	Associate Regional Planner	4.00	196,876	4,922	4.00	201,798	
	Program Coordinator	1.00	40,851	1,021	1.00	41,872	
	Senior Regional Planner	1.00	54,706	1,368	1.00	56,074	
	Senior Service Supervisor	4.00	200,847	0	4.00	200,847	
	Volunteer Coordinator	1.00	42,825	1,071	1.00	43,896	
5015	Reg Empl-Full Time-Non-Exempt						
	Arborist	1.00	41,836	1,046	1.00	42,882	
	Gardener I	1.00	35,066	877	1.00	35,943	
	Park Ranger	11.00	402,122	10,053	11.00	412,175	
	Program Assistant 1	1.00	28,897	722	1.00	29,619	
	Program Assistant 2	2.00	58,889	1,472	2.00	60,361	
	Secretary	1.00	23,473	587	1.00	24,060	
	Senior Gardener	1.00	41,836	1,046	1.00	42,882	
5030	Temporary Employees		327,526	0		327,526	
5080	Overtime		14,430	0		14,430	
5085	Premium Pay		2,837	71		2,908	
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		534,748	26,004		560,752	
Total Personal Services		35.00	\$2,388,807	0.00	\$51,084	35.00	\$2,439,891
Total Materials & Services			\$1,859,108		\$0		\$1,859,108
Total Capital Outlay			\$2,989,611		\$0		\$2,989,611
Total Interfund Transfers			\$852,561		\$0		\$852,561
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		221,905	(51,084)		170,821	
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Cash Flow Reserve		800,000	0		800,000	
	* Renew, Replacement & Capital Improvement		621,809	0		621,809	
	* Restricted Renewal & Replacement		1,032,660	0		1,032,660	
Total Contingency and Ending Balance			\$2,676,374	(\$51,084)		\$2,625,290	
TOTAL REQUIREMENTS		35.00	\$10,766,461	0.00	\$0	35.00	\$10,766,461

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Risk Management Fund							
Risk Management Total							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Director II	0.10	10,000		0	0.10	10,000
	Program Analyst II	1.00	45,610		0	1.00	45,610
	Program Analyst III	1.00	59,011		0	1.00	59,011
	Program Analyst IV	0.10	6,503		0	0.10	6,503
	Program Director I	0.50	41,760		0	0.50	41,760
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	0.10	3,431		0	0.10	3,431
	Administrative Assistant	1.00	33,567		839	1.00	34,406
	Administrative Secretary	0.75	25,217		630	0.75	25,847
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits	0	81,432		2,950	0	84,382
Total Personal Services		4.55	\$306,531	0.00	\$4,419	4.55	\$310,950
Total Materials & Services			\$5,475,520		\$0		\$5,475,520
Total Capital Outlay			\$10,000		\$0		\$10,000
Total Interfund Transfers			\$340,000		\$0		\$340,000
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency		200,000		(4,419)		195,581
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance		5,725,321		0		5,725,321
Total Contingency and Ending Balance			\$5,925,321		(\$4,419)		\$5,920,902
TOTAL REQUIREMENTS		4.55	\$12,057,372	0.00	\$0	4.55	\$12,057,372

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Smith & Bybee Lakes Trust Fund							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt Service Supervisor II	1.00	51,828		0	1.00	51,828
5025	Reg Empl-Part Time-Non-Exempt Program Assistant 2	0.50	15,364		384	0.50	15,748
5030	Temporary Employees		5,592		0		5,592
5080	Overtime		450		0		450
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits		26,978		949		27,927
Total Personal Services		1.50	\$100,212	0.00	\$1,333	1.50	\$101,545
Total Materials & Services			\$172,012		\$0		\$172,012
Total Interfund Transfers			\$42,377		\$0		\$42,377
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency		24,980		(1,333)		23,647
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance		3,456,216		0		3,456,216
Total Contingency and Ending Balance			\$3,481,196		(\$1,333)		\$3,479,863
TOTAL REQUIREMENTS		1.50	\$3,795,797	0.00	\$0	1.50	\$3,795,797

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Solid Waste Revenue fund							
Operating Account							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	99,997	0	1.00	99,997	
	Manager I	1.00	68,212	0	1.00	68,212	
	Manager II	3.00	211,874	0	3.00	211,874	
	Program Analyst III	1.00	58,296	0	1.00	58,296	
	Program Analyst IV	2.00	114,297	0	2.00	114,297	
	Program Director I	1.00	78,125	0	1.00	78,125	
	Program Supervisor I	5.00	269,392	0	5.00	269,392	
	Program Supervisor II	5.00	306,924	0	5.00	306,924	
	Service Supervisor II	1.00	41,286	0	1.00	41,286	
	Assoc. Engineer	1.00	43,808	1,095	1.00	44,903	
	Assoc. Management Analyst	2.00	95,052	2,376	2.00	97,428	
	Assoc. Public Affairs Specialist	2.00	92,870	2,322	2.00	95,192	
	Assoc. Solid Waste Planner	7.00	346,586	8,664	7.00	355,250	
	Asst. Management Analyst	3.00	129,771	3,244	3.00	133,015	
	Construction Coordinator	1.00	59,842	1,496	1.00	61,338	
	Management Technician	3.00	121,051	3,026	3.00	124,077	
	Principal Solid Waste Planner	1.00	59,842	1,496	1.00	61,338	
	Senior Public Affairs Specialist	1.00	54,288	1,357	1.00	55,645	
	Sr. Engineer	2.00	114,026	2,851	2.00	116,877	
	Sr. Management Analyst	2.00	99,876	2,497	2.00	102,373	
	Sr. Solid Waste Planner	5.00	275,005	6,875	5.00	281,880	
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	35,061	0	1.00	35,061	
	Administrative Secretary	3.00	101,032	2,526	3.00	103,558	
	Hazardous Waste Specialist	8.00	364,817	9,120	8.00	373,937	
	Hazardous Waste Technician	12.00	460,142	11,504	12.00	471,646	
	Lead Scalehouse Technician	4.00	137,648	3,441	4.00	141,089	
	Maintenance Equipment Operator	1.00	38,418	960	1.00	39,378	
	Program Assistant 1	1.00	25,789	645	1.00	26,434	
	Program Assistant 2	4.00	135,754	3,394	4.00	139,148	
	Scalehouse Technician	3.00	123,629	3,091	3.00	126,720	
5020	Reg Employees-Part Time-Exempt						
	Asst. Solid Waste Planner	0.60	21,341	534	0.60	21,875	
	Sr. Engineer	0.50	28,506	713	0.50	29,219	
5025	Reg Empl-Part Time-Non-Exempt						
	Hazardous Waste Specialist	0.60	29,428	736	0.60	30,164	
	Office Assistant	1.00	22,714	568	1.00	23,282	
	Program Assistant 1	0.50	12,687	317	0.50	13,004	
	Program Assistant 2	1.00	34,860	872	1.00	35,732	
	Scalehouse Technician	5.65	205,755	5,144	5.65	210,899	
5030	Temporary Employees		212,115		0	212,115	
5080	Overtime		117,164		2,930	120,094	
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		1,623,928		75,413	1,699,341	
Total Personal Services		96.85	\$6,471,208	0.00	\$159,207	96.85	\$6,630,415
Total Materials & Services			\$42,075,262		0		\$42,075,262
TOTAL REQUIREMENTS		96.85	\$48,546,470	0.00	159,207	96.85	\$48,705,677

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Solid Waste Revenue fund							
Debt Service Account							
TOTAL REQUIREMENTS			\$2,670,895		0		\$2,670,895
Landfill Closure Account							
TOTAL REQUIREMENTS			\$765,500		0		\$765,500
Renewal & Replacement Account							
TOTAL REQUIREMENTS			\$1,878,036		0		\$1,878,036
General Account							
TOTAL REQUIREMENTS			\$1,903,400		0		\$1,903,400
Master Project Account							
TOTAL REQUIREMENTS			\$350,000		0		\$350,000
Recycling Business Assistance Account							
TOTAL REQUIREMENTS			\$301,000		0		\$301,000
General Expenses							
Total Interfund Transfers			\$3,770,051		0		\$3,770,051
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* Operating Account (Operating Contingency)		2,614,426		(159,207)		2,455,219
	* Landfill Closure Account		6,343,702		0		6,343,702
	* Renewal & Replacement Account		5,235,080		0		5,235,080
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Debt Service Account (Metro Central)		1,405,953		0		1,405,953
	* General Account (Working Capital)		6,357,296		0		6,357,296
	* Reserve Account (Metro Central)		2,829,008		0		2,829,008
	* General Account (Rate Stabilization)		2,702,936		0		2,702,936
	* General Account (Recycle Bus. Assistance)		271,000		0		271,000
	* General Account (Capital Reserve)		4,452,650		0		4,452,650
	* General Account (Undesignated)		8,410,629		0		8,410,629
Total Contingency and Ending Balance			\$40,622,680		(159,207)		\$40,463,473
TOTAL REQUIREMENTS		96.85	\$100,808,032	0.00	0	96.85	\$100,808,032

Exhibit A
Ordinance No. 00-854

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
Administrative Services Department							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Assistant IV	1.00	39,941	0	0	1.00	39,941
	Director II	0.90	89,997	0	0	0.90	89,997
	Manager I	2.00	143,176	0	0	2.00	143,176
	Manager II	3.00	225,364	0	0	3.00	225,364
	Program Analyst III	1.00	50,635	0	0	1.00	50,635
	Program Analyst IV	2.80	168,006	0	0	2.80	168,006
	Program Director I	0.40	33,179	0	0	0.40	33,179
	Program Supervisor I	3.00	148,319	0	0	3.00	148,319
	Program Supervisor II	3.00	191,355	0	0	3.00	191,355
	Service Supervisor II	0.20	8,492	0	0	0.20	8,492
	Assoc. Management Analyst	1.00	49,240	1,231	0	1.00	50,471
	Asst. Management Analyst	2.00	81,394	2,035	0	2.00	83,429
	Construction Coordinator	1.00	61,641	1,541	0	1.00	63,182
	Management Technician	0.45	17,462	437	0	0.45	17,899
	Programmer/Analyst	1.00	51,701	1,293	0	1.00	52,994
	Senior Accountant	1.00	49,240	1,231	0	1.00	50,471
	Systems Specialist	6.00	259,897	6,497	0	6.00	266,394
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	0.90	31,474	0	0	0.90	31,474
	Accounting Clerk 2	6.00	181,596	4,540	0	6.00	186,136
	Administrative Secretary	0.25	8,496	0	0	0.25	8,496
	Building Service Worker	0.45	14,054	351	0	0.45	14,405
	Building Services Technician	0.45	17,921	448	0	0.45	18,369
	Lead Accounting Clerk	3.00	110,544	2,764	0	3.00	113,308
	Management Technician	2.63	93,042	2,326	0	2.63	95,368
	Office Assistant	1.00	23,656	592	0	1.00	24,248
	Program Assistant 1	1.00	26,102	653	0	1.00	26,755
	Reproduction Clerk	2.00	62,461	1,562	0	2.00	64,023
	Secretary	1.00	24,294	607	0	1.00	24,901
	Technical Assistant	2.00	64,807	1,620	0	2.00	66,427
	Technical Specialist	4.50	177,620	4,440	0	4.50	182,060
5020	Reg Empl-Part Time-Exempt						
5025	Reg Empl-Part Time-Non-Exempt						
	Program Assistant 1	0.50	11,046	276	0	0.50	11,322
5030	Temporary Employees	0.00	5,000	0	0	0.00	5,000
5080	Overtime	0.00	18,684	0	0	0.00	18,684
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits	0	895,204	39,917	0	0	935,121
Total Personal Services		55.43	\$3,435,040	0.00	\$74,361	55.43	\$3,509,401
Total Materials & Services			\$1,285,916		\$0		\$1,285,916
Total Debt Service			\$97,084		\$0		\$97,084
Total Capital Outlay			\$200,385		\$0		\$200,385
TOTAL REQUIREMENTS		55.43	\$5,018,425	0.00	\$74,361	55.43	\$5,092,786

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
Office of the Auditor							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5000	Elected Official Salaries						
	Auditor	1.00	72,334	0.00	0	1.00	72,334
5010	Reg Employees-Full Time-Exempt						
	Auditor's Administrative Assistant	1.00	40,320		0	1.00	40,320
	Senior Auditor	3.00	192,831		0	3.00	192,831
5025	Reg Empl-Part Time-Non-Exempt						
5030	Temporary Employees		33,347		0		33,347
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		100,923		2,855		103,778
Total Personal Services		5.00	\$439,755	0.00	\$2,855	5.00	\$442,610
Total Materials & Services			\$170,030		\$0		\$170,030
TOTAL REQUIREMENTS		5.00	\$609,785	0.00	\$2,855	5.00	\$612,640

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
Office of Citizen Involvement							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Assistant	1.00	37,057	926	1.00	37,983	
5030	Temporary Employees		1,200	0		1,200	
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		14,004	793		14,797	
Total Personal Services		1.00	\$52,261	0.00	\$1,719	1.00	\$53,980
Total Materials & Services			\$11,450		\$0		\$11,450
TOTAL REQUIREMENTS		1.00	\$63,711	0.00	\$1,719	1.00	\$65,430

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
Office of the General Counsel							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	General Counsel	1.00	99,997	0	1.00	99,997	
	Legal Counsel I	1.00	66,986	0	1.00	66,986	
	Legal Counsel II	3.00	250,081	0	3.00	250,081	
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant IV (legal only)	3.00	110,046	0	3.00	110,046	
	Archive Technician	1.00	32,868	0	1.00	32,868	
5080	Overtime		12,000		0	12,000	
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		187,523		5,139	192,662	
Total Personal Services		9.00	\$759,501	0.00	\$5,139	9.00	\$764,640
Total Materials & Services			\$79,293		\$0		\$79,293
TOTAL REQUIREMENTS		9.00	\$838,794	0.00	\$5,139	9.00	\$843,933

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
Human Resources							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Assistant IV	1.00	36,598		0	1.00	36,598
	Director I	1.00	92,453		0	1.00	92,453
	Program Analyst III	2.00	117,152		0	2.00	117,152
	Program Analyst IV	2.10	125,052		0	2.10	125,052
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant II	1.00	25,572		0	1.00	25,572
	Administrative Assistant III	2.00	70,755		0	2.00	70,755
5080	Overtime		1,329		0		1,329
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		160,213		5,196		165,409
Total Personal Services		9.10	\$629,124	0.00	\$5,196	9.10	\$634,320
Total Materials & Services			\$57,300		\$0		\$57,300
TOTAL REQUIREMENTS		9.10	\$686,424	0.00	\$5,196	9.10	\$691,620

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Support Services Fund							
General Expenses							
Total Interfund Transfers			\$2,251,365		\$0		\$2,251,365
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General		456,469		(89,270)		367,199
	* Contractor's License		13,904		0		13,904
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Contractor's License		253,717		0		253,717
	* Capital Replacement Reserve (Infolink)		77,088		0		77,088
Total Contingency and Ending Balance			\$801,178		(\$89,270)		\$711,908
TOTAL REQUIREMENTS		79.53	\$10,269,682	0.00	\$0	79.53	\$10,269,682

**Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Capital Fund							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Manager II	1.00	78,617		0	1.00	78,617
	Manager		0		0		0
	Senior Manager		0		0		0
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits		23,978		571		24,549
Total Personal Services		1.00	\$102,595	0.00	\$571	1.00	\$103,166
Total Capital Outlay			\$11,667,722		\$0		\$11,667,722
<i>Contingency and Ending Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency		500,000		(571)		499,429
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance		653,994		0		653,994
Total Contingency and Ending Balance			\$1,153,994		(\$571)		\$1,153,423
TOTAL REQUIREMENTS		1.00	\$12,924,311	0.00	\$0	1.00	\$12,924,311

Exhibit A
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ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Operating Fund							

Expenditures

Personal Services

SALWGE Salaries & Wages

5010 Reg Employees-Full Time-Exempt

Director II	1.00	99,997	0	1.00	99,997
Events Coordinator	2.00	86,541	0	2.00	86,541
Food Service Coordinator	3.00	121,082	0	3.00	121,082
Manager I	3.00	203,609	0	3.00	203,609
Management Technician	1.00	38,704	968	1.00	39,672
Program Analyst II	1.00	43,973	0	1.00	43,973
Program Analyst III	1.00	59,030	0	1.00	59,030
Program Director I	1.00	76,802	0	1.00	76,802
Program Director II	1.00	88,837	0	1.00	88,837
Program Supervisor I	3.00	137,682	0	3.00	137,682
Program Supervisor II	3.00	175,833	0	3.00	175,833
Research Coordinator II	1.00	43,243	0	1.00	43,243
Research Coordinator III	1.00	48,779	0	1.00	48,779
Service Supervisor I	7.00	253,395	0	7.00	253,395
Service Supervisor II	2.00	101,986	0	2.00	101,986
Service Supervisor III	2.00	102,627	0	2.00	102,627
Veterinarian II	1.00	57,721	0	1.00	57,721
Veterinarian I	1.00	44,446	0	1.00	44,446
Administrative Assistant	1.00	36,712	918	1.00	37,630
Asst. Pub. Affairs Specialist	1.00	36,733	918	1.00	37,651
Catering Coordinator	2.00	83,481	0	2.00	83,481
Graphics/Exhibit Designer	1.00	40,643	1,016	1.00	41,659
Program Coordinator	2.00	72,851	1,821	2.00	74,672
Restaurant Manager	1.00	33,715	0	1.00	33,715
Retail Assistant Manager	1.00	40,466	0	1.00	40,466
Senior Public Affairs Specialist	1.00	51,688	1,292	1.00	52,980

5015 Reg Empl-Full Time-Non-Exempt

Administrative Assistant III	2.00	66,826	0	2.00	66,826
Administrative Secretary	3.00	97,224	2,431	3.00	99,655
Animal Keeper	28.00	968,310	24,208	28.00	992,518
Custodian	7.00	235,780	5,895	7.00	241,675
Gardener I	7.00	245,831	6,146	7.00	251,977
Maintenance Electrician	1.00	52,274	1,307	1.00	53,581
Maintenance Lead	1.00	45,336	1,133	1.00	46,469
Maintenance Technician	1.00	43,366	1,084	1.00	44,450
Maintenance Worker 1	2.00	68,833	1,721	2.00	70,554
Maintenance Worker 2	9.00	337,150	8,429	9.00	345,579
Master Mechanic	1.00	45,336	1,133	1.00	46,469
Nutrition Technician	1.00	36,449	911	1.00	37,360
Office Assistant	1.00	20,109	503	1.00	20,612
Program Assistant 1	1.75	46,078	1,152	1.75	47,230
Program Assistant 2	3.00	89,667	2,242	3.00	91,909
Receptionist	1.00	21,826	546	1.00	22,372

**Exhibit A
Ordinance No. 00-854**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Operating Fund							
Expenditures							
	Secretary	1.00	23,769		594	1.00	24,363
	Security Officer 1	5.00	117,679		2,942	5.00	120,621
	Senior Animal Keeper	7.00	269,671		6,742	7.00	276,413
	Senior Gardener	1.00	41,836		1,046	1.00	42,882
	Typist/Receptionist-Lead	1.00	27,646		691	1.00	28,337
	Veterinary Technician	1.00	36,449		911	1.00	37,360
	Warehouse Specialist	1.00	29,145		729	1.00	29,874
5020	Reg Employees-Part Time-Exempt						
	Graphics/Exhibit Designer	1.00	40,644		1,016	1.00	41,660
5025	Reg Empl-Part Time-Non-Exempt						
	Administrative Secretary	1.60	53,490		1,337	1.60	54,827
	Animal Hospital Attendant	1.00	26,519		663	1.00	27,182
	Animal Keeper-PT	1.50	54,674		1,367	1.50	56,041
	Catering Specialist	1.50	37,453		936	1.50	38,389
	Clerk/Bookkeeper	1.60	44,938		1,123	1.60	46,061
	Gardener 1 - PT	0.50	17,533		438	0.50	17,971
	Maintenance Worker 1-PT	0.65	22,371		559	0.65	22,930
	Maintenance Worker 2-PT	2.10	80,031		2,001	2.10	82,032
	Office Assistant	0.50	9,537		238	0.50	9,775
	Program Assistant 1	1.40	38,767		970	1.40	39,737
	Program Assistant 2	0.50	15,364		384	0.50	15,748
	Secretary	0.75	17,386		435	0.75	17,821
	Typist/Receptionist Reg.(Part Time)	0.85	22,395		560	0.85	22,955
	Video/Photography Technician	0.50	17,482		437	0.50	17,919
	Visitor Service Worker 3-reg	4.15	88,942		2,224	4.15	91,166
5030	Temporary Employees		595,603		0		595,603
5040	Seasonal Employees		869,106		0		869,106
5080	Overtime		206,159		5,154		211,313
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits		2,276,711		110,533		2,387,244
Total Personal Services		151.85	\$9,682,271	0.00	\$209,804	151.85	\$9,892,075
Total Materials & Services			\$5,790,229		\$0		\$5,790,229
Total Capital Outlay			\$607,800		\$0		\$607,800
Total Interfund Transfers			\$1,886,895		\$0		\$1,886,895
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		921,257		(209,804)		711,453
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance		7,761,177		0		7,761,177
Total Contingency and Ending Balance			\$8,682,434		(\$209,804)		\$8,472,630
TOTAL REQUIREMENTS		151.85	\$26,649,629	0.00	\$0	151.85	\$26,649,629

Exhibit B
Ordinance No. 00-854
FY 1999-00 SCHEDULE OF APPROPRIATIONS

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Amended</u> <u>Appropriation</u>
BUILDING MANAGEMENT FUND			
Operating Expenses (PS & M&S)	\$747,580	\$6,046	\$753,626
Capital Outlay	15,000	0	15,000
Interfund Transfers	1,689,020	0	1,689,020
Contingency	45,422	(6,046)	39,376
Unappropriated Balance	1,183,815	0	1,183,815
Total Fund Requirements	\$3,680,837	\$0	\$3,680,837
GENERAL FUND			
Council Office			
Operating Expenses (PS & M&S)	\$1,325,220	\$12,636	\$1,337,856
Subtotal	1,325,220	12,636	1,337,856
Office of the Executive Officer			
Operating Expenses (PS & M&S)	1,535,199	22,155	1,557,354
Subtotal	1,535,199	22,155	1,557,354
Special Appropriations			
Materials & Services	175,000	0	175,000
Subtotal	175,000	0	175,000
General Expenses			
Interfund Transfers	6,863,972	0	6,863,972
Contingency	195,406	(34,791)	160,615
Subtotal	7,059,378	(34,791)	7,024,587
Total Fund Requirements	\$10,094,797	\$0	\$10,094,797
OPEN SPACES FUND			
Operating Expenses (PS & M&S)	\$11,301,610	\$25,547	\$11,327,157
Capital Outlay	25,605,460	0	25,605,460
Interfund Transfers	2,602,576	0	2,602,576
Contingency	25,000,000	(25,547)	24,974,453
Unappropriated Balance	416,096	0	416,096
Total Fund Requirements	\$64,925,742	\$0	\$64,925,742
PLANNING FUND			
Transportation Planning			
Operating Expenses (PS & M&S)	\$12,884,513	\$74,975	\$12,959,488
Debt Service	1,074,500	0	1,074,500
Capital Outlay	490,000	0	490,000
Subtotal	14,449,013	74,975	14,523,988
Growth Management Services			
Operating Expenses (PS & M&S)	4,011,442	56,677	4,068,119
Debt Service	91,230	0	91,230
Capital Outlay	24,000	0	24,000
Subtotal	4,126,672	56,677	4,183,349
General Expenses			
Interfund Transfers	2,407,313	0	2,407,313
Contingency	470,543	(131,652)	338,891
Subtotal	2,877,856	(131,652)	2,746,204
Total Fund Requirements	\$21,453,541	\$0	\$21,453,541

Exhibit B
Ordinance No. 00-854
FY 1999-00 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
REGIONAL PARKS FUND			
Operating Expenses (PS & M&S)	\$4,247,915	\$51,084	\$4,298,999
Capital Outlay	2,989,611	0	2,989,611
Interfund Transfers	852,561	0	852,561
Contingency	221,905	(51,084)	170,821
Unappropriated Balance	2,454,469	0	2,454,469
Total Fund Requirements	\$10,766,461	\$0	\$10,766,461
RISK MANAGEMENT FUND			
Operating Expenses (PS & M&S)	\$5,782,051	\$4,419	\$5,786,470
Capital Outlay	10,000	0	10,000
Interfund Transfers	340,000	0	340,000
Contingency	200,000	(4,419)	195,581
Unappropriated Balance	5,725,321	0	5,725,321
Total Fund Requirements	\$12,057,372	\$0	\$12,057,372
SMITH AND BYBEE LAKES TRUST FUND			
Operating Expenses (PS & M&S)	\$272,224	\$1,333	\$273,557
Interfund Transfers	42,377	0	42,377
Contingency	24,980	(1,333)	23,647
Unappropriated Balance	3,456,216	0	3,456,216
Total Fund Requirements	\$3,795,797	\$0	\$3,795,797
SOLID WASTE REVENUE FUND			
Operating Account			
Operating Expenses (PS & M&S)	\$48,546,470	\$159,207	\$48,705,677
Subtotal	48,546,470	159,207	48,705,677
Debt Service Account			
Debt Service	2,670,895	0	2,670,895
Subtotal	2,670,895	0	2,670,895
Landfill Closure Account			
Materials & Services	135,000	0	135,000
Capital Outlay	630,500	0	630,500
Subtotal	765,500	0	765,500
Renewal and Replacement Account			
Capital Outlay	1,878,036	0	1,878,036
Subtotal	1,878,036	0	1,878,036
General Account			
Capital Outlay	1,903,400	0	1,903,400
Subtotal	1,903,400	0	1,903,400
Master Project Account			
Debt Service	350,000	0	350,000
Subtotal	350,000	0	350,000
Recycling Business Assistance Account			
Materials & Services	301,000	0	301,000
Subtotal	301,000	0	301,000

Exhibit B
Ordinance No. 00-854
FY 1999-00 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
General Expenses			
Interfund Transfers	3,770,051	0	3,770,051
Contingency	14,193,208	(159,207)	14,034,001
<u>Subtotal</u>	<u>17,963,259</u>	<u>(159,207)</u>	<u>17,804,052</u>
Unappropriated Balance	26,429,472	0	26,429,472
Total Fund Requirements	\$100,808,032	\$0	\$100,808,032
SUPPORT SERVICES FUND			
Administrative Services/Human Resources			
Operating Expenses (PS & M&S)	\$5,407,380	\$79,557	\$5,486,937
Debt Services	97,084	0	97,084
Capital Outlay	200,385	0	200,385
<u>Subtotal</u>	<u>5,704,849</u>	<u>79,557</u>	<u>5,784,406</u>
Office of General Counsel			
Operating Expenses (PS & M&S)	838,794	5,139	843,933
<u>Subtotal</u>	<u>838,794</u>	<u>5,139</u>	<u>843,933</u>
Office of Citizen Involvement			
Operating Expenses (PS & M&S)	63,711	1,719	65,430
<u>Subtotal</u>	<u>63,711</u>	<u>1,719</u>	<u>65,430</u>
Office of the Auditor			
Operating Expenses (PS & M&S)	609,785	2,855	612,640
<u>Subtotal</u>	<u>609,785</u>	<u>2,855</u>	<u>612,640</u>
General Expenses			
Interfund Transfers	2,251,365	0	2,251,365
Contingency	470,373	(89,270)	381,103
<u>Subtotal</u>	<u>2,721,738</u>	<u>(89,270)</u>	<u>2,632,468</u>
Unappropriated Balance	330,805	0	330,805
Total Fund Requirements	\$10,269,682	\$0	\$10,269,682
ZOO CAPITAL FUND			
Personal Services	\$102,595	\$571	\$103,166
Capital Outlay	11,667,722	0	11,667,722
Contingency	500,000	(571)	499,429
Unappropriated Balance	653,994	0	653,994
Total Fund Requirements	\$12,924,311	\$0	\$12,924,311
ZOO OPERATING FUND			
Operating Expenses (PS & M&S)	\$15,472,500	\$209,804	\$15,682,304
Capital Outlay	607,800	0	607,800
Interfund Transfers	1,886,895	0	1,886,895
Contingency	921,257	(209,804)	711,453
Unappropriated Balance	7,761,177	0	7,761,177
Total Fund Requirements	\$26,649,629	\$0	\$26,649,629

All other Appropriations Remain as Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE 00-854 AMENDING THE FY 1999-00 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REFLECTING COST OF LIVING ADJUSTMENTS AND HEALTH & WELFARE INCREASES; AND DECLARING AN EMERGENCY.

Date: March 6, 2000

Presented by: Kathy Rutkowski

FACTUAL BACKGROUND AND ANALYSIS

The adopted budget is the key historical reference document for analysis and comparison of budget to budget and budget to actual spending. In order to portray an accurate picture for future comparisons it is important to amend the budget to properly reflect material changes that weren't known at the time of original adoption. This ordinance will adjust estimated personal services expenses including all cost of living and fringe benefit expenses, to reflect the outcome of negotiations which were not complete in June, 1999.

During the preparation, review and discussion of the FY 1999-00 budget, Metro was in negotiations with its two major unions – Local 483 and AFSCME. In addition, Metro was also in negotiations with its health and welfare providers regarding benefit costs. These negotiations were completed after final adoption of the FY1999-00 budget. As a result, the salaries and benefits shown in the FY 1999-00 Adopted Budget do not reflect the final outcome of these negotiations.

During preparation of the FY 1999-00 budget, analysis was performed that assumed a 3 percent cost of living adjustment for represented employees and an average 7 percent increase in health and welfare insurance for all employees. Contingency accounts in all funds included amounts sufficient to provide for these costs.

The final collective bargaining agreements approved by Council provided for a 2.5 percent cost of living adjustment and an 11.5 percent increase in the health and welfare cap. The lower cost of living adjustment provided an offset for the 4.5 percent increase in health and welfare costs. Since the health & welfare packages provided to represented employees are also provided to non-represented employees, unclassified employees and elected officials, the increase in health & welfare costs apply to all regular benefit eligible Metro employees. The following is a summary of the cost impact by fund.

	Health & Welfare	COLA Adjustment		TOTAL COST
		Salary	Fringe	
Building Management Fund	2,598	2,780	668	6,046
General Fund	22,914	9,578	2,299	34,791
Open Spaces Fund	9,707	12,773	3,067	25,547
Planning Fund	49,477	66,270	15,905	131,652
Regional Parks Fund	19,985	25,080	6,019	51,084
Risk Management Fund	2,598	1,469	352	4,419
Smith & Bybee Lakes Trust Fund	857	384	92	1,333
Solid Waste Revenue Fund	55,301	83,794	20,112	159,207
Support Services Fund	45,412	35,370	8,488	89,270
Zoo Capital Fund	571	0	0	571
Zoo Operating Fund	86,706	99,271	23,827	209,804
TOTAL	\$296,126	\$336,769	\$80,829	\$713,724

The COLA awards and the health and welfare increases are contractual obligations of Metro and impact all departments of the agency. This appropriation adjustment will not impact anticipated savings from excise tax funded departments. Departments took these costs into consideration at the time targets were set. The adjustment is solely to allow an accurate comparison of estimated personnel costs in future years.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 00-854

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Agenda Item Number 9.2

Ordinance No. 00-855, Amending the FY 1999-00 Budget and Appropriations Schedule for the Purpose of Reflecting an authorized interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund; and Declaring an Emergency.

First Reading

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1999-00)	ORDINANCE NO. 00-855
BUDGET AND APPROPRIATIONS)	
SCHEDULE FOR THE PURPOSE OF)	
REFLECTING AN AUTHORIZED INTERFUND)	Introduced by Mike Burton,
LOAN FROM THE SOLID WASTE REVENUE)	Executive Officer
FUND TO THE CONVENTION CENTER)	
PROJECT CAPITAL FUND; AND DECLARING)	
AN EMERGENCY)	

WHEREAS, Ordinance 99-832 adopted by the Metro Council on December 9, 1999 authorized an interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund; and

WHEREAS, the ordinance authorizing the loan did not change the budget in the Solid Waste Revenue Fund; and

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

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1999-00 Budget and Schedule of Appropriations for the Solid Waste Revenue Fund are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$6,500,000 from Contingency to Interfund Transfers to provide for the interfund loan to the Convention Center Project Capital Fund.

2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with

Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

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

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

Exhibit A
Ordinance No. 00-855

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Solid Waste Revenue fund							
Operating Account							
TOTAL REQUIREMENTS		96.85	\$48,705,677	0.00	0	96.85	\$48,705,677
Debt Service Account							
TOTAL REQUIREMENTS			\$2,670,895		0		\$2,670,895
Landfill Closure Account							
TOTAL REQUIREMENTS			\$765,500		0		\$765,500
Renewal & Replacement Account							
TOTAL REQUIREMENTS			\$1,878,036		0		\$1,878,036
General Account							
TOTAL REQUIREMENTS			\$1,903,400		0		\$1,903,400
Master Project Account							
TOTAL REQUIREMENTS			\$350,000		0		\$350,000
Recycling Business Assistance Account							
TOTAL REQUIREMENTS			\$301,000		0		\$301,000
General Expenses							
<i>Interfund Transfers</i>							
<i>INTCHG Internal Service Transfers</i>							
5800	Transfer for Indirect Costs						
	* to Building Mgmt Fund		364,839		0		364,839
	* to Support Services Fund		2,428,127		0		2,428,127
	* to Risk Mgmt Fund-Liability		91,296		0		91,296
	* to Risk Mgmt Fund-Worker Comp		12,188		0		12,188
5820	Transfer for Direct Costs						
	* to Planning Fund		371,009		0		371,009
	* to Support Services Fund		47,700		0		47,700
	* to Smith & Bybee Lakes Fund		15,000		0		15,000
<i>EQTCHG Fund Equity Transfers</i>							
5810	Transfer of Resources						
	* to Rehab. & Enhancement Fund		439,892		0		439,892
<i>LOANEX Interfund Loan</i>							
5860	Interfund Loan - Principal						
	* to Convention Center Capital Fund		0		6,500,000		6,500,000
Total Interfund Transfers			\$3,770,051		\$6,500,000		\$10,270,051
<i>Contingency and Ending Balance</i>							
<i>CONT Contingency</i>							
5999	Contingency		14,034,001		(6,500,000)		7,534,001
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance		26,429,472		0		26,429,472
Total Contingency and Ending Balance			\$40,463,473		(\$6,500,000)		\$33,963,473
TOTAL REQUIREMENTS		96.85	\$100,808,032	0.00	0	96.85	\$100,808,032

Exhibit B
Ordinance No. 00-855
FY 1999-00 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
SOLID WASTE REVENUE FUND			
Operating Account			
Operating Expenses (PS & M&S)	\$48,705,677	\$0	\$48,705,677
Subtotal	48,705,677	0	48,705,677
Debt Service Account			
Debt Service	2,670,895	0	2,670,895
Subtotal	2,670,895	0	2,670,895
Landfill Closure Account			
Materials & Services	135,000	0	135,000
Capital Outlay	630,500	0	630,500
Subtotal	765,500	0	765,500
Renewal and Replacement Account			
Capital Outlay	1,878,036	0	1,878,036
Subtotal	1,878,036	0	1,878,036
General Account			
Capital Outlay	1,903,400	0	1,903,400
Subtotal	1,903,400	0	1,903,400
Master Project Account			
Debt Service	350,000	0	350,000
Subtotal	350,000	0	350,000
Recycling Business Assistance Account			
Materials & Services	301,000	0	301,000
Subtotal	301,000	0	301,000
General Expenses			
Interfund Transfers	3,770,051	6,500,000	10,270,051
Contingency	14,034,001	(6,500,000)	7,534,001
Subtotal	17,804,052	0	17,804,052
Unappropriated Balance	26,429,472	0	26,429,472
Total Fund Requirements	\$100,808,032	\$0	\$100,808,032

All other Appropriations Remain as Previously Adopted

NOTE: The current budget column assumes adoption of ordinance number 00-854 for the purpose of reflecting COLA and health & welfare increases in the FY 1999-00 budget.

STAFF REPORT

CONSIDERATION OF ORDINANCE 00-855 AMENDING THE FY 1999-00 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REFLECTING AN AUTHORIZED INTERFUND LOAN FROM THE SOLID WASTE REVENUE FUND TO THE CONVENTION CENTER PROJECT CAPITAL FUND; AND DECLARING AN EMERGENCY.

Date: March 6, 2000

Presented by: Kathy Rutkowski

FACTUAL BACKGROUND AND ANALYSIS

In December 1999, the Council adopted Ordinance 99-832 authorizing an interfund loan from the Solid Waste Revenue Fund to the Convention Center Project Capital Fund. The purpose of the loan was to provide interim funding for the expansion project until such time as the revenue bond proceeds from the City of Portland became available. At the time ordinance 99-832 was prepared and adopted by Council, it was uncertain whether it was necessary to amend the Solid Waste Revenue Fund budget to reflect the loan.

This action transfers \$6,500,000 from the Solid Waste Revenue Fund Contingency to Interfund Transfers to reflect the interfund loan authorized by the Council in December 1999.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 00-855

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Agenda Item Number 10.1

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..

Second Reading

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1999-00)	
BUDGET TO INCREASE THE FULL-TIME)	ORDINANCE NO. 00-853
EQUIVALENTS IN THE SOLID WASTE)	
REVENUE FUND BY 2.50 FTE FOR THE)	
PURPOSE OF INCREASING STAFFING IN)	Introduced by Mike Burton,
THE HAZARDOUS WASTE PROGRAM, AND)	Executive Officer
DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to adjust the full-time equivalents with the FY 1999-00 Budget; and

WHEREAS, The need for an increase in full-time equivalents has been justified; and

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1999-00 Budget for the Solid Waste Revenue Fund is hereby amended by increasing the full-time equivalents by 2.50 FTE for the purpose of increasing staffing in the Hazardous Waste Program.

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

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

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF 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.

Date: April 1, 2000

Presented by: Jim Watkins

ACTION REQUESTED AND PURPOSE OF THE ORDINANCE

The council is requested to adopt Ordinance No. 00-853, to add 2.50 FTE Hazardous Waste Technicians to Metro's Hazardous Waste Program to replace an equivalent amount of temporary worker hours, in order to resolve a union grievance issue.

EXISTING LAW

In accordance with Metro Code section 2.02.335, council approval is required for all new positions.

BACKGROUND AND ANALYSIS

The amount of waste handled by Metro's Hazardous Waste Program has increased substantially over the past several years. One result of this has been a significant increase in the use of temporary workers by the program. In June of 1999, AFSCME Local 3580 filed a grievance regarding the use of temporary workers in the Hazardous Waste Program. The grievance contends that the manner in which temporary workers are used is in violation of Metro's collective bargaining agreement with the union. Metro's response to the grievance proposed obtaining an analysis of staffing needs in the program by an outside consultant, and, if justified by the consultant's report, carrying forward to the Executive Officer and Metro Council a recommendation that some temporary positions be converted to permanent staff.

The IEC Group, a Portland-based human resources consulting firm, was hired to conduct the analysis of the hazardous waste program's staffing needs. The firm's report was completed in November 1999. The report concludes that an additional 3.50 FTE is needed in place of temporary employees to operate the current hazardous waste program.

Specific recommendations from the consultant include:

- adding a part-time (30 hours/week) Hazardous Waste Technician at both facilities. These Technicians would replace temporary workers that are typically scheduled on Mondays, Fridays and Saturdays.
- adding a full-time maintenance specialist that would be responsible for both hazardous waste facilities and the latex facility. Currently maintenance work is assigned on a rotating basis to

all of the hazardous waste staff. As a result, maintenance is often neglected, lacks consistency, and is inefficient as each person needs a certain amount of retraining.

- adding a technician to the Latex Paint Processing facility. The facility is currently staffed with only 1.0 FTE Hazardous Waste Specialist who reports to the Hazardous Waste Facility Supervisor at Metro South. Labor for actual processing of latex paint is provided by workers from St. Vincent de Paul Staffing Services, a Qualified Rehabilitation Facility (QRF). This technician is needed at the facility to run the office, market paint and to provide back up when the Specialist is not available to supervise the contract labor, much of which is currently being done by temporary staff.

After considering the report and the continued growth and success of the Hazardous Waste Program, REM Management agreed that additional staffing is necessary in order to maintain current levels of performance and service. To accommodate the consultant's recommendations, management first considered whether some of the workload could be shifted within the Environmental Services Division to minimize the increase in FTE's. As a result the Operations Supervisor for the transfer stations has agreed to be responsible for the maintenance requirements at the hazardous waste facilities. The Supervisor has one Management Technician and is currently responsible for administering the transfer, transport and disposal contracts and maintaining the scalehouses and the grounds at the transfer stations.

As a result Regional Environmental Management (REM) is requesting an additional 2.5 FTE in the Solid Waste Revenue Fund, Operating Account, to replace temporary workers and provide the appropriate coverage at the latex facility and the hazardous waste facilities. This changes the total FTE for the department from 96.85 FTE to 99.35. It is REM's belief that 2.5 new FTE and shifting maintenance responsibilities to the Operations Supervisor complies with the consultant's staffing recommendations.

Summary of proposed new FTE's:

- 1.0 FTE full time to assist with operations in the latex facility
- 1.5 FTE part time Hazardous Waste Technicians

If these new positions are approved, an equivalent reduction in temporary worker hours will be realized as soon as the new staff are hired. There will be some continued use of temporary workers primarily at collection events and to fill in for leaves, vacancies, etc. at the facilities. However this is not in violation of the union contract and is consistent with Staffing Recommendation number 4 from the consultants report, which said:

"the average temporary hour usage for FY 97/98 and 98/99 for Metro South and Metro Central is 10,766. This is an equivalent of 5.2 FTE's. Recommend that the balance of these hours ($5.2 - 3.5 = 1.7$ FTE or 3,536 hours) be covered by a continuing temporary workforce. This will allow the operations the flexibility of a temporary workforce, especially during the slow months."

If these positions are not approved, it is likely that the union will continue to pursue the grievance, possibly requesting arbitration on the issue. If approved, the department will initiate recruitment for the positions and fill them as soon as possible.

The FY 2000-01 Proposed Budget for the Hazardous Waste Program includes an increase of 2.5 FTE to comply with the consultant's staffing recommendations. The action requested by this ordinance would have the increase in FTE occur prior to the adoption of the FY 2000-01.

FISCAL IMPACT

The net fiscal impact of changing these positions from temporary help to permanent FTE is approximately \$9,000 for the remainder of the fiscal year. This results from an increase of \$28,000 for wages and benefits for the new FTE's, together with a decrease of \$19,000 due to decreased temporary worker usage. However, due to the change in appropriation levels for this fiscal year where Personal Services and Materials and Services are in one appropriation level, sufficient savings are available to cover this increase in cost.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive officer recommends adoption of Ordinance No. 00-853.

Agenda Item Number 11:1

**Resolution No. 00-2922, For the Purpose of Appointing Michael Carlson and Hilary Abraham to the
Water Resources Policy Advisory Committee.**

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING) RESOLUTION NO. 00-2922
MICHAEL CARLSON AND HILARY)
ABRAHAM TO THE WATER) Introduced by Councilor Susan McLain
RESOURCES POLICY ADVISORY) Chair, WRPAC
COMMITTEE)

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

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

WHEREAS, Resolution Nos. 96-2418A, 97-2517, 97-2588, 97-2717, 98-2733, 99-2767, 99-2793, 99-2797, 99-2823, 99-2829 99-2845 and 99-2862 have subsequently established and appointed voting and non-voting members and alternates to serve on WRPAC (Resolution No. 00-2899 to appoint Andrew Stamp, Chris Hathaway, Bill Gaffi and Kendra Smith is currently pending Metro Council consideration also); and

WHEREAS, The Clackamas River Basin Council has informed Metro that they wish to replace the former incumbent Scott Forrester with Michael Carlson, Clackamas River Basin Council Coordinator and to retain Lowell Hanna, CRBC Co-Chair as alternate; and

WHEREAS, The Oregon Environmental Council has informed Metro that they wish to nominate Hilary Abraham to be Karen Lewotsky's alternate; 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 printed in the WRPAC agenda packet for consideration at the regular March 13, 2000 WRPAC meeting and no objections or comments were raised at that time; now, therefore,

BE IT RESOLVED, That the Metro Council appoints Michael Carlson the new member representing the Clackamas River Watershed and Hilary Abraham as the new alternate for OEC on WRPAC.

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

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2922, FOR THE PURPOSE OF APPOINTING MICHAEL CARLSON AND HILARY ABRAHAM TO THE WATER RESOURCES POLICY ADVISORY COMMITTEE

Date: March 14, 2000

Prepared by Paul Ketcham

BACKGROUND INFORMATION

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

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

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

This resolution would appoint Michael Carlson, Clackamas River Basin Council Coordinator to WRPAC with Lowell Hanna, CRBC Co-Chair remaining as the alternate for that position and appoint Hilary Abraham, Oregon Environmental Council, to be Karen Lewotsky's alternate.

Per the WRPAC Bylaws, WRPAC was notified of these proposed membership changes with a memo from Deputy Presiding Officer Susan McLain, WRPAC Chair, distributed and considered at the March 13, 2000 regular meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 00-2922.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE
TEL 503 797 1700

PORTLAND, OREGON 97232 2736
FAX 503 797 1794



METRO

**RESOLUTION NO. 00-2922
STAFF REPORT
ATTACHMENT 1**

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

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

1. Karen Lewotsky, Oregon Environmental Council, has informed us that Hilary Abraham will be her alternate.
2. Michael Carlson will replace Scott Forrester as the CRBC representative and Lowell Hanna will remain the alternate for this position.

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 March 13, 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.

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Agenda Item Number 11.2

Resolution No. 00-2923, For the Purpose of Issuing a Solid Waste Facility License to Tire Disposal and Recycling, Inc..

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ISSUING A SOLID) RESOLUTION NO. 00-2923
WASTE FACILITY LICENSE TO TIRE)
DISPOSAL & RECYCLING, INC.) Introduced by Mike Burton,
) Executive Officer

WHEREAS, the Metro Code, requires a solid waste facility license of any facility that processes non-putrescible waste that results in a processing residual greater than ten percent; and

WHEREAS, Tire Disposal & Recycling, Inc. is such a facility; and

WHEREAS, Tire Disposal & Recycling, Inc. applied for a Solid Waste Facility License under the provisions of Code chapter 5.01; and

WHEREAS, Tire Disposal & Recycling, Inc.'s application is in conformance with the requirements of chapter 5.01 of the Code; and

WHEREAS, Metro staff has analyzed the application and recommended approval of the applicant's request for a Solid Waste Facility License; and

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

A Solid Waste Facility License issued to Tire Disposal & Recycling, Inc. The new Solid Waste Facility License shall be substantially similar to the license attached as Exhibit A.

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

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**EXECUTIVE SUMMARY
RESOLUTIONS 00-2923
GRANTING A SOLID WASTE FACILITY LICENSE TO
TIRE DISPOSAL AND RECYCLING (TD&R)**

PROPOSED ACTION

- Grants a new solid waste facility license to one of the region's two waste tire processors.
- TD&R is to be authorized to process tires for landfilling in addition to recovery.

WHY NECESSARY

- Metro Code Section 5.01.045 requires a Metro license for any person to own and operate a facility that processes non-putrescible waste and produces a processing residual in excess of ten percent. The Metro Council approves all solid waste facility licenses [Metro Code 5.01.067(a)].
- TD&R plays an important role in boosting the region's recovery rate and minimizing accumulations of tire piles and illegal dumping of tires.

DESCRIPTION

- TD&R specializes in the processing of automobile tires into tire chips for fuel and engineered fill. This is a volatile market that presently enables TD&R to recover approximately 70 percent of incoming material.

ISSUES/CONCERNS

- Because TD&R will be authorized to process tires for disposal, as well as recovery, it is not fee exempt under the existing Code. The proposed license contains a special system fee exemption on tire chips that are landfilled when there are insufficient markets.

BUDGET/FINANCIAL IMPACTS

- In the past, Metro has not collected system fees on processed tires.
- Metro budget/financial analysis does not include system fees on disposed tire waste, thus there should not be any discernable impact.

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 00-2923, FOR THE PURPOSE OF
ISSUING A SOLID WASTE FACILITY LICENSE TO TIRE DISPOSAL &
RECYCLING, INC.

April 13, 2000

Presented by: Terry Petersen,
Leann Linson

BRIEF DESCRIPTION OF RESOLUTION

Approval of Resolution No. 00-2923 will authorize the Executive Officer to issue a new Solid Waste Facility License to Tire Disposal & Recycling, Inc. (TD&R) for the operation of its waste tire processing facility located at 9625 S.E. Clackamas Rd. in Clackamas, Oregon. The proposed license authorizes the applicant to process waste tires for both materials recovery and disposal. The license will bring the facility under the regulatory authority of Metro Code chapter 5.01.

EXISTING LAW

Metro Code Section 5.01.045 requires a Metro license for any person to own and operate a facility that processes non-putrescible waste and produces a processing residual in excess of ten percent. The Metro Council approves all solid waste facility licenses [Metro Code 5.01.067(a)].

BACKGROUND

A. History of the Facility

Tire Disposal & Recycling, Inc., the region's primary facility for the processing of waste automobile tires, has been in operation since January 1999 and estimates that it will process 36,000 tons of tires annually. The facility accepts tires from both commercial waste tire generators and from the public. Processing takes place within an enclosed 20,000 square foot building. The majority of the tires accepted are mechanically shredded and marketed as tire derived fuel or utilized for engineered fill. Tire chips in excess of the amount that can be marketed are landfilled. Useable tires are graded for re-use. Presently, about 70 percent of the tires processed are recovered.

B. The Applicant and the Applicant's Request

The principals of the company are Mark Hope and Donald Krider. Prior to starting Tire Disposal & Recycling, Inc., Mark Hope, President of TD&R, managed Waste Recovery, a waste tire facility that has since been purchased by RB Recycling and now specializes in the processing of truck tires. Donald Krider is Vice-President of TD&R.

C. Metro Code Provisions Related to the Applicant's Request

Code Section 5.01.045(b) specifies that:

(b) A Metro Solid Waste License shall be required of the Person owning or controlling a facility at which any of the following Activities are performed:

(1) Processing of Non-Putrescible Waste that results in Processing Residual of more than ten percent

Tire Disposal & Recycling, Inc. processes only tires, a non-putrescible waste. Though it is technically feasible to recover more than 90 percent of the material resulting from the processing of waste tires, approximately 30 percent is presently being landfilled due to market limitations. The facility is therefore required to operate under the authority of a Metro Solid Waste Facility License. Sections 5.01.055 and 5.01.060 of the Metro Code govern applications for Solid Waste Facility Licenses:

5.01.055 Pre-Application Conference

(a) All prospective applicants for a Franchise or License shall participate in a pre-application conference with the Executive Officer. The purpose of such conference shall be to provide the prospective applicant with information regarding the applicable requirements for the proposed facility and to obtain from the prospective applicant a description of the location, site conditions and operations of the proposed facility.

Staff held a pre-application conference with the applicant on January 6, 2000.

(b) If a prospective applicant for a License or Franchise does not file an application for a License or Franchise within one year from the date of the pre-application conference, such applicant shall participate in a subsequent pre-application conference prior to filing any License or Franchise application.

The applicant submitted an application within one month of the pre-application conference.

5.01.060 Applications for Certificates, Licenses or Franchises

(a) Applications for a Certificate, Franchise or License or for renewal of an existing Certificate, Franchise or License shall be filed on forms or in the format provided by the Executive Officer.

The application was filed on forms and in the format provided by the Executive Officer.

(b) In addition to any information required on the forms or in the format provided by the Executive Officer, all applications shall include a description of the Activities proposed to be conducted and a description of Wastes sought to be accepted.

The application contains a description of the activities proposed to be conducted and a description of wastes sought to be accepted. The proposed activities consist of shredding tires to produce tire chips. The wastes accepted consist solely of truck, automobile, large

equipment, and other vehicle market limitations presently result in tires, both on and off the rims.

(c) *In addition to the information required on the forms or in the format provided by the Executive Officer, applications for a License or Franchise shall include the following information to the Executive Officer:*

- (1) *Proof that the applicant can obtain the types of insurance specified by the Executive Officer during the term of the Franchise or License;*

A certificate of insurance was provided with the application.

- (2) *A duplicate copy of all applications for necessary DEQ permits and any other information required by or submitted to DEQ;*

Copies of the following DEQ permits and information were included with Tire Disposal & Recycling, Inc.'s application:

- Waste Tire Storage Site Permit
- Oregon Waste Tire Storage/Carrier Bond in the amount of \$50,000

- (3) *A duplicate copy of any closure plan required to be submitted to DEQ, or if DEQ does not require a closure plan, a closure document describing closure protocol for the Solid Waste Facility at any point in its active life;*

DEQ has not required a closure plan. However, at Metro's request, a closure protocol was developed. During normal operations, TD &R is generally able to process all incoming tires by the end of each day. The only tires stored for any length of time are tires intended for re-use or re-treading, and certain truck tires exchanged with RB Recycling. The protocol calls for any tires remaining on-site at the time of closure to be shredded and delivered to a landfill. At \$2.00 per tire, the \$50,000 bond required by DEQ would be sufficient to dispose of a two to three day accumulation of tires.

- (4) *A duplicate copy of any documents required to be submitted to DEQ demonstrating financial assurance for the costs of closure, or if DEQ does not require such documents, proof of financial assurance for the costs of closure of the facility;*

Included in the application was a copy of a Waste Tire Storage Site Bond in the amount of \$50,000.

- (5) *Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the Licensee or Franchisee, the duration of that interest and shall include a statement that the property owner(s) have read and agree to be bound by the provisions of section 5.01.180(e) of this chapter if*

the License or Franchise is revoked or any License or Franchise renewal is refused;

A Copy of the required consent form signed by the property owners was included with the application.

- (6) *Proof that the applicant has received proper land use approval; or, if land use approval has not been obtained, a written recommendation of the planning director of the local governmental unit having land use jurisdiction regarding new or existing disposal sites, or alterations, expansions, improvements or changes in the method or type of disposal at new or existing disposal sites. Such recommendation may include, but is not limited to a statement of compatibility of the site, the Solid Waste Disposal Facility located thereon and the proposed operation with the acknowledged local comprehensive plan and zoning requirements or with the Statewide Planning Goals of the Land Conservation and Development Commission; and*

The facility is located in an industrial zone where the applicant's tire processing activity is an outright permitted use.

- (7) *Identify any other known or anticipated permits required from any other governmental agency. If application for such other permits has been previously made, a copy of such permit application, and any permit that has been granted shall be provided.*

There are no other required permits known or anticipated by Metro staff.

5.01.062 Application Fees

(a) *Upon the filing of an application, every applicant for a Certificate, License or Franchise shall submit an application fee as provided in this section.*

(b) *Application fees shall be as follows:*

(2) *For a Solid Waste Facility License, three hundred dollars (\$300).*

The applicant has submitted the required \$300 application fee.

5.01.150 User Fees

(b) *User fees shall not apply to:*

(1) Non-putrescible Wastes accepted at a Franchised or Licensed Solid Waste Facility that is authorized to perform only Materials Recovery or Recycling Activities;

The proposed license authorizes TD&R to perform materials recovery and recycling activities only. The facility will therefore be exempt from user fees under the existing Code.

BUDGET IMPACT

The applicant was previously authorized to process waste tires under a Metro franchise issued to Waste Recovery. With the transfer of Waste Recovery to a new owner and its specialization in truck tires, the issuance of a new solid waste facility license to TD&R effectively authorizes the continuation of the region's automobile tire processing at a different location. Tire processing is exempted by Code from paying system fees. Thus, it is anticipated that approval of Resolution No. 00-2923 will have no significant budget impact on Metro.

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 00-2923, granting a Solid Waste Facility License to Tire Disposal & Recycling, Inc. subject to the terms and conditions incorporated into the license document attached as "Exhibit A" to Resolution No. 00-2923.

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SOLID WASTE FACILITY LICENSE

Number L-022-00

Issued by

Metro

600 NE Grand Avenue

Portland, OR 97232

Telephone: (503) 797-1650

Issued in accordance with the provisions of Metro Code Chapter 5.01

<p>LICENSEE:</p> <p>Tire Disposal & Recycling, Inc. PO Box 478 Clackamas, Oregon 97015 (503) 557-7800 FAX (503) 557-7850</p>	<p>FACILITY NAME AND LOCATION:</p> <p>Tire Disposal & Recycling, Inc. 9625 SE Clackamas Rd. Clackamas, Oregon 97015 (503) 557-7800 FAX (503) 557-7850</p>
<p>OPERATOR:</p> <p>Tire Disposal & Recycling, Inc. PO Box 478 Clackamas, Oregon 97015 (503) 557-7800 FAX (503) 557-7850</p>	<p>PROPERTY OWNER:</p> <p>Emma E. Taylor & Garland A. Taylor Trust c/o Eugene E. Feltz 1504 Standard Plaza 1100 SW Sixth Ave. Portland, Oregon 97217</p>

This license is granted to the license holder named above and is not transferable. Subject to the conditions stated in this license document, the licensee is authorized to operate and maintain a waste tire processing facility, and to accept the materials and perform the activities authorized herein.

Signed:

Acceptance & Acknowledgement of Receipt:

Signature

Signature of Licensee

Mike Burton, Metro Executive Officer

Print name and title

Print name and title

Date

Date



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**1.0 ISSUANCE**

- 1.1 Licensee** Tire Disposal & Recycling
PO Box 478
Clackamas, Oregon 97015
(503) 557-7800 FAX (503) 557-7850
- 1.2 Contact** Mark Hope
- 1.3 License Number** When referring to this license, please cite:
Metro Solid Waste Facility License Number L-022-00
- 1.4 Term of License** This license is issued for a term of five (5) years as authorized by Metro Code Chapter 5.01. The term commences from the date this license is signed by Metro.
- 1.5 Facility name and mailing address** Tire Disposal & Recycling
PO Box 478
Clackamas, Oregon 97015
(503) 557-7800 FAX (503) 557-7850
- 1.6 Operator** Tire Disposal & Recycling
PO Box 478
Clackamas, Oregon 97015
(503) 557-7800 FAX (503) 557-7850
- 1.7 Facility legal description** Sec. 9, T2S, R2E, Tax Lot 2900
- 1.8 Facility owner** Tire Disposal & Recycling
PO Box 478
Clackamas, Oregon 97015
(503) 557-7800 FAX (503) 557-7850
- 1.9 Permission to operate** Licensee warrants that it has obtained the property owner's consent to operate the facility as specified in this license.



2.0 CONDITIONS AND DISCLAIMERS

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



- 2.10 License not a waiver** Nothing in this license shall be construed as relieving any owner, operator, or licensee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
- 2.11 License not limiting** Nothing in this license is intended to limit the power of a federal, state, or local agency to enforce any provision of law relating to the solid waste facility that it is authorized or required to enforce or administer.
- 2.12 Definitions** Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

3.0 AUTHORIZATIONS

- 3.1 Purpose** This section of the license describes the materials that the licensee is authorized to accept at the facility, and the activities the licensee is authorized to perform at the facility.
- 3.2 General conditions on acceptable materials** The licensee is authorized to accept at the facility only the materials described in this section. The licensee is prohibited from knowingly receiving any materials not authorized in this section.
- 3.3 General conditions on activities** The licensee is authorized to perform at the facility only those activities that are described in this section.
- 3.4 Tires** The licensee is authorized to accept automobile, truck, heavy equipment, and other vehicle tires.
- 3.5 Materials recovery and disposal** The licensee is authorized to process tires into chips for manufacturing and engineering uses. Tire chips and steel derived from the processing of tires shall be recovered to the extent that it is technically and economically feasible to do so.
- 3.6 Deliveries not limited** This license does not limit the quantity of authorized materials that may be accepted at the facility.



4.0 LIMITATIONS AND PROHIBITIONS

- 4.1 Purpose** This section of the license describes limitations and prohibitions on the materials handled at the facility and activities performed at the facility.
- 4.2 Prohibited waste** The licensee shall not knowingly accept or retain any material amounts of the following types of wastes: putrescible wastes; materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; or any waste prohibited by the licensee's DEQ Disposal Site Permit.
- 4.3 Limits not exclusive** Nothing in this section of the license shall be construed to limit, restrict, curtail, or abrogate any limitation or prohibition contained elsewhere in this license document, in Metro Code, or in any federal, state, regional or local government law, rule, regulation, ordinance, order or permit.

5.0 OPERATING CONDITIONS

- 5.1 Purpose** This section of the license describes criteria and standards for the operation of the facility.
- 5.2 Qualified Operator** The licensee shall provide an operating staff qualified to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.
- 5.3 Managing prohibited wastes** The licensee shall establish and follow procedures for
- b. Methods of inspecting incoming loads for the presence of prohibited or unauthorized waste;
 - c. Methods for managing and transporting for disposal at an authorized disposal site each of the prohibited or unauthorized wastes if they are discovered at the facility.
- Upon discovery, all prohibited or unauthorized wastes shall be removed or managed in accordance with procedures established in the procedures.



- 5.4 Managing authorized wastes** All authorized materials received at the facility must be managed in accordance with the licensee's DEQ Waste Tire Storage permit.
- 5.5 Storage** Stored materials shall be suitably contained and removed at sufficient frequency to avoid creating nuisance conditions or safety hazards. Storage areas must be maintained in an orderly manner and kept free of litter.
- 5.6 Litter and airborne debris** The licensee shall operate the facility in a manner that is not conducive to the generation of litter and airborne debris. The licensee shall:
- a. Take reasonable steps to notify and remind persons delivering tires to the facility that all loads must be suitably secured to prevent any tires from falling off the load during transit.
 - b. Construct, maintain, and operate all vehicles and devices transferring or transporting tires from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit.
 - c. Keep all areas within the site and all vehicle access roads within ¼ mile of the site free of litter and debris.
- 5.7 Vectors** The licensee shall operate the facility in a manner that is not conducive to infestation of rodents, insects, or other animals capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another.
- 5.8 Noise** The licensee shall operate the facility in a manner that controls the creation of excessive noise to the extent necessary to meet applicable regulatory standards and land-use regulations.
- 5.9 Water quality** The licensee shall:
- a. Operate and maintain the facility to prevent submersion of tires in water.
 - b. Dispose of contaminated water and sanitary sewage generated onsite in a manner complying with local, state, and federal laws and regulations.
- 5.10 Public Access** Public access to the facility shall be controlled as necessary to prevent unauthorized entry and dumping.



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

 - a. Name of the facility
 - b. Address of the facility;
 - c. Telephone number(s) of persons who can provide information about the facility in case of an emergency;
 - d. Operating hours during which the facility is open for the receipt of authorized waste;
 - e. Metro's name and telephone number 797-1650.

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

 - a. Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of unsuccessful attempts; and
 - b. Log all such complaints by name, date, time and nature of complaint. Each log entry shall be retained for one year and shall be available for inspection by Metro.

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

6.0 FEES AND RATE SETTING

- 6.1 Purpose** This section of the license specifies fees payable by the licensee, and describes rate regulation by Metro.

- 6.2 Fines** Each violation of a license condition shall be punishable by fines as established in Metro Code Chapter 5.01. Each day a violation continues constitutes a separate violation. Metro reserves the right to change fines at any time by action of the Metro Council.



- 6.3 Rates not regulated** The tipping fees and other rates charged at the facility are exempt from rate regulation by Metro.
- 6.4 Excise tax not imposed on disposal** The licensee shall be exempt from payment of excise tax on disposal of residual material in accordance with Metro Code 7.01.050(a)(9).
- 6.5 Credit** The licensee shall not be eligible for system fee credits on disposed tire waste.

7.0 INSURANCE REQUIREMENTS

- 7.1 Purpose** The section describes the types of insurance that the licensee shall purchase and maintain at the licensee's expense, covering the licensee, its employees, and agents.
- 7.2 General liability** The licensee shall carry broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy shall be endorsed with contractual liability coverage.
- 7.3 Automobile** The licensee shall carry automobile bodily injury and property damage liability insurance.
- 7.4 Coverage** Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- 7.5 Additional insureds** Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS.



- 7.6 Worker's Compensation Insurance** The licensee, its subcontractors, if any, and all employers working under this license, are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Licensee shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If licensee has no employees and will perform the work without the assistance of others, a license to that effect may be attached in lieu of the license showing current Workers' Compensation.
- 7.7 Notification** The licensee shall give at least 30 days written notice to the Executive Officer of any lapse or proposed cancellation of insurance coverage.

8.0 ENFORCEMENT

- 8.1 Generally** Enforcement of this license shall be as specified in Metro Code.
- 8.2 Authority vested in Metro** The power and right to regulate, in the public interest, the exercise of the privileges granted by this license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such requirements against licensee.
- 8.3 Inspections** The Executive Officer may make such inspection or audit as the Executive Officer deems appropriate, and shall be permitted access to the premises of the facility at all reasonable times during business hours with or without notice or at such other times with 24 hours notice to assure compliance with this license, Metro Code, and administrative procedures adopted pursuant to Metro Code Chapter 5.01.



- 8.4 No Enforcement Limitations** Nothing in this license shall be construed to limit, restrict, curtail, or abrogate any enforcement provision contained in Metro Code or administrative procedures adopted pursuant to Metro Code Chapter 5.01, nor shall this license be construed or interpreted so as to limit or preclude Metro from adopting ordinances that regulate the health, safety, or welfare of any person or persons within the District, notwithstanding any incidental impact that such ordinances may have upon the terms of this license or the licensee's operation of the facility.

9.0 MODIFICATIONS

- 9.1 Modification** At any time during the term of the license, either the Executive Officer or the licensee may propose amendments or modifications to this license.
- 9.2 Modification, suspension or revocation by Metro** The Executive Officer may, at any time before the expiration date, modify, suspend, or revoke this license in whole or in part, in accordance with Metro Code Chapter 5.01, for reasons including but not limited to:
- a. Violation of the terms or conditions of this license, Metro Code, or any applicable statute, rule, or standard;
 - b. Changes in local, regional, state, or federal laws or regulations that should be specifically incorporated into this license;
 - c. Failure to disclose fully all relevant facts;
 - d. A significant release into the environment from the facility;
 - e. Significant change in the character of the material received or in the operation of the facility;
 - f. Any change in ownership or control, excluding transfers among subsidiaries of the licensee or licensee's parent corporation;
 - g. A request from the local government stemming from impacts resulting from facility operations.
 - h. Compliance history of the licensee.



10.0 GENERAL OBLIGATIONS

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



**10.6 Compliance
by agents**

The licensee shall be responsible for ensuring that its agents and contractors operate in compliance with this license.

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Agenda Item Number 11.3

Resolution No. 00-2924, For the Purpose of Replacing a Solid Waste Franchise Issued to Waste Recovery with a Solid Waste Facility License to be Issued to RB Recycling.

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPLACING A SOLID) RESOLUTION NO. 00-2924
WASTE FRANCHISE ISSUED TO WASTE)
RECOVERY WITH A SOLID WASTE FACILITY) Introduced by Mike Burton,
LICENSE TO BE ISSUED TO RB RECYCLING) Executive Officer

WHEREAS, a Solid Waste Franchise was issued to the Waste Recovery, Inc. waste tire processing facility in March of 1996 under the provisions of the "old" chapter 5.01 of the Metro Code; and

WHEREAS, the Waste Recovery facility was acquired by RB Recycling, Inc. in February of 1999; and

WHEREAS, under the "new" Code, such a facility is licensed rather than franchised; and

WHEREAS, RB Recycling, Inc. applied for a Solid Waste Facility License under the provisions of the "new" Code chapter 5.01 as amended in 1998; and

WHEREAS, RB Recycling, Inc.'s application is in conformance with the requirements of chapter 5.01 of the Code; and

WHEREAS, Metro staff has analyzed the application and recommended approval of the applicant's request for a Solid Waste Facility License; and

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

The existing Solid Waste Franchise originally issued to Waste Recovery shall be terminated and replaced with a Solid Waste Facility License issued to RB Recycling. The new Solid Waste Facility License shall be substantially similar to the license attached as Exhibit A.

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

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**EXECUTIVE SUMMARY
RESOLUTION 00-2924
GRANTING A SOLID WASTE FACILITY LICENSE TO
RB RECYCLING**

PROPOSED ACTION

- Grants a new solid waste facility license to one of the region's two waste tire processors.
- RB Recycling is to be authorized solely as a recovery facility.

WHY NECESSARY

- Metro Code Section 5.01.045 requires a Metro license for any person to own and operate a facility that processes non-putrescible waste and produces a processing residual in excess of ten percent. The Metro Council approves all solid waste facility licenses [Metro Code 5.01.067(a)].
- RB Recycling plays an important role in boosting the region's recovery rate and minimizing accumulations of tire piles and illegal dumping of tires.

DESCRIPTION

- RB Recycling specializes in the processing of truck tires into crumb rubber which, in turn, is utilized as a raw material in its parent company's rubber mat manufacturing business. This is a stable market that enables RB Recycling to recycle approximately 80 percent of incoming material. The remaining residual consists largely of the steel belts with bits of rubber clinging to it.

ISSUES/CONCERNS

- The RB Recycling facility was formerly operated by Waste Recovery, Inc. The proposed license, will replace a franchise that was issued to the previous operator under the "old" Code.
- Because it will be authorized to perform materials recovery and recycling only, RB Recycling will be exempt from system fees under section 5.01.150(b) of the Code.

BUDGET/FINANCIAL IMPACTS

- In the past, Metro has not collected system fees on processed tires.
- Metro budget/financial analysis does not include system fees on disposed tire waste, thus there should not be any discernable impact.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 00-2924, FOR THE PURPOSE OF REPLACING A SOLID WASTE FRANCHISE ISSUED TO WASTE RECOVERY WITH A SOLID WASTE FACILITY LICENSE TO BE ISSUED TO RB RECYCLING

April 13, 2000

Presented by: Terry Petersen,
Leann Linson

BRIEF DESCRIPTION OF RESOLUTION

Approval of Resolution No. 00-2924 will authorize the Executive Officer to issue a new Solid Waste License to RB Recycling for the operation of its waste tire processing facility located at 8501 N. Borthwick St. in Portland, Oregon. The facility was formerly operated by Waste Recovery and was originally franchised by Metro under provisions of the "old" Code chapter 5.01. The proposed license authorizes the applicant to perform only recovery and recycling of tires and rims. The license will replace a Metro franchise issued to the previous operator of the facility and bring the facility under the regulatory authority of the "new" Code chapter 5.01.

EXISTING LAW

Metro Code Section 5.01.045 requires a Metro license for any person to own and operate a facility that processes non-putrescible waste and produces a processing residual in excess of ten percent. The Metro Council approves all solid waste facility licenses [Metro Code 5.01.067(a)].

BACKGROUND

A. History of the Facility

Prior to January 1999, the applicant's facility was owned and operated by Waste Recovery, Inc. At that time, Waste Recovery was the region's only waste tire processing facility. The facility recovered and marketed crumb rubber and chips processed from waste automobile and truck tires via a multi-stage mechanical process that included coarse shredding, fine shredding, and wire removal via magnetic separation. Though some product was marketed for manufacturing purposes and engineered fill, the primary market was for tire derived fuel (TDF).

Waste Recovery was granted a Metro franchise in March of 1996. At that time it was the region's only waste tire processing facility. The Waste Recovery franchise differed from other franchises issued under the "old" Code chapter 5.01 in that it granted some relief from the imposition of user fees on tire waste disposed by the company. At that time the waste consisted primarily of the wire component of the tires with rubber clinging to it. Instead of paying the full user fee on every ton of such waste, Waste Recovery was required to pay a flat \$4,000 annual fee unless the recovery rate were to fall below 40

percent, in which case the user fee would be based upon a table contained within the franchise agreement. The lower the recovery rate, the greater the fee. Further, the company was to install new equipment designed to remove more of the rubber from the wire so that the wire could also be recycled.

Within a year of the issuance of Waste Recovery's franchise, the market for tire derived fuel declined sharply. This was a result of factors that included the substitution of natural gas for TDF; greater restrictions on the burning of TDF due to air quality concerns; and conversion to systems that burned whole tires instead of chips. At the same time, prices for scrap steel declined to the point that there were no longer markets for wire recovered from the tires. As a result, Waste Recovery began landfilling its tire chips in order to avoid accumulating more tires than it could store at its site. In December of 1996, Waste Recovery requested an exemption from user fees altogether. The request was based on the fact that the company's recovery rate had plummeted due to forces outside of its control and that its business operated on too thin a margin to support such fees. Metro staff substantiated Waste Recovery's need for such relief and, because of the facility's important role as the region's only waste tire processor, the REM Department used its enforcement discretion not to enforce the user fee provision of the franchise.

B. The Applicant and the Applicant's Request

In February 1999 the Waste Recovery facility was purchased by RB Recycling, which has continued to operate the facility under the existing franchise. RB Recycling is a subsidiary of RB Rubber Products, Inc., a company that manufactures floor coverings from recycled crumb rubber. RB Rubber's products include athletic floor surfaces and non-slip mats for horse trailers. Because automobile tires often have whitewalls that produce undesirable flecks in the finished product, RB Recycling specializes in the processing of truck tires and, unlike Waste Recovery, does not operate waste tire collection routes. The facility's present recovery rate is approximately 80 percent. Planned improvements in its wire cleaning technology are anticipated to increase its recovery rate further. RB Recycling also plans to purchase baling equipment that would improve the recyclability of the steel component of processed tires.

C. Metro Code Provisions Related to the Applicant's Request

Code Section 5.01.045(b) specifies that:

(b) A Metro Solid Waste License shall be required of the Person owning or controlling a facility at which any of the following Activities are performed:

(1) Processing of Non-Putrescible Waste that results in Processing Residual of more than ten percent

RB Recycling processes only tires, a non-putrescible waste, and produces a processing residual of approximately 20 percent. Thus, it is required to operate under the authority

of a Metro Solid Waste Facility License. Sections 5.01.055 and 5.01.060 of the Metro Code govern applications for Solid Waste Facility Licenses:

5.01.055 Pre-Application Conference

(a) *All prospective applicants for a Franchise or License shall participate in a pre-application conference with the Executive Officer. The purpose of such conference shall be to provide the prospective applicant with information regarding the applicable requirements for the proposed facility and to obtain from the prospective applicant a description of the location, site conditions and operations of the proposed facility.*

Staff held a pre-application conference with the applicant on November 24, 1999.

(b) *If a prospective applicant for a License or Franchise does not file an application for a License or Franchise within one year from the date of the pre-application conference, such applicant shall participate in a subsequent pre-application conference prior to filing any License or Franchise application.*

The applicant submitted an application within one month of the pre-application conference.

5.01.060 Applications for Certificates, Licenses or Franchises

(a) *Applications for a Certificate, Franchise or License or for renewal of an existing Certificate, Franchise or License shall be filed on forms or in the format provided by the Executive Officer.*

The application was filed on forms and in the format provided by the Executive Officer.

(b) *In addition to any information required on the forms or in the format provided by the Executive Officer, all applications shall include a description of the Activities proposed to be conducted and a description of Wastes sought to be accepted.*

The application contains a description of the activities proposed to be conducted and a description of Wastes sought to be accepted. The proposed activities consist of shredding tires to produce tire chips and crumb rubber. The wastes accepted consist solely of truck, automobile, and large equipment tires, both on and off the rims.

(c) *In addition to the information required on the forms or in the format provided by the Executive Officer, applications for a License or Franchise shall include the following information to the Executive Officer:*

- (1) *Proof that the applicant can obtain the types of insurance specified by the Executive Officer during the term of the Franchise or License;*

A certificate of insurance was provided with the application.

- (2) *A duplicate copy of all applications for necessary DEQ permits and any other information required by or submitted to DEQ;*

Copies of the following DEQ permits and information were included with RB Recycling's application:

- Combined Waste Tire and Storage/Carrier Permit
- Stormwater Discharge Permit sampling information
- Waste Tire Carrier Bond in the amount of \$5,000

- (3) *A duplicate copy of any closure plan required to be submitted to DEQ, or if DEQ does not require a closure plan, a closure document describing closure protocol for the Solid Waste Facility at any point in its active life;*

DEQ has not required a closure plan. However, at Metro's request, a closure protocol was developed. The protocol calls for the tires to be removed to the Tire Disposal and Recycling, Inc. facility located at 9625 SE Clackamas Rd., Clackamas Rd., Oregon for shredding and subsequent landfilling.

- (4) *A duplicate copy of any documents required to be submitted to DEQ demonstrating financial assurance for the costs of closure, or if DEQ does not require such documents, proof of financial assurance for the costs of closure of the facility;*

Included in the application was a copy of a Waste Tire Storage Site Bond in the amount of \$50,000.

- (5) *Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the Licensee or Franchisee, the duration of that interest and shall include a statement that the property owner(s) have read and agree to be bound by the provisions of section 5.01.180(e) of this chapter if the License or Franchise is revoked or any License or Franchise renewal is refused;*

Copies of the required consent forms signed by the property owners were included with the application.

- (6) *Proof that the applicant has received proper land use approval; or, if land use approval has not been obtained, a written recommendation of the planning director of the local governmental unit having land use jurisdiction regarding new or existing disposal sites, or alterations, expansions, improvements or changes in the method or type of disposal at new or existing disposal sites. Such recommendation may include, but is not limited to a statement of*

compatibility of the site, the Solid Waste Disposal Facility located thereon and the proposed operation with the acknowledged local comprehensive plan and zoning requirements or with the Statewide Planning Goals of the Land Conservation and Development Commission; and

The facility is located in a heavy industrial zone where the applicant's tire processing activity is an outright permitted use.

- (7) *Identify any other known or anticipated permits required from any other governmental agency. If application for such other permits has been previously made, a copy of such permit application, and any permit that has been granted shall be provided.*

Included with the application were a City of Portland Business License and a Notice of Compliance from the Oregon Dept. of Consumer & Business Services, Workers' Compensation Division. There are no other required permits known or anticipated by Metro staff.

5.01.062 Application Fees

(a) *Upon the filing of an application, every applicant for a Certificate, License or Franchise shall submit an application fee as provided in this section.*

(b) *Application fees shall be as follows:*

(2) *For a Solid Waste Facility License, three hundred dollars (\$300).*

The applicant has submitted the required \$300 application fee.

5.01.150 User Fees

(b) *User fees shall not apply to:*

(1) *Non-putrescible Wastes accepted at a Franchised or Licensed Solid Waste Facility that is authorized to perform only Materials Recovery or Recycling Activities;*

The proposed license authorizes RB Recycling to perform materials recovery and recycling activities only. The facility will therefore be exempt from user fees under the existing Code.

BUDGET IMPACT

Resolution No. 00-2924 continues an existing authorization to process waste tires. The facility has not been required to remit user fees in the past and will be exempt from such fees under a new license. Thus, it is anticipated that approval of Resolution No. 00-2924 will have an insignificant fiscal impact on Metro.

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 00-2924, granting a Solid Waste License to RB Recycling, Inc. subject to the terms and conditions incorporated into the license document attached as "Exhibit A" to Resolution No. 00-2924.

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SOLID WASTE FACILITY LICENSE

Number L-017-00

Issued by

Metro

600 NE Grand Avenue

Portland, OR 97232

Telephone: (503) 797-1650

Issued in accordance with the provisions of Metro Code Chapter 5.01

<p>LICENSEE:</p> <p>RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498</p>	<p>FACILITY NAME AND LOCATION:</p> <p>RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498</p>
<p>OPERATOR:</p> <p>RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498</p>	<p>PROPERTY OWNER:</p> <p>RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498</p>

This license is granted to the license holder named above and is not transferable. Subject to the conditions stated in this license document, the licensee is authorized to operate and maintain a waste tire processing facility, and to accept the materials and perform the activities authorized herein.

Signed:

Acceptance & Acknowledgement of Receipt:

Signature

Signature of Licensee

Mike Burton, Metro Executive Officer

Print name and title

Print name and title

Date

Date



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1.0	ISSUANCE	
1.1	Licensee	RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498
1.2	Contact	Pete Daly
1.3	License Number	When referring to this license, please cite: Metro Solid Waste Facility License Number L-017-00
1.4	Term of License	This license is issued for a term of five (5) years as authorized by Metro Code Chapter 5.01. The term commences from the date this license is signed by Metro.
1.5	Facility name and mailing address	RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498
1.6	Operator	RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498
1.7	Facility legal description	Swinton Addition, Block 5, Lots 1-36, in the City of Portland, Oregon
1.8	Facility owner	RB Recycling 8501 N. Borthwick Portland, Oregon 97217 (503) 283-2261 FAX (503) 283-2498
1.9	Permission to operate	Licensee warrants that it has obtained the property owner's consent to operate the facility as specified in this license.



2.0 CONDITIONS AND DISCLAIMERS

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



- 2.10 License not a waiver** Nothing in this license shall be construed as relieving any owner, operator, or licensee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
- 2.11 License not limiting** Nothing in this license is intended to limit the power of a federal, state, or local agency to enforce any provision of law relating to the solid waste facility that it is authorized or required to enforce or administer.
- 2.12 Definitions** Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

3.0 AUTHORIZATIONS

- 3.1 Purpose** This section of the license describes the materials that the licensee is authorized to accept at the facility, and the activities the licensee is authorized to perform at the facility.
- 3.2 General conditions on acceptable materials** The licensee is authorized to accept at the facility only the materials described in this section. The licensee is prohibited from knowingly receiving any materials not authorized in this section.
- 3.3 General conditions on activities** The licensee is authorized to perform at the facility only those activities that are described in this section.
- 3.4 Tires** The licensee is authorized to accept automobile, truck, heavy equipment, and other vehicle tires.
- 3.5 Materials recovery** The licensee is authorized to process tires for recovery of crumb rubber for manufacturing and tire chips for fuel and engineering uses. Steel derived from the processing of tires shall be recovered to the extent that it is technically and economically feasible.
- 3.6 Deliveries not limited** This license does not limit the quantity of authorized materials that may be accepted at the facility.



4.0 LIMITATIONS AND PROHIBITIONS

- 4.1 **Purpose** This section of the license describes limitations and prohibitions on the materials handled at the facility and activities performed at the facility.
- 4.2 **Prohibited waste** The licensee shall not knowingly accept or retain any material amounts of the following types of wastes: putrescible wastes; materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; or any waste prohibited by the licensee's DEQ Disposal Site Permit.
- 4.3 **Limits not exclusive** Nothing in this section of the license shall be construed to limit, restrict, curtail, or abrogate any limitation or prohibition contained elsewhere in this license document, in Metro Code, or in any federal, state, regional or local government law, rule, regulation, ordinance, order or permit.

5.0 OPERATING CONDITIONS

- 5.1 **Purpose** This section of the license describes criteria and standards for the operation of the facility.
- 5.2 **Qualified Operator** The licensee shall provide an operating staff qualified to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.
- 5.3 **Managing prohibited wastes** The licensee shall establish and follow procedures for
- b. Methods of inspecting incoming loads for the presence of prohibited or unauthorized waste;
 - c. Methods for managing and transporting for disposal at an authorized disposal site each of the prohibited or unauthorized wastes if they are discovered at the facility.
- Upon discovery, all prohibited or unauthorized wastes shall be removed or managed in accordance with procedures established in the procedures.



- 5.4 Managing authorized wastes** All authorized materials received at the facility must be managed in accordance with the licensee's DEQ Waste Tire Storage permit.
- 5.5 Storage** Stored materials shall be suitably contained and removed at sufficient frequency to avoid creating nuisance conditions or safety hazards. Storage areas must be maintained in an orderly manner and kept free of litter.
- 5.6 Litter and airborne debris** The licensee shall operate the facility in a manner that is not conducive to the generation of litter and airborne debris. The licensee shall:
- a. Take reasonable steps to notify and remind persons delivering tires to the facility that all loads must be suitably secured to prevent any tires from falling off the load during transit.
 - b. Construct, maintain, and operate all vehicles and devices transferring or transporting tires from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit.
 - c. Keep all areas within the site and all vehicle access roads within $\frac{1}{4}$ mile of the site free of litter and debris.
- 5.7 Vectors** The licensee shall operate the facility in a manner that is not conducive to infestation of rodents, insects, or other animals capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another.
- 5.8 Noise** The licensee shall operate the facility in a manner that controls the creation of excessive noise to the extent necessary to meet applicable regulatory standards and land-use regulations.
- 5.9 Water quality** The licensee shall:
- a. Operate and maintain the facility to prevent submersion of tires in water.
 - b. Dispose of contaminated water and sanitary sewage generated onsite in a manner complying with local, state, and federal laws and regulations.
- 5.10 Public Access** Public access to the facility shall be controlled as necessary to prevent unauthorized entry and dumping.



- 5.11 Signage** The licensee shall post signs at all public entrances to the facility, and in conformity with local government signage regulations. These signs shall be easily and readily visible, legible, and shall contain at least the following information:
- a. Name of the facility
 - b. Address of the facility;
 - c. Telephone number(s) of persons who can provide information about the facility in case of an emergency;
 - d. Operating hours during which the facility is open for the receipt of authorized waste;
 - e. Metro's name and telephone number 797-1650.
- 5.12 Complaints** The licensee shall respond to all written complaints on nuisances (including, but not limited to, blowing debris, fugitive dust or odors, noise, traffic, and vectors). If licensee receives a complaint, licensee shall:
- a. Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of unsuccessful attempts; and
 - b. Log all such complaints by name, date, time and nature of complaint. Each log entry shall be retained for one year and shall be available for inspection by Metro.
- 5.13 Access to license document** The licensee shall maintain a copy of this Metro Solid Waste Facility License on the facility's premises, and in a location where facility personnel and Metro representatives have ready access to it.

6.0 FEES AND RATE SETTING

- 6.1 Purpose** This section of the license specifies fees payable by the licensee, and describes rate regulation by Metro.
- 6.2 Fines** Each violation of a license condition shall be punishable by fines as established in Metro Code Chapter 5.01. Each day a violation continues constitutes a separate violation. Metro reserves the right to change fines at any time by action of the Metro Council.



- 6.3 Rates not regulated** The tipping fees and other rates charged at the facility are exempt from rate regulation by Metro.
- 6.4 Excise tax not imposed on disposal** The licensee shall be exempt from payment of excise tax on disposal of residual material in accordance with Metro Code 7.01.050(a)(9).
- 6.5 Credit** The licensee shall not be eligible for system fee credits on disposed tire waste.

7.0 INSURANCE REQUIREMENTS

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



- 7.7 Notification** The licensee shall give at least 30 days written notice to the Executive Officer of any lapse or proposed cancellation of insurance coverage.

8.0 ENFORCEMENT

- 8.1 Generally** Enforcement of this license shall be as specified in Metro Code.
- 8.2 Authority vested in Metro** The power and right to regulate, in the public interest, the exercise of the privileges granted by this license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such requirements against licensee.
- 8.3 Inspections** The Executive Officer may make such inspection or audit as the Executive Officer deems appropriate, and shall be permitted access to the premises of the facility at all reasonable times during business hours with or without notice or at such other times with 24 hours notice to assure compliance with this license, Metro Code, and administrative procedures adopted pursuant to Metro Code Chapter 5.01.
- 8.4 No Enforcement Limitations** Nothing in this license shall be construed to limit, restrict, curtail, or abrogate any enforcement provision contained in Metro Code or administrative procedures adopted pursuant to Metro Code Chapter 5.01, nor shall this license be construed or interpreted so as to limit or preclude Metro from adopting ordinances that regulate the health, safety, or welfare of any person or persons within the District, notwithstanding any incidental impact that such ordinances may have upon the terms of this license or the licensee's operation of the facility.



9.0 MODIFICATIONS

- 9.1 Modification** At any time during the term of the license, either the Executive Officer or the licensee may propose amendments or modifications to this license.
- 9.2 Modification, suspension or revocation by Metro** The Executive Officer may, at any time before the expiration date, modify, suspend, or revoke this license in whole or in part, in accordance with Metro Code Chapter 5.01, for reasons including but not limited to:
- a. Violation of the terms or conditions of this license, Metro Code, or any applicable statute, rule, or standard;
 - b. Changes in local, regional, state, or federal laws or regulations that should be specifically incorporated into this license;
 - c. Failure to disclose fully all relevant facts;
 - d. A significant release into the environment from the facility;
 - e. Significant change in the character of the material received or in the operation of the facility;
 - f. Any change in ownership or control, excluding transfers among subsidiaries of the licensee or licensee's parent corporation;
 - g. A request from the local government stemming from impacts resulting from facility operations.
 - h. Compliance history of the licensee.

10.0 GENERAL OBLIGATIONS

- 10.1 Compliance with law** Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.01 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the operation of the facility by federal, state, regional or local governments or agencies having jurisdiction over the facility shall be deemed part of this license as if specifically set forth herein. Such conditions and permits include those cited within or attached as exhibits to the license document, as well as any existing at the

Agenda Item Number 11.4

Resolution No. 00-2933, For the Purpose of Authorizing Amendments to the Intergovernmental Agreement with the City of Portland for the Consolidation of Regional Facilities to Transfer Civic Stadium.

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO 00-2933
AMENDMENTS TO THE INTERGOVERNMENTAL)
AGREEMENT WITH THE CITY OF PORTLAND) Introduced by Presiding Officer
FOR THE CONSOLIDATION OF REGIONAL) David Bragdon
FACILITIES TO TRANSFER CIVIC STADIUM)

WHEREAS, the City of Portland and Metro are parties to an Amended Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities Owned and Operated by the City of Portland and the Metropolitan Service District, which transferred City facilities managed by the Exposition-Recreation Commission and all employees to the management of the Metropolitan Exposition-Recreation Commission; and

WHEREAS, the City has now entered into an agreement with Portland Family Entertainment LP ("PFE"), which provides for a major renovation and transfers operational management of Civic Stadium to PFE; and

WHEREAS, Metro recognizes the City's investment of public funds and its right to provide for the management of City-owned facilities; and

WHEREAS, the City and Metro have negotiated in good faith for amendments to the Consolidation Agreement which will streamline the management of the remaining City facility upon the withdrawal of Civic Stadium from Metropolitan Exposition-Recreation Commission management; now, therefore,

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BE IT RESOLVED:

1. That the Executive Officer is authorized to execute the Amendment to the Agreement attached as Exhibit "A" to this Resolution.

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

David Bragdon, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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4/05/2000

RESOLUTION NO. 00-2933
EXHIBIT A
AVAILABLE PRIOR TO FINAL DECISION

Agenda Item Number 11.5

**Resolution No. 00-2934, For the Purpose of Requesting Periodic Review of the Regional Urban Growth
Boundary.**

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING) RESOLUTION NO. 00-2934
PERIODIC REVIEW OF THE REGIONAL)
URBAN GROWTH BOUNDARY) Introduced by Growth Management
) Committee

WHEREAS, Metro is responsible for the regional Urban Growth Boundary ("UGB") for the 24 cities and urban portions of 3 counties under ORS 268.390(3); and

WHEREAS, Metro is required by ORS 197.299(2) and a LCDC time extension to add land for housing to the regional UGB by October 31, 2000; and

WHEREAS, Metro's established UGB last completed Periodic Review by the Land Conservation and Development Commission ("LCDC") in December, 1992; and

WHEREAS, LCDC rules provide for Periodic Review of Metro's UGB every five to ten years; and

WHEREAS, the courts have determined that the regional UGB, including Metro's UGB amendment process, is a comprehensive plan provision subject to LCDC acknowledgment and Periodic Review for compliance with applicable statewide land use goals; and

WHEREAS, state laws on Periodic Review were significantly amended in 1999 and LCDC regulations implementing those changes in law were effective February 14, 2000; and

WHEREAS, OAR 660-025-0050 provides for initiation of the Periodic Review process by a letter from the Department of Land Conservation and Development; and

WHEREAS, Metro staff and the Department have worked cooperatively to request that the Commission consider amending its Periodic Review Schedule to include Metro's regional UGB and to identify a Periodic Review schedule consistent with completing the UGB amendments required by ORS 197.299 by October 31, 2000; now, therefore,

BE IT RESOLVED,

1. That the Metro Council requests that the Land Conservation and Development Commission amend its Periodic Review schedule to include Metro's regional UGB completion of 1997 Need Determination from 1997-2017 and that the Director of the Department of Land Conservation and Development initiate Periodic Review of Metro's regional UGB with Department and Commission review expedited to enable the Periodic Review work plan tasks required for compliance with ORS 197.299(2) to be completed by October 31, 2000.

2. That the Metro Council hereby adopts Metro's Citizen Involvement Program for Periodic Review of the Regional UGB attached as Exhibit "A" and incorporated by reference herein.

3. That the Metro Council requests approval of the Metro Citizen Involvement program in Exhibit "A" for use in periodic review to comply with OAR 660-025-080.

4. That a suggested "schedule for work tasks" to assure timely compliance with ORS 197.299 within Periodic Review for Metro consideration in its citizen involvement process in Exhibit "B" is attached and incorporated by reference herein.

ADOPTED by the Metro Council this ____ day of March 2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel



EXHIBIT A

DRAFT

**Proposed Urban Growth Boundary Periodic Review Work Program 2000
Citizen Involvement Element**

4/4/00

Citizen Involvement Program

Purpose: To inform the public and provide opportunities for meaningful input into the planning process. To meet the requirements of State Goal 1 and RUGGOs Goal 1, Objective 1.

- A. Evaluation and Work Program Review
 - 1. Coordination with local governments and stakeholders
 - a. Send notice and draft work program and evaluation to local governments
 - b. Send notice and draft work program and evaluation to stakeholders
 - c. MTAC and MPAC review
 - 2. Hearing at Growth Management Committee on Evaluation and work program
 - 3. Hearing and adoption of evaluation and work program by Metro Council
- B. Work Program public involvement
 - 1. Coordination with local governments
 - a. Send notice to local governments of work program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Review and comment by MTAC and MPAC
 - c. Metro Council hearings
 - 2. Citizen and stakeholder input
 - a. Notice to stakeholders of program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Community Forums for the public on process, study areas and selection criteria
 - c. Information sheet on process and comment opportunities
 - d. Metro web page on process and contacts
 - e. Property owner notice of hearings
 - f. Metro Council hearings
- C. Develop and initiate process to respond to citizen and local government comments

EXHIBIT B



DRAFT

Proposed Urban Growth Boundary Periodic Review Work Program 2000
Work Program Outline – Process Steps
04/04/00

Work Program Elements

PHASE 1 - REGIONAL NEED

I Evaluation of UGB process to establish need for periodic review

Purpose: To weave together the related issues having to do with timing, prior decisions, general approach, changes in policies and circumstances and establish the need for periodic review.

- A. Substantial change in circumstances
 - 1. Urban reserves are gone
 - 2. Last periodic review was 1992
 - 3. Goal 5 resource protection
- B. Implementation decisions are inconsistent with statewide goals
 - No inconsistencies
- C. Issues of regional/statewide significance must be addressed
 - 1. State requirements OAR 660-0025-0030(1), (2)(d) UGB review
 - 2. Time extension until October 31, 2000
- D. Prior decisions
 - 1. 1997 – 2017 need
 - 2. HB 2709 requirements/deadlines
- E. General approach
 - 1. Address regional need for housing and jobs in phase 1
 - 2. Assess subregional need in second phase
 - 3. Update forecast in second phase

II Citizen Involvement Program – See Exhibit A

III Determination of Need

Purpose: To verify, reconcile and report on data, timing, specific UGR factors, development activity from 1993 to 1998 and to present a unified approach to establishing need.

- A. Discussion paper on baseline data – 1997 need updated to 1998 data
- B. Verify regional need for housing units and jobs
- C. Reconcile Urban Growth Report with Metro Functional Plan (Table 1) and Metro Code
 - 1. Staff Analysis and Report
 - 2. Recommended Changes to the Functional Plan
 - 3. Recommend changes to Metro Code
- D. Additional Research on Capacity Factors
 - 1. Accessory dwelling units
 - 2. Development density of constrained lands
 - 3. Jobs research on type and size of sites
 - 4. Goal 5 constrained lands
- E. Determine Dwelling Units and Jobs capacity inside the UGB using 1998 vacant land data
 - 1. Update and report on development activity inside the UGB since 1997
 - a. Identify changes in development activity brought on by the market and Metro's Functional Plan (past 5 years)
 - b. Estimated change in need from 1997 to 1998
 - 2. Review and assess the need to update the housing need analysis



- F. Document that inside the UGB the following measures have been taken to accommodate need
 - 1. Plan/zone amendments have been made to support a compact urban form
 - a. 2040 design types – mixed use area planning
 - b. Infill and redevelopment are encouraged
 - c. Lot partitioning - mixed use area planning
 - d. Housing minimum densities have been established
 - e. Accessory Dwelling units are required
 - f. Industrial, office and retail building FARs are established
- Recommended design type persons per acre (fp)
Mixed use area planning (local plans)

IV Alternative Analysis

Purpose: To identify exception lands and exclusive farm use land that is completely surrounded by exception land for possible inclusion in the urban growth boundary.

- A. Identify study areas
- B. Discussion paper of relevance of other studies pertaining to exception lands
 - 1. Information from Local governments
 - 2. Information from citizens/property owners
- C. Data Collection
 - 1. Serviceability/Public facility rating
 - 2. Assessment of potential dwelling units/jobs
 - 3. Description of each study areas
- C. ESEE Analysis
- D. Resource Assessment
- F. General determination of lands to be considered for inclusion in the UGB

V Refine Analysis of Exception Lands

Purpose: Analyze the remaining exception lands (per the alternative analysis) in the context of Metro policies and goals. Make recommendations as to the effectiveness of different exception land to meet regional policies, such as jobs/housing balance and complete communities.

- A. Establish criteria for selection of exception land for inclusion in the UGB
 - 1. Proximity to the UGB
 - 2. Governance
 - 3. Consistency with Metro Policy - RUGGOs
 - a. Jobs/housing balance II.2.v./19.v./22.3.2
 - b. Complete Communities II.2.v.
 - c. Boundary Features 22.1
 - d. Separation of communities 22.3.3
 - e. Other
 - 4. Infrastructure capacity/feasibility
 - 5. Other
- B. Analyze exception land with the selection criteria

VI Technical Amendments to the UGB Part 1

- A. Analysis of technical problems with the location of the boundary line
 - 1. Inconsistency of location of boundary in relationship to streets
 - 2. Etc.
- B. Review Metro Code for administrative issues
- D. Draft proposed changes to boundary line and administrative language

VII Preliminary Selection of Exception Lands for UGB consideration

- A. Notice property owners
- B. Coordinate with Local Governments (MTAC/MPAC) and respond to comments
- C. Prepare summary staff report
- D. Conduct Public Hearings before Growth Management Committee and Metro
- E. Council 4 to 5 hearings in September



PHASE 2 - FORECAST UPDATE AND SUBREGIONAL ANALYSIS

This portion of the work program is still in the early development stage

I Evaluate and Revise Work Program

Purpose: To revise and update the assessment of the capacity of the urban growth boundary to address subregional need, a 2022 forecast and 2002 periodic review as required by Metro code section 3.01.080.

- A. Review changes to Goal 14
- B. Review Metro policy
- E. Revise work program
- F. Coordinate with local governments
 - 1. MTAC and MPAC review and comment
 - 2. Notification to local governments of process and opportunities for comment
 - 3. Metro Council hearing and adoption of revised work plan
- E. Coordinate with DLCD
- F. Submit proposed periodic review work program changes to LCDC

II Determination of Need

- A. Regional Need
 - 1. Identify sub regions for analysis
 - 2. Update forecast to 2022
 - 3. Update regional need for housing units and jobs to 2022
 - 4. Additional Research on Capacity Factors
 - a. Update 2040 design type assumption and base zoning
 - b. Jobs research on type and size of site
 - c. Update ADU data
 - d. Goal 5 constrained lands
 - e. Other
 - 5. Determine Dwelling Units and Jobs capacity inside the UGB using most current vacant land data
 - 6. Update and report on development activity inside the UGB since 1997
- B. Sub Regional Need

III Land Supply Analysis

IV Technical Amendments to the UGB Part 2

Agenda Item Number 11.6

**Resolution No. 00-2935, For the Purpose of Amending the Year 2000 Growth Management Committee
Work Plan.**

**Metro Council Meeting
Thursday, April 13, 2000
St. Anthony's Parish Hall**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE YEAR) RESOLUTION NO. 00-2935
2000 GROWTH MANAGEMENT COMMITTEE)
WORK PLAN)
) Introduced by Growth Management
) Committee

WHEREAS, the Metro Council's Growth Management Committee has reviewed Metro's 2000 Growth Management Committee Work Plan ("Work Plan") attached hereto as Exhibit A and has determined that this Work Plan is an appropriate Work Plan for the Growth Management Committee and Metro Council to follow during the year 2000 in considering work related to the amendment of the Urban Growth Boundary to meet the regional need as identified; now, therefore,

BE IT RESOLVED:

1. That the Metro Council approves the year 2000 Growth Management Committee Work Plan attached hereto as Exhibit A.

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

David Bragdon, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

UGB Periodic Review Work Plan

(Based on Compliance with Metro Council Resolution 99-2855C)

Exhibit A to Resolution
No. 00-2935

4/4/2000*

	January 2000	February	March	April	May	June	July	August	September	October
1.0 Periodic Review Urban Growth Boundary Amendments (UGBA)				Council consideration of periodic review for UGB process	Submission of evaluation of UGB		-45 day LCDC notice -Property owner notices for community forums -LCDC hearing on work program	Complete Staff Goal 14 report	Evidentiary Public Hearings	Preliminary Decision Findings Metro Council adopt UGB ordinances
1.1 Periodic Review Goal 14 Urbanization Alternatives Analysis (exception lands)	Send letter to local governments. Identify additional areas for further study	GMC & MTAC discussion on areas for study	Initiate consultant Goal 14/alternatives analysis	MPAC discussion of Goal 14/alternatives analysis process	-Report on area selection criteria to GMC/MPAC -Complete consultant work and alternatives analysis	GMC authorizes 45 day notice - GMC/MPAC presentation of analysis and selection criteria -GMC accepts areas for notice of UGBA consideration -Preliminary revised capacity tables based on 2.1-2.4 -Metro Council Hearings and Need Consideration				
2.0 Periodic Review Decision on Goal 14 Need for UGB capacity				Propose clarification of need method for functional plan					Revised capacity tables Metro Council Need Verification	
2.1 Jobs Research	Preliminary Overview of Regional Forecast and Peer Review	Begin Policy Dialogue	Analyze industrial land capacity by type, parcel size and distribution	Tabulate industrial land capacity/supply	Complete jobs land analysis by type, parcel size & geographic distribution					
2.2 Urban Growth Report (UGR) Two follow up issues	Begin studies of Accessory Dwelling Unit (ADU) and Density of Environmental lands		Complete analysis and report on ADU's	-Complete analysis and report on Density of Environmental Lands -MPAC discussion and recommendation	Metro Council hearing and decision on two UGR issues					
2.3 Goal 5 Riparian	Local government contact, advisory committee review, public outreach	Public Open Houses	MPAC discussion							
2.4 Storm Water Interim Regulations (Goal 6)					GMC direction	Draft Functional Plan Language	MPAC Recommendation			
					Introduce interim 4D storm water regulations	Draft functional plan language	Public Open Houses	Metro Council hearings	Metro Council Decision	
						MPAC discussion	MPAC Recommendation			

GM/long range/share/UGB Periodic Review Work plan

Note: MTAC= Metro Technical Advisory Committee MPAC= Metro Policy Advisory Committee GMC= Metro Growth Management Committee

Date: April 12, 2000
To: Metro Council
From: Diane Linn, Chair *D Linn*
Metro Affordable Housing Technical Advisory Committee
cc: Mike Burton, Metro Executive Officer
Subject: H-TAC Work Update

At your informal meeting on March 28, 2000, I gave you a quick update on H-TAC work, using the attached memo. My update included a draft summary of recommended affordable housing strategies and potential implementation actions.

You suggested that H-TAC return to Council in April with an outline of the additional Metro resources required to successfully implement the draft recommendations developed by the committee. Attached is a draft of the budget needed to roll out the Regional Affordable Housing Strategy plan.

We will explain our proposal to you at the scheduled update meeting on April 13, 2000 at St. Anthony's Village. Our proposal was adapted from the H-TAC draft summary of recommended affordable housing strategies and potential implementation actions, and shows:

- Current year's program level of resources
- Proposed FY2000-2001 program level of resources
- Potential elements of FY 2001-2002 program

I look forward to seeing you this Thursday.

Draft

**H-TAC Proposed FY 2000/2001 Housing Program Elements*
Growth Management Services Department**

Current Year's Program –FY1999-2000 - (1.5 FTE)

1. Staff H-TAC
2. Assist H-TAC in determining the region's affordable housing need and setting future regional affordable housing production goals
3. Assist H-TAC in researching, analyzing and determining the feasibility and effectiveness of cost reduction, land use and regulatory, and regional funding tools and strategies
4. Collect technical expert and citizen opinions on the work product of the H-TAC through focus group meetings and community round table discussions
5. Assist H-TAC in developing the Regional Affordable Housing Strategy Plan

Proposed FY 2000-2001 Program*

*The following was adapted from Attachment A, of Diane Linn's memo to the Metro Council, however, development of the actual scope of work could reduce or increase the FTE.

Option A	Option B
1.0 FTE	0.5 FTE + \$50,000 M&S

1. **Regional Framework Plan and Functional Plan**
 - a) Per Metro Council action of the H-TAC recommendations and Regional Affordable Housing Strategy plan, necessary amendments will be made on the Regional Framework Plan and the Urban Growth management Functional Plan.
2. **Regional Affordable Housing Data**
 - a) Collect data necessary to track progress in meeting affordable housing production goals, including use of the results of a periodic survey of local jurisdictions to determine effectiveness of affordable housing strategies
 - b) Collect data necessary to track the cost of producing publicly subsidized housing.
 - c) Coordinate transfer development rights programs with regional affordable housing goals.
3. **Compile Best Practices of Effective Models Handbook for:**
 - a) Long-term or permanent affordability.
 - b) Density bonus.
 - c) Inclusionary housing (voluntary & mandatory) and urban growth boundary considerations
 - d) Transfer of development rights .
 - e) Design and development criteria that will help minimize the impact of local regulatory constraints/ discrepancies in planning and zoning codes, and local permitting or approval process.
4. **Develop Regional Guidelines Handbook for Implementation of:**
 - a) Voluntary density bonus model ordinance .
 - b) Voluntary inclusionary housing model ordinance targeting certain income groups and permanent affordability.
 - c) System development charges to ensure that the benefit reduced fees reaches the end user

- d) Local permitting process to ensure consistency and that the benefit of reduced fees reaches the end user.
- e) Property tax exemption to ensure that the benefit reaches the end user.

5. *Implementation Advisory Committee*

- a) Staffing and assisting a downsized implementation committee that will advise Metro and help to review the effectiveness of the strategies and appropriateness of the regional affordable housing goal, and recommend changes.

6. *Other Activities Related to Current Metro's Programs*

- a) Consider the cost of developing land within the urban growth boundary when expanding the boundary since undeveloped land inside the urban growth boundary tends to be harder and more expensive to develop.
- b) Consider using cost/benefit analysis to determine the impact of new regulations on local housing activities related to housing production.
- c) Address storm-water detention/runoff on a watershed basis so as to facilitate local implementation of off-site improvements.
- d) Consider affordable housing when developing regional natural resource protection programs so as to enhance the implementation of local off-site improvement requirements.
- e) Review of Metro's goals for consistency in its overall regional planning policies and their impact on local planning and zoning activities.
- f) Consider "voluntary inclusionary housing" requirements when amending the Urban Growth Boundary.
- g) Provide legal opinion on Metro's authority on the implementation of system development charges reduction, permit fees reduction, and off-site improvements requirements.

7. *Coordination through Regional Forums*

- a) Create a stable platform for an ongoing policy dialogue that would ensure coordination between local and state policies and goals with funding requirements in order to meet regional affordable housing needs.
- b) Create a stable platform for an ongoing dialogue among various entities in the region to enhance local first time homebuyer programs.
- c) Encourage coordination between local entities and the Oregon Building Codes Division to minimize the cost impact of codes on affordable housing production in the region.

Potential Elements of FY 2001-2002 Program (___?___ FTE)

- a) ***Regional Housing Fund:*** Assist in setting up a regional administrative infrastructure for the administration of a Regional Housing Fund when the fund becomes available.
- b) ***Staff Implementation Committee:*** Assist a downsized implementation committee that will advise Metro and help to review the effectiveness of the strategies and appropriateness of the regional affordable housing goal, and recommend changes.
- c) ***Data Analysis:*** Use the US 2000 Census data and results of a periodic survey of local jurisdictions to determine effectiveness of affordable housing strategies.



METRO

Date: March 28, 2000

To: Metro Council

From: Diane Linn, Chair *Diane Linn*
 Metro Affordable Housing Technical Advisory Committee

cc: Mike Burton, Metro Executive Officer

Subject: H-TAC Work Update

H-TAC Charge

In September 1998 the Metro Council adopted Ordinance No. 98-769, which included the Regional Framework Plan (RFP) Section 1.3, Housing and Affordable Housing and established the Affordable Housing Technical Advisory Committee (H-TAC) to carry out the actions identified in the RFP. The charge the Metro Council gave the committee is outlined below:

- "...(A)ssist in carrying out the provisions of (the RFP, Sect. 1.3) and identify cooperative approaches, regulatory reforms and incentives to be considered to ensure that needed affordable housing is built." (*Regional Framework Plan, Section 1.3*)
- Develop "(t)he Regional Affordable Housing Strategy (RAHS) (that) will include numerical "fair share" targets (affordable housing goals) for each jurisdiction to be adopted in the Urban Growth Management Functional Plan..." and strategies that may be needed to attain the goals. (*Regional Framework Plan, Section 1.3*)
- "Prior to making a recommendation, the Committee shall conduct at least one public hearing and invite interested citizens and government officials to testify." (*Metro Code 3.07.030*).
- "The Strategy (RAHS) will contain recommendations for further actions [by the Metro Council], including appropriate amendments to the Urban Growth Management Functional Plan for those elements which are suitable for implementation through comprehensive plans and zoning regulations, as well as voluntary measures." (*Regional Framework Plan, Section 1.3*)

The Regional Framework Plan Policy stated that the RAHS would not be a regulatory document, however the document will contain recommendations for further actions including appropriate amendments to the Functional Plan. *In the next few weeks, H-TAC will be addressing the elements of its work products that may be recommended for inclusion in the Functional Plan.*

H-TAC Products

The major products developed by the dedicated members of H-TAC subcommittees are:

1. *Cost reduction strategies* for nine factors in the cost of producing housing;
2. *Land use and regulatory tools* for seven areas of land use based regulations;
3. *A regional funding* report containing strategies for maximizing existing resources and identifying potential new sources of funding for affordable housing; and
4. Options for a regional *five-year affordable housing production goal*.

In the development of these strategies H-TAC analyzed similar programs implemented elsewhere, identified the limitations of those programs, and developed recommendations on regional and local implementation approaches.

ATTACHMENT A
DRAFT H-TAC Recommendations and Potential Implementation Plan

Housing Strategy	H-TAC Recommendations	Potential Actions	Who Could Implement
Land Use Strategies			
1. Long-term or Permanent Affordability	<ul style="list-style-type: none"> a. Public investment should be tied to permanent affordability b. Public benefit (e.g., grants, tax exemption) should be tied to long term affordability c. Encourage use of key strategies (community land trusts, etc.) to increase homeownership rates and affordable housing production d. Legally enable local jurisdictions and nonprofits to utilize certain strategies (flexible PUD codes, cooperative housing) e. Compile best practices of effective models 	<ul style="list-style-type: none"> a. Local legislative effort/ regional if funding source is developed b. Local legislative effort c. Local jurisdictions and housing developer cooperation d. Local legislative changes/ State legislative changes for cooperative housing e. Metro effort 	<ul style="list-style-type: none"> a. Local jurisdictions b. Local jurisdictions c. Local jurisdictions d. Local jurisdictions/ regional cooperative effort e. Metro
2. Density Bonus	<ul style="list-style-type: none"> a. Encourage local jurisdictions to implement a density bonus incentive to facilitate affordable housing development b. Regional voluntary guideline for a density bonus model ordinance c. Local or regional density bonus proposal should include affordable homeownership option d. Compile best practices of effective models 	<ul style="list-style-type: none"> a. Changes to local comprehensive plan/ Functional Plan? b. Metro effort c. Local changes/Metro Inclusion in guideline d. Metro effort 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Metro c. Local jurisdictions/Metro d. Metro
3. Replacement Housing	<ul style="list-style-type: none"> a. Recommendation for local jurisdictions to adopt replacement housing strategies, preferably tied to a specific funding source b. Encourage local jurisdictions to consider policies to prevent the loss of affordable housing in urban renewal zones c. Encourage use of a No-Net-Loss housing policy for local jurisdictional review of requested quasi-judicial Comprehensive Plan amendments to require the replacement of housing lost through zone changes 	<ul style="list-style-type: none"> a. Changes to local comprehensive plan b. Local legislative effort/ Functional Plan? c. Local changes/Functional Plan? 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Local jurisdictions/Metro c. Local jurisdictions/Metro
4. Inclusionary Housing (voluntary & mandatory) and UGB considerations	<ul style="list-style-type: none"> a. Voluntary inclusionary housing guideline and model ordinance targeting certain income groups and permanent affordability b. Encourage mixed income housing in conjunction with a regional fund c. Consider voluntary inclusionary housing requirements when amending the UGB d. Encourage local jurisdictions to implement voluntary inclusionary housing programs tied to the provision of incentives (Density Bonus, etc.) e. Encourage local jurisdiction housing requirements that tend to result in affordable housing (single-car garages, max sq. footage, etc.) f. Encourage local jurisdictions to consider impacts on affordable housing as a criterion for any legislative or quasi-judicial zone change g. Encourage local jurisdictions, when creating urban renewal districts that include housing, to include inclusionary housing requirements h. Compile best practices of effective models 	<ul style="list-style-type: none"> a. Metro effort b. Local jurisdictions/Metro: guidelines for regional fund c. Metro code changes/Local zoning code amendments d. Local code changes/Functional Plan? e. Local code changes/Functional Plan? f. Local code, comprehensive plan changes/Functional Plan? g. Local code changes h. Metro effort 	<ul style="list-style-type: none"> a. Metro b. Local jurisdictions/Metro c. Local jurisdictions/Metro d. Local jurisdictions/Metro e. Local jurisdictions/Metro f. Local jurisdictions/Metro g. Local jurisdictions h. Metro
5. Transfer of Development Rights	<ul style="list-style-type: none"> a. Recommend that local jurisdictions consider implementing TDR programs tailored to specific conditions b. Coordinate TDR programs with regional goals c. Encourage local jurisdictions to implement TDR programs in Main Street or Town Center areas that involve upzoning d. Compile best practices of effective models 	<ul style="list-style-type: none"> a. Local code/comprehensive plan changes/Functional Plan? b. Metro review c. Local code, comprehensive plan changes/Functional Plan? d. Metro effort 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Metro c. Local jurisdictions/Metro d. Metro
6. Elderly and Disabled Housing	<ul style="list-style-type: none"> a. Consider these populations when allocating dollars from a regional fund b. Encourage local jurisdictions to tie the use of funds for elderly and disabled housing to locational decisions (e.g., focus housing in transit friendly areas) c. Encourage local jurisdictions and nonprofits to utilize community land trusts to protect the interests of the elderly in mobile home parks d. Encourage local jurisdictions to use other planning tools and strategies to increase housing opportunities e. Encourage local jurisdictions to examine zoning codes for conflicts in meeting locational needs of these populations 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro: guidelines for regional fund b. Local legislative changes c. Local jurisdiction/nonprofit cooperation d. Local code changes/analysis of strategies and tools available e. Local review of code/ Functional Plan? 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Local jurisdictions c. Local jurisdictions/ nonprofits d. Local jurisdictions e. Local jurisdictions/Metro
7. Regional Housing Resource/ Database	<ul style="list-style-type: none"> a. Metro should conduct an overall data analysis of US Census information and a periodic survey of local jurisdictions to determine effectiveness of strategies b. Metro should collect data necessary to track progress in meeting affordable housing production goals and the cost of producing publicly subsidized housing c. Local jurisdictions should cooperate in the data collection process by providing pertinent information to Metro for compilation and analysis 	<ul style="list-style-type: none"> a. Metro allocating resources to conduct analysis and survey b. Metro allocating resources to track progress and analyze results c. Local jurisdictions cooperating to provide data 	<ul style="list-style-type: none"> a. Metro b. Metro c. Local jurisdictions
Cost Reduction Strategies			
1. System Development Charges	<ul style="list-style-type: none"> a. Need based SDC reduction strategies b. Facilities based SDC reduction strategies (graduated SDCs that are linked to impact on public facilities) c. Guidelines for implementation to ensure that the benefit reaches the end user d. Legal opinion on implementation 	<ul style="list-style-type: none"> a. Local legislative changes b. Local legislative changes c. Local jurisdiction/Metro cooperation d. Metro effort 	<ul style="list-style-type: none"> a. Local jurisdictions b. Local jurisdictions c. Local jurisdictions/Metro d. Metro
2. Permit Fees	<ul style="list-style-type: none"> a. Need based permit fee reduction strategies b. Guidelines for implementation to ensure that the benefit reaches the end user c. Legal opinion on implementation 	<ul style="list-style-type: none"> a. Local legislative changes b. Local jurisdiction/Metro cooperation c. Metro effort 	<ul style="list-style-type: none"> a. Local jurisdictions b. Local jurisdictions/Metro c. Metro

Housing Strategy	H-TAC Recommendations	Potential Actions	Who Could Implement
3. Property Tax Exemption	<ul style="list-style-type: none"> a. Provide local jurisdictions information on authority to provide property tax exemptions for affordable housing b. Consider property tax exemptions for highest need housing c. Consider property tax abatements or exemptions for renter/owner housing preservation and rehabilitation d. Guidelines for implementation to ensure that the benefit reaches the end user 	<ul style="list-style-type: none"> a. Local jurisdiction/Metro cooperation b. Local legislative changes c. Local legislative changes d. Local jurisdiction/Metro cooperation 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Local jurisdictions c. Local jurisdictions d. Local jurisdictions/Metro
4. Local Governments and State Coordination	<ul style="list-style-type: none"> a. Create a stable platform for an ongoing policy dialogue between local governments and the State to ensure coordination between local and regional policies and goals and State funding decisions b. Recommend regional HOME Participating Jurisdictions meet with State to develop coordinated monitoring to reduce burden on housing developers 	<ul style="list-style-type: none"> a. State/local jurisdiction/Metro cooperation b. State/local participating jurisdiction cooperation 	<ul style="list-style-type: none"> a. State (Oregon Housing & Community Services Department); Local jurisdictions; Metro b. State/Local Participating Jurisdictions
5. Land cost and availability	<ul style="list-style-type: none"> a. Local jurisdictions should identify and donate publicly owned land that is no longer in use and tax foreclosed property for affordable housing b. Local jurisdictions should work with faith based organizations and private corporations to donate land for affordable housing c. Local jurisdictions should participate in the Enterprise Foundation's revolving fund land bank program d. Local jurisdictions should cooperate to create public/private partnerships to increase affordable housing 	<ul style="list-style-type: none"> a. Local legislative changes b. Local jurisdiction cooperation with other organizations c. Local effort d. Local cooperation, possibly with support from Metro 	<ul style="list-style-type: none"> a. Local jurisdictions b. Local jurisdictions; private corporations; faith-based groups c. Local jurisdictions; Enterprise Foundation d. Local jurisdictions/Metro?
6. Off-site Improvements	<ul style="list-style-type: none"> a. Consider the cost of developing land within the UGB when expanding the boundary b. Use a portion of a regional fund (if developed) as a bank to fund off site improvements for affordable housing c. Address stormwater detention/runoff on a watershed basis d. Consider affordable housing when developing regional natural resource protection programs e. Local jurisdictions should consider offering a reduction of the Guarantee of Completion or the Maintenance Guarantee to affordable housing projects f. Local jurisdictions should target CDBG funds for public infrastructure for affordable housing g. Encourage local jurisdictions to allow project phasing h. Legal opinion on implementation 	<ul style="list-style-type: none"> a. Metro code changes, performance standards b. Local jurisdictions/Metro: guidelines for regional fund c. Local jurisdictions/Metro cooperation d. Metro assessment of other program impacts on housing e. Local legislative changes f. Local funding decisions g. Local legislative changes h. Metro effort 	<ul style="list-style-type: none"> a. Metro b. Local jurisdictions/Metro c. Local jurisdictions/Metro d. Metro e. Local jurisdictions f. Local jurisdictions g. Local jurisdictions h. Metro
7. Local Regulatory Constraints/ Discrepancies in Planning and Zoning Codes/ Local Permitting or Approval Process	<ul style="list-style-type: none"> a. Develop regional guidelines for the permitting process b. Metro should serve as a technical resource for local jurisdictions and funders to develop a compilation of best practices for design and development criteria c. Metro should review its goals for consistency in regional planning policies d. Metro should consider a cost/benefit analysis on impact of new regulations on housing production e. Encourage local jurisdictions to revise their permitting process (conditional use permits, etc.) f. Encourage local jurisdictions to review development and design standards for impact on affordable housing g. Local jurisdictions should consider using a cost/benefit analysis to determine impact of new regulations on housing production h. Encourage local jurisdictions to regularly review existing codes for usefulness and conflicts i. Encourage local jurisdictions to reduce number of land use appeal opportunities j. Encourage local jurisdictions to allow fast tracking of affordable housing 	<ul style="list-style-type: none"> a. Metro effort b. Metro effort c. Metro effort d. Metro effort e. Local review of permit process/Functional Plan? f. Local review of standards/ Functional Plan? g. Local review of new regulations/Functional Plan? h. Local jurisdiction process change/Functional Plan? i. Local review of appeal process/Functional Plan? j. Local jurisdiction review/ Functional Plan? 	<ul style="list-style-type: none"> a. Metro b. Metro c. Metro d. Metro e. Local jurisdictions/Metro f. Local jurisdictions/Metro g. Local jurisdictions/Metro h. Local jurisdictions/Metro i. Local jurisdictions/Metro j. Local jurisdictions/Metro
8. State Building Codes Requirements	<ul style="list-style-type: none"> a. Encourage the state to analyze current building codes, including a cost/benefit analysis b. Encourage the state to consider developing a separate set of codes for rehabilitation of older buildings c. Encourage the state to improve the partnership with local building officials, builders and trade groups involved in housing production 	<ul style="list-style-type: none"> a. Local/regional cooperation to encourage State analysis b. Local/regional cooperation to encourage State to develop rehab code c. Local/regional cooperation to encourage State to improve partnerships 	<ul style="list-style-type: none"> a. State; local jurisdictions; Metro b. State; local jurisdictions; Metro c. State; local jurisdictions; Metro
9. Parking	<ul style="list-style-type: none"> a. Encourage local jurisdictions to review parking requirements to meet needs of all types of housing b. Encourage lenders to consider parking needs for housing on project-by-project basis, accounting for special needs, when evaluating funding applications c. Encourage local jurisdictions to coordinate strategies to reduce cost of parking for affordable housing 	<ul style="list-style-type: none"> a. Local jurisdiction review of codes/Functional Plan? b. Local/regional cooperation to educate lenders c. Local jurisdiction review of codes/Functional Plan? 	<ul style="list-style-type: none"> a. Local jurisdictions; Metro b. Local jurisdictions; lenders; housing developers; Metro c. Local jurisdictions/Metro
Regional Funding Strategies			
1. Maximize existing resources	<ul style="list-style-type: none"> a. Training Program (annual training, internet resource) b. Consistent Consolidated Plans in the Region c. HOME funds targeted to highest need housing d. Promote changes in HUD and other federal programs e. Enterprise Foundation Regional Acquisition Fund 	<ul style="list-style-type: none"> a. Regional cooperative effort b. Regional cooperative effort c. Target funds locally d. Influence federal legislature e. Local jurisdictions utilizing fund 	<ul style="list-style-type: none"> a. Local jurisdictions/Metro b. Local jurisdictions c. Local jurisdictions d. Local jurisdictions/Metro e. Local jurisdictions
2. New funding source	<ul style="list-style-type: none"> a. Employer sponsored housing (targeted to affordable homeownership) b. Real Estate Transfer Tax (.75 to 1%, excluding sales under a set price to reduce impact on affordability) c. Housing Linkage Fee d. Uses and administration of a Regional Housing Fund (Uses: % for homeownership; % for highest need; % for infrastructure; Current recommendation for administration is through CDBG recipients) 	<ul style="list-style-type: none"> a. Local/regional cooperation to encourage employers b. Regional cooperation to influence state legislature c. Currently not recommended d. Local jurisdictions/Metro: guidelines for regional fund 	<ul style="list-style-type: none"> a. Local jurisdictions; employers; Metro b. State legislature; local jurisdictions; Metro c. Local jurisdictions d. Local jurisdictions/Metro

Items 1-3: Land Use and Regulatory Tools, Cost Reduction Strategies, Regional Funding
Attachment A shows H-TAC draft recommendations on key strategies for items 1-3, potential actions for implementation, and potential roles for Metro, local jurisdictions, and other agencies to implement the strategies.

Item 4: Affordable Housing Production Goal

H-TAC will be determining a regional goal to be included in the RAHS. The following options for a Five Year Affordable Housing Production Goal are based on the past regional average production level (1,146 units per year) and a Regional Affordable Housing Benchmark Need to 2017. The Benchmark Need was estimated to be 90,479 units for households at less than 50% of the regional median household income based on the principle of equitable distribution of affordable housing.

- Option A: 150% of Current Production = 7,500 units five-year goal*
- Option B: 200% of Current Production = 10,000 units five-year goal*
- Option C: 10% of the Benchmark Need (90,479 units) = 9,048 units five-year goal*
- Option D: 9% of the Benchmark Need (90,479 units) = 8,143 units five-year goal*
- Option E: 8% of the Benchmark Need (90,479 units) = 7,238 units five-year goal*

In addition to selecting an Option, H-TAC is currently developing language to accompany the Five Year Affordable Housing Production Goal that makes it clear that a significant funding source is necessary to provide housing for households with incomes below 50%MHI, and especially those below 30%MHI.

Timeline for Completion

Last December 1999 we updated you on the progress we had made in developing strategies and tools that could be used to achieve the options for affordable housing production goals that we had developed. Since then we have made substantial progress in developing the affordable housing strategies, including the incorporation of crucial feedback from technical experts from around the region through a series of focus groups held in early March. A major challenge is to determine those strategies that the region is willing to advocate for. Additional discussion by H-TAC, MPAC and the Metro Council will help to determine this.

We are currently incorporating our work into the Regional Affordable Housing Strategy (RAHS) that we will present to you in June 2000. Below is the schedule of activities that will occur before the final recommendations are presented in June:

H-TAC Work Schedule, April – June 2000

March –	Three Focus Groups to review H-TAC products on cost reduction, land use and regulatory, and regional funding strategies (<i>completed</i>)
April –	Four Community Round Table Discussions on Affordable Housing at four different locations around the region
May –	H-TAC public hearing on the draft Regional Affordable Housing Strategy (H-TAC is required by Metro Code, Chapter 3.07 to conduct a public hearing before making a recommendation to the Metro Council)
June –	Make recommendations to the Metro Council for the adoption of the Regional Affordable Housing Strategy
After June, 2000 –	According to Metro Code (3.07.030), <i>"The Committee shall review the effectiveness of the Regional Affordable Housing Strategy in accordance with timeline as set forth in the Strategy itself."</i> This implies that, at some date after adoption of the RAHS, H-TAC will need to assess the effectiveness of the strategies.



ARCHDIOCESE 2838 E. Burnside Street
OF PORTLAND Portland, Oregon 97214
IN OREGON

REV. MICHAEL W. MASLOWSKY
Director of Pastoral Services
Director of Ministry Formation
Director of Housing
Pastor of St. Anthony Parish



LIFE IN ST. ANTHONY VILLAGE RECALLS A GENTLER AGE, when neighbors knew each other, children and grandparents shared each day, and community activities filled the town square with laughter and friendship. St. Anthony Village provides comfortable, safe living units and different levels of care for seniors, all in the heart of an active, inter-generational community.

The Village is a faith-based community, providing fellowship and care for people of all religious denominations. Residents may choose to join members of the surrounding community for services at the Catholic church, participate in cultural or recreational activities in the Parish Center or stroll through the public gardens, all at the center of the Village.

The heart-warming sound of children laughing drifts from the on-site child daycare, where residents can volunteer their time or drop in for visits. Just outside the Village is a vibrant shopping area and a residential community where families of all ages make their homes.

Making
a Home
at
St. Anthony
Village:

St. Anthony Village opens for occupancy in August 1999. Applications are currently being accepted. Eligible individuals are placed on either an occupancy list for move-in beginning in August 1999, or on a waiting list for units as they become available.

To apply, please take the following steps:

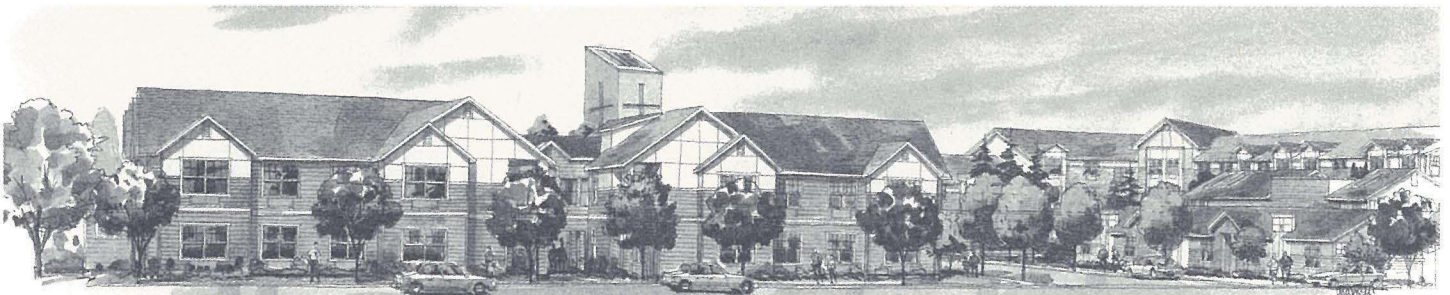
1. Call (503) 775-4414 to request an application form.
2. Complete the application form and return it with a \$100 reservation fee (waived for Medicaid eligible individuals). This fee is refundable if you do not qualify for tenancy or a unit does not become available within one year of your application.
3. Return the application form. You will be notified of your status on an occupancy or wait list.

For more information, please call (503) 775-4414.



Redefining Communities

Caring for People | Linking Generations | Meeting Needs



An award-winning residential community for seniors

3560 SE 79th Ave., Portland, Oregon (503) 775-4414

ST. ANTHONY VILLAGE: AN AWARD-WINNING RESIDENTIAL COMMUNITY FOR SENIORS COMBINING:

- Housing and services at various levels of need
- A church and parish center, child care center and community garden
- A faith-based community for people of all denominations
- An intergenerational village linking residents and the surrounding community

Independent, Assisted and Alzheimer's Living

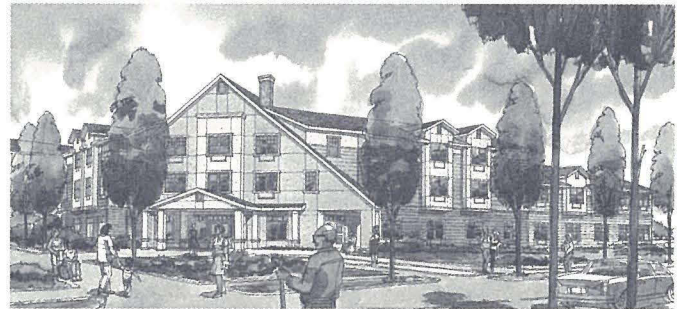
There are 127 housing units at St. Anthony Village, serving three service and care categories:

The **Independent Living Apartments** include 17 private one-and two-bedroom units with kitchen and bathroom.

The **Assisted Living Facility** includes 86 units, each with a private bathroom. Staff are available 24 hours at three care levels. Optional basic services at each level include three meals daily in the central dining room, general apartment maintenance and house-keeping, coordination of health services and assistance with daily tasks, including medication, bathing and dressing.

The **Alzheimer's Facility** is a 24-unit building with special features to meet the unique needs of residents with Alzheimer's Disease, from circular paths for wandering, to "memory boxes" that help residents find their rooms, to ample natural light. The building is locked for safety and opens onto a private, enclosed garden. Services include assistance by a caring, competent staff offering help.

All three care categories are integrated, which means that residents have access to a variety of services and can increase or decrease their level of care as necessary and possible. This allows residents to "age in place" rather than move to new facilities as their needs change.



Medicaid and Private Pay Rates

Approximately three-quarters of St. Anthony Village's residents will pay through Medicaid and SSI, with the remaining one-quarter paying private-scale rates. This arrangement broadens access to independent, assisted and Alzheimer's living to a wider audience, and creates a more diverse community. Rates vary by situation. Please call (503) 775-4414 for individual information.

Village Life

Residential buildings are centered around the Village, and residents have unlimited access (restricted for Alzheimer's residents) to shared areas and services, including:

- Large garden, with walking paths, terraces, a reflecting pool and benches
- Indoor and outdoor gardening areas
- St. Anthony Catholic Church
- St. Anthony Parish Center
- Planned activities program
- Transportation services
- Access to nearby shopping area
- Barber/beauty shop
- On-site parking
- 24-hour staff and security
- General apartment maintenance

Management

St. Anthony Village was created and is managed by St. Anthony Village Enterprise, a non-profit corporation established by the Archdiocese of Portland.



3560 SE 79th Ave., Portland, Oregon (503) 775-4414

ST. ANTHONY VILLAGE AN AWARD-WINNING RESIDENTIAL COMMUNITY



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*For pre-application forms or more information,
call (503)775-4414.*

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The Clergy Journal

Your practical guide to church leadership
and personal growth

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March:
Creating Community

St. Anthony Village: A Dream Made Possible

A model environment for people of all generations and backgrounds

by Michael W. Maslowsky



Michael W. Maslowsky is pastor of St. Anthony Parish in Portland, Oregon, and president of St. Anthony Village Enterprise.

Reflecting the teachings of the Second Vatican Council, the Code of Canon Law defines a parish as a "definite community of the Christian faithful" (Canon 515). This canonical definition is rooted in the theological principal of *koinonia*, or communion. Communion expresses the union of each person, through Jesus Christ and in the church, with the Trinity. Ecclesial communion, rooted in the mystery of the triune God, joins Catholics to God and each other through faith, sacraments, and ecclesiastical structure. Communion's particular expression is through the ecclesiastical structure of the parish.

As the Catholic Church in the United States evolved beyond its mission status, parishes emerged as "juridic personalities" within a particular or diocesan church. The dry legalism of canonical definition, however, cannot capture a parish's grace and vibrancy. The dynamic of parochial life manifests Catholic faith and shapes Catholic life and culture. It has also fostered a variety of related parish-based organizations—the Holy Name Society, the Knights of Columbus, the Altar Society, and above all, the parochial school.

The development of the parochial school was a pragmatic response to the pastoral need to educate Catholic children without loss of their Catholic faith. So important was this mission that at the Council of Baltimore in 1884, the United States bishops required every Catholic parish to build a school within two years. Although that goal was never fully realized, by 1900 40 percent of all Catholic parishes had a parochial school. A century later, Catholic schools still remain an important element of parish life. The parochial creativity that produced the Catholic educational system is needed today to respond to new pastoral challenges; in particular, the challenge of caring for the elderly in a society characterized by increasing social isolation and a devaluation of life.



Today one in six Americans, more than 44 million, are over the age of 60. Nine million seniors live alone, 2 million of them in virtual isolation with no supportive family or community. Lack of personal support combined with limited financial resources and chronic health conditions create serious problems for the elderly. These problems will increase as the population ages. By the year 2030 the number of Americans over 60 will reach 85 million—the most rapidly growing portion of which are seniors living alone with limited incomes.

Meeting the needs of this expanding elder population goes far beyond the capabilities of government. It calls for a significant commitment by the church. The aging men and women who have been the backbone of our parishes and communities, whose worth contemporary culture increasingly calls into question, deserve support and care. It is not only the elderly who need us, but we who need them. The faith, wisdom, and life experience of seniors enrich everyone. A society stratified by age impoverishes all its members.

The church, through its parish communities, can offer a positive alternative to secular fragmentation and segregation by age, wealth, or ethnicity. Parishes, expressions of graced communion, can bring people of all ages and conditions together in mutual enrichment. It is possible to create within at least some parishes, a village environment where people of all generations, backgrounds, and socioeconomic levels can make their homes, gather in a common place, and share bonds of faith, affection, or neighborhood. Such a parish is developing in St. Anthony Village in Portland, Oregon. It offers a model that can be replicated elsewhere.

St. Anthony Village is a parish-based community situated on five acres within an established urban neighborhood. It combines housing and services for seniors with a church, a parish hall, a child care center, community gardens, and a park. The project is developed and managed by St. Anthony Village Enterprise, a nonprofit corporation

established with the approval of the Archdiocese of Portland.

St. Anthony parish has 400 families in an urban neighborhood undergoing revitalization. Until recently the parish, like much of the neighborhood, was deteriorating. The parish had worshiped for 45 years in the basement of its defunct school and was expected to close due to its significant decline. The turnaround began six years ago with a series of "Worship and Dialogue" sessions held three times a week throughout the summer. In groups of 12 to 15, parishioners worshiped together and then voiced their concerns, frustrations, and hopes through structured conversation. One question was always the focal point of discussion: How does Christ want us to serve him in the corner of the world where we live? To whom and how are we called to bring his gospel? From these sessions emerged a vision for the parish and the neighborhood. It was the beginning of a village that is no mere social experiment, but Catholic faith expressed in structure, relationships, and program.

The village that emerged is not only a reflection of faith, but the result of a long professional development process. After the faith vision was concretized through prayer and dialogue, extensive market and financial feasibility studies were conducted to confirm the viability of the project. A prominent group of community leaders agreed to serve as the board of directors. An experienced team of architects, attorneys, contractors, financial advisors, and other professionals was assembled. A unique but replicable financial structure utilizing federal low-income-housing tax credits, state tax-exempt bond financing, and private donations was developed and approved. Almost three years of intensive prayer and effort culminated in the village's financing and construction. The village moved from concept to plan to reality.

At the core is the new St. Anthony Church and Parish Center, placed at the heart of the village to express the centrality of faith. The village's largest physical feature is its 127 apartments offering housing and services for seniors with various needs. The apartments include 17 one- and two-bedroom independent apartments, 86 studio and one-bedroom assisted-living apartments, and two Alzheimer's cottages with 24 studio units. Unlike a nursing home, where residents receive care in a hospital-like setting, St. Anthony Village reflects a social model with various levels of interaction and service. Assisted-living facilities are designed to accommodate residents' changing needs, allowing them to move between care levels without significant disruption in activities, relationships, or basic environment. Assisted living allows seniors to "age in place" in a community environment. Assisted living, however, is traditionally expensive, offered primarily at market rates through private developers. St. Anthony Village extends this option to low-income seniors not only enhancing their lives, but resulting in significant savings to the government.

As a consequence of its innovative service model and unique financial structure, St. Anthony Village can care for individuals of varying needs and accommodate diverse income levels. Eighty percent of all village apartments are reserved for Medicaid or low-income seniors earning less than 60 percent of the area median income. The remaining

The parish is
the heart of
the village.



Parishes can adopt the village model to serve other populations.



20 percent of the units are rented at market rate. This income mix fosters social and economic diversity while focusing on the underserved low-income population. The village's ability to offer quality care to fixed-income individuals was one of the reasons that its 127 apartments were rented even before the village opened. The high percentage of Medicaid/low-income apartments also means that as private-pay residents spend down their assets, they will still be able to remain in the village. This economic flexibility is a result of a unique use of tax credits and bond financing supplemented by corporate, foundation, and private gifts.

What benefits village residents also benefits the larger community. Rather than being developed at the periphery of the city, at a considerable social and municipal cost, St. Anthony Village is located in the heart of an established residential and commercial community. This lessens the expense to government by using existing city services, e.g., sewer, streets, fire and police services, while fostering the social stability of established neighborhoods. Social, commercial, and faith relationships are preserved because individuals remain in their neighborhood even as illness or age requires that they leave their homes. Village residents and their former neighbors continue to meet through parish worship or activities, in local and village shops and in the public gardens and park. Community events, from Bingo to neighborhood meetings, take place in the parish center. Neighborhood children receive day care—and surrogate grandparents—at the Child Development Center. There will even be a coffeeshop/bakery where villagers, parishioners, and neighborhood residents can share conversation and friendship.

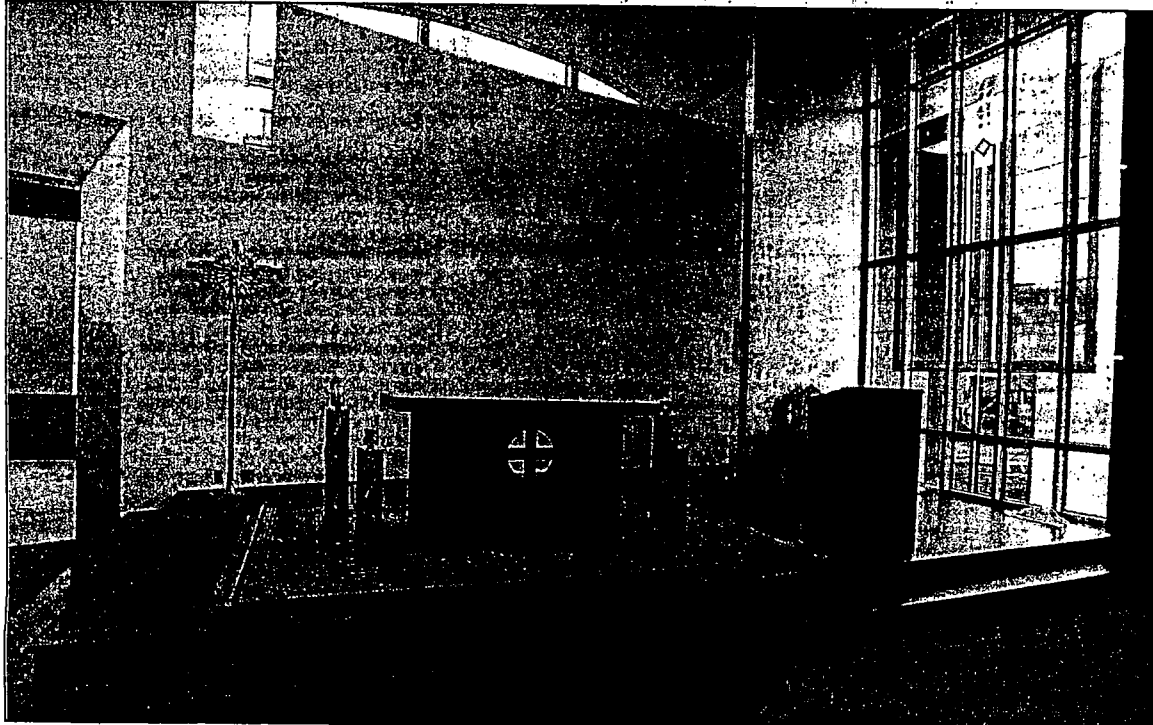
The parish is the heart of the village. Although many residents and staff are not Catholic, the underlying culture and energy are vibrantly Catholic. Parish members have been and remain actively involved in the life of the village. Without denying the considerable human efforts involved, St. Anthony Village is truly a consequence of God's grace. The path to its completion was frequently strewn with obstacles including some that should have destroyed it. Yet, time and again God raised it up. It is also a model that other parishes or faith communities can replicate. The focus on senior housing is not mandatory—parishes can adopt the village model to serve other populations: single mothers, people with disabilities, hospice care, low-income families, or any number of other groups.

A parish is not and should not be a splendid island of isolation. Parishes exist within the larger civic community. Christians are bound to their neighbors both by social fact and gospel imperative. The needs of society can never be alien to our parish life because Christ is served not only within parishes, but in how they mediate him to the larger community. Communities like St. Anthony Village enable parishes to be not only communities of grace but places where the elderly age with dignity, children develop, generations interact, and Christ is proclaimed through living faith. ❖

Linda Barnes (left) and Diana Moosman, of Robertson Merryman and Barnes Architects, sit in St. Anthony's Church with Father Michael Maslowsky.



One community, under God



Photos by MARY BONDAROWICZ/The Oregonian

A priest helps shepherd the plans for a Southeast Portland church that was designed by two women

By RANDY GRAGG
of The Oregonian staff

The triangle formed by Southeast Foster Road, Powell Boulevard and 82nd Avenue is full of community but empty of a community focus.

But this weekend, an important new building will be christened that could be the catalyst for a new sense of community — both for this triangle and other areas like it all over the country.

On Sunday, the new St. Anthony's Church will hold its first services. But more than being a religious facility, St. Anthony's will be the center of what may be an important new prototype for a community. The new church and a recently completed parish hall are soon to be joined by a child-care facility and 117 units of senior housing for those living independently needing assistance and living with Alzheimer's disease.

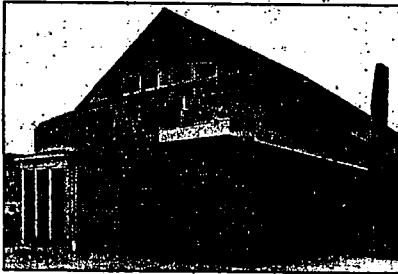
Masterminded and master-planned by Father Michael Maslowsky, the scheme draws on his experiences of Italian plazas while studying and working in Rome — and his innovative use of tax credits

and bond financing for low-income housing.

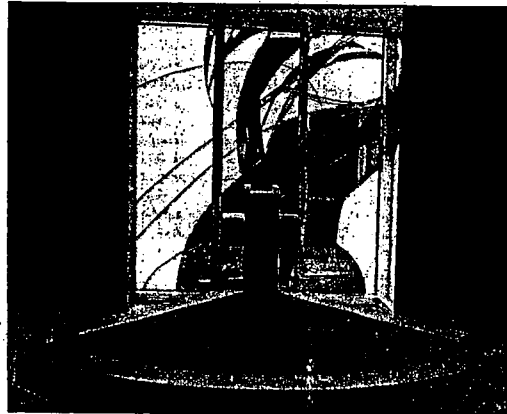
But as the residential buildings are still rising around the perimeter of the five acres of parish-owned land at Southeast 79th Avenue and Center Street, the new church already is standing tall in the middle. Designed by Nancy Merryman and Diana Moosman of Robertson Merryman and Barnes Architects; it is the first church in Oregon history to be designed by a women-owned architecture firm.

But while that certainly makes the project unique for the still-very-male-dominated world of architecture, what guarantees the church's importance to its parishioners and the surrounding community is its quality. As it draws on some of the finest moments of Northwest church architecture for inspiration and responds to its setting as well as any building possibly could, it was built for around \$160 per square foot. That's about 25 percent less than a lower-end custom

The church's design allowed for a traditional nave centered on the altar. The adjacent window echoes Pietro Belluschi's designs.



Above: St. Anthony's draws on some of the finest moments of Northwest church architecture for inspiration.



Right: A stained-glass window sets off the baptismal font, which was designed by Maslowsky.

Preview

■ **WHAT:** St. Anthony's Church

■ **WHERE:** 3618 S.E. 79th Ave.

Community: 'Modern' recognized for its true meaning

Continued from Page E1

house. Maslowsky became a great student of historical architecture living in Italy and Germany. And he adamantly thinks the reconfiguration of Catholic churches courtesy of Vatican II "doesn't work liturgically or aesthetically."

That's a combination that might have been architecturally deadly, leading to a new church pretending to be gothic or to the usual suburban, gable-roofed reinterpretation of early Christian churches. But, instead, Maslowsky recognized "modern" for its true meaning: It's not a period style but a philosophy of constant advancement.

Working with cut-up yogurt cups, Maslowsky fashioned his spatial ideas for his church with two partially interlocking half-circle forms, like hands holding a large and precious ball. From this, Merryman

and Mossman took Maslowsky's desire to have a church with a traditional nave centered on the altar and intercut it with two arcing walls that both embrace the congregation and graciously open the building to its surroundings.

One of those walls welcomes people into the foyer, which also serves as the baptistry. The baptismal font (an elegantly simple sculpture of concrete designed by Maslowsky) is illuminated by a huge stained- and cut-glass window designed by Robert Middlestead evoking the trinity and 12 tongues of fire that descended on Christ's apostles.

The nave ascends to a barrel vaulted ceiling from which blown-glass light globes hang. On one side, clerestory windows illuminate the Stations of the Cross set in niches that subtly evoke the chapels of much larger cathedrals. The second curving wall, finished in rough,

hand-troweled plaster, sweeps in from the right to seemingly cup the altar closer to the pews. There, another stained-glass window — this one similarly abstracting an image of Christ in the vestments of a priest — bathes the altar in southern light.

Yet another work of stained glass — this one evoking a rosetta window — sits high in the nave's rear wall. In the late afternoon, the setting sun transforms it into a lens that projects its colored light across the nave and onto the altar wall.

Still another window sits behind the choir, but this one is clear, providing a view of the central fountain and piazza of St. Anthony Village's center.

Finally, there's the bell tower. If it has no bell, but rising above the rest of the village, it remains a stunning symbol to the outside. And for the inside, it is a useful chapel for the tabernacle.

The tower features two cross-shaped windows that illuminate the tabernacle during the day. At night, they are illuminated from the inside, turning the tower into a sign with one cross advertising the church to the busy, nearby Southeast 82nd Avenue and the other cross shining to the church's village.

For those who appreciate the Northwest's distinguished history of church design, St. Anthony's should conjure a bit of *déjà vu*. The large window adjacent to the altar and the other window overlooking the piazza recall parts of two churches designed by the famed Portland architect Pietro Belluschi in the 1940s: First Presbyterian Church Cottage Grove and St. Philip Neri Catholic Church in Southeast Portland.

But St. Anthony's owes the most to architect Steven Holl's St. Ignatius Chapel in Seattle, which was only

completed in 1997. Indeed, Merryman and Moosman have almost created an homage in the rough, hand-hewn textures of the altar wall and the subtle compositional asymmetries that make one conscious of space with every breath.

Maslowski describes the cliché of "It takes a village" as "nonsensical in American society," adding, "We have to begin with the question of what makes a village."

With its soon-to-form mix of seniors, children and faith, St. Anthony's may be an important answer. And as Merryman and Moosman prove good architecture begets more good architecture, they set standards that every community, no matter how large or small, old or young, rich or poor, deserves.

You can reach Randy Gragg at 503-221-8575 or by e-mail at randygragg@news.oregonian.com.

Oregon summer treasures: great food, scenic retreats

The calendar, if not the weather, says it's time for summer pleasures and treasures. There is no place like Oregon to enjoy them.

Eating: Bargains are always in style, and we have our share of them locally.

The **Western Culinary Institute**, 1316 S.W. 13th Ave., is one of America's top schools of culinary arts. More than 600 students, with expert instruction, are providing tasty meals at real bargains.

The institute has three venues: a formal dining room, open for five-course lunches and six-course dinners Tuesday through Friday; a corner

lunch bar, with good selections of pastries, breads and sandwiches, open all day Tuesday through Friday; and the chef's diner serving large platters of breakfast omelets, pancakes and waffles, open mornings Tuesday through Friday.

Don't be put off by the rather plain atmosphere. It is more than offset by portion sizes and very reasonable tabs. Special arrangements for personal party catering or for hiring a new chef can be made with super-genial host Joseph Gonzales.

One of the really good deals these days are inexpensive (\$1.95 and \$2.49) bar menus, available in the late afternoon (usually 3 or 4 p.m. to 6 or 7 p.m.) and after the dinner hour (9 p.m. to closing). You will find these bargain rack/meals at **McCormick's Fish House and Bar**, 9945 S.W. Beaverton-Hillsdale Highway, **Stanford's** restaurants and **Newport Bay** restaurants.

With a beverage, you can feast upon such goodies as sweet and sour chicken wings, Jarlsberg cheese fondue, chilled crawfish, Caesar salad, potato skins, pecan-praline brownies with ice cream, or best of all, a quarter-pound

cheeseburger, with all the trimmings, at an incredibly low price. Sherwood Dudley made a fine name for himself at Portland's Couch Street Fish House. Now he has embarked on a new venture in the former Avalon space, called **Sherwood's on-the-Water**, 4630 S.W. Macadam Ave. The view is spectacular, the dining and bar areas comfortable and relaxing, and the service especially friendly.

Tributes: The Grand Ronde Tribe/Spirit Mountain Roses for Parents luncheon, for the benefit of the Juvenile Diabetes Foundation, honored several highly deserving Portlanders. Honorees included Carilyn and Richard Alexander; Dr. Robert and Shirley Berselli;

Margaret Carter (mother of nine children); Dick and Jeanie Reiten; and Tom and Lorri Van Domelin. Each of these outstanding citizens, in his or her special way, has contributed much to our community.

Stealing the show were remarks delivered by poised 12-year-old Lisa Emori, one of 160,000 Oregonians suffering from diabetes. Her spunk and positive attitude were an inspiration to the hundreds attending this annual event.

Residences: Portland can now boast of one of the finest senior residential communities in the nation, the **St. Anthony Village**, dedicated last week at 3560 S.E. 79th Ave. The 127 housing units are a mix of independent apartments, assisted living facilities, and special rooms for Alzheimer's patients. The latter units include specially designed front windows where patients can place family pictures and mementos.

Credit for establishment of this integrated living space goes to the foresight of the Rev. Michael Malowsky, parish pastor, and assistant Dan Wendel, who oversaw the planning and execution of the buildings.

Travel: This week's destina-



GERRY FRANK

upon such goodies as sweet and sour chicken wings, Jarlsberg cheese fondue, chilled crawfish, Caesar salad, potato skins, pecan-praline brownies with ice cream, or best of all, a quarter-pound cheeseburger, with all the trimmings, at an incredibly low price.

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It is really too early (they have been open only several weeks) to expect great things from the kitchen. At this stage they are trying hard, and with some fine tuning this house should add even more luster to the Portland restaurant scene. The menu is heavy on seafood items, such as baked sea scallops and seasonal oysters; New Zealand rack of lamb and steak Multnomah (with gold mashed potatoes) in the meat department; plus ravioli and tortellini for an Italian touch.

This one is for ice cream lovers (like your columnist). The **Tillamook County Creamery Association** is celebrating 90 historic years by offering six flavors of ice cream cones for one penny each. Sampling times are from 10:30 a.m. to 3:30 p.m. at Pioneer Courthouse Square in downtown Portland on Friday, July 30, and from 10 a.m. to 4 p.m. at the Creamery in Tillamook on Saturday, July 31, and Sunday, Aug. 1.

One of the most historic dining spots in the state, the Viewpoint Inn and Restaurant in Corbett, the last remaining inn of its kind in the Columbia River Gorge, has succumbed to environmental problems. Proprietors Geoff Thompson and Steven Perkins are considering embarking on a new venture: gourmet take-along food for airline passengers.

Also on the disappointing side is the current operation of the superbly located **Amadeus at the Fernwood**, 2122 S.E. Sparrow

lowsky, parish pastor, and assistant Dan Wendel, who oversaw the planning and execution of the buildings.

Travel: This week's destination suggestion is the McKenzie River Valley, which extends eastward from Springfield on Oregon 126. What a magnificent landscape awaits the lucky visitor!

For accommodations, try the historic **Log Cabin Inn**, Oregon 126 at McKenzie Bridge, originally built in 1906 as a coach stop. Now this resort offers riverfront cabins, a full-service restaurant and saloon, plus riverfront teepees that sleep as many as six people.

Holiday Farm — McKenzie River Drive at Rainbow, a quarter-mile off Oregon 126 — is another jewel. Here Vivienne Wright, the charming manager, provides comfortable lodging along with superb meals. Breakfasts include homemade breads and biscuits; favorite dinner fare such as barbecued brisket and fresh salmon are topped off with homemade pecan pies.

On the way up the river, don't miss the scrumptious desserts at **Mom's Pies**, also known as the Village Cafe, just past milepost 35 in Vida.

A rejuvenated **Belknap Lodge and Hot Springs**, six miles east of the town of McKenzie Bridge, is coming alive with new cabins, magnificent gardens and floral treats, a natural odor-free 101-degree swimming pool beside the sparkling McKenzie River, plus tent and RV sites.

Other attractions in the area: the Tokatee golf course, rated as one of America's top 25 courses; the United States Basketball Academy with full facilities for sports and overnight stays; and Jim's Oregon White Water river raft and fishing trips.

♦ *Gerry Frank, a native Oregonian, is the fourth generation of the family who founded Meier & Frank. His column appears every other Friday. He can be reached in Salem at 503-585-8411 or by mail at P.O. Box 2225, Salem, OR 97308.*

St. Anthony Village caters to elders

With 127 units of affordable housing, the project includes a church and other elements that make up a community

-23-99 By WADE NKRUMAH
THE OREGONIAN

While housing advocates battled this decade to preserve downtown dwellings for older residents, a project accommodating various senior lifestyles was taking shape in outer Southeast Portland.

SOUTHEAST FOCUS

St. Anthony Village, with 127 units of affordable

housing options for senior citizens, sprouted quietly in the Foster-Powell neighborhood.

Meanwhile, years of downtown politicking and protests climaxed last fall, when the Portland City Council unanimously approved an ordinance aimed at preserving low-income housing.

Advocates celebrated passage of the ordinance, which largely was sparked in 1997 by conversion of Roosevelt Plaza from federally subsidized to market-rate apartments. The change in the downtown building displaced 58 people, many older and disabled, before the city had a chance to bid on the property.

Development of St. Anthony Village involved a crusade of a different kind for supporters of St. Anthony Village Enterprise, the non-profit corporation formed to finance the project. But opening of St. Anthony Village this month is equal cause for celebration for the Rev. Michael Maslowsky, pastor of St. Anthony parish and president of St. Anthony Village Enterprise.

"What we've attempted to create is a kind of living room for Southeast Portland," he said. "The idea was to develop a village where people of all ages and all needs could come together. It really and truly is a village that brings together people of diversity and allows them to mutually enrich each other."

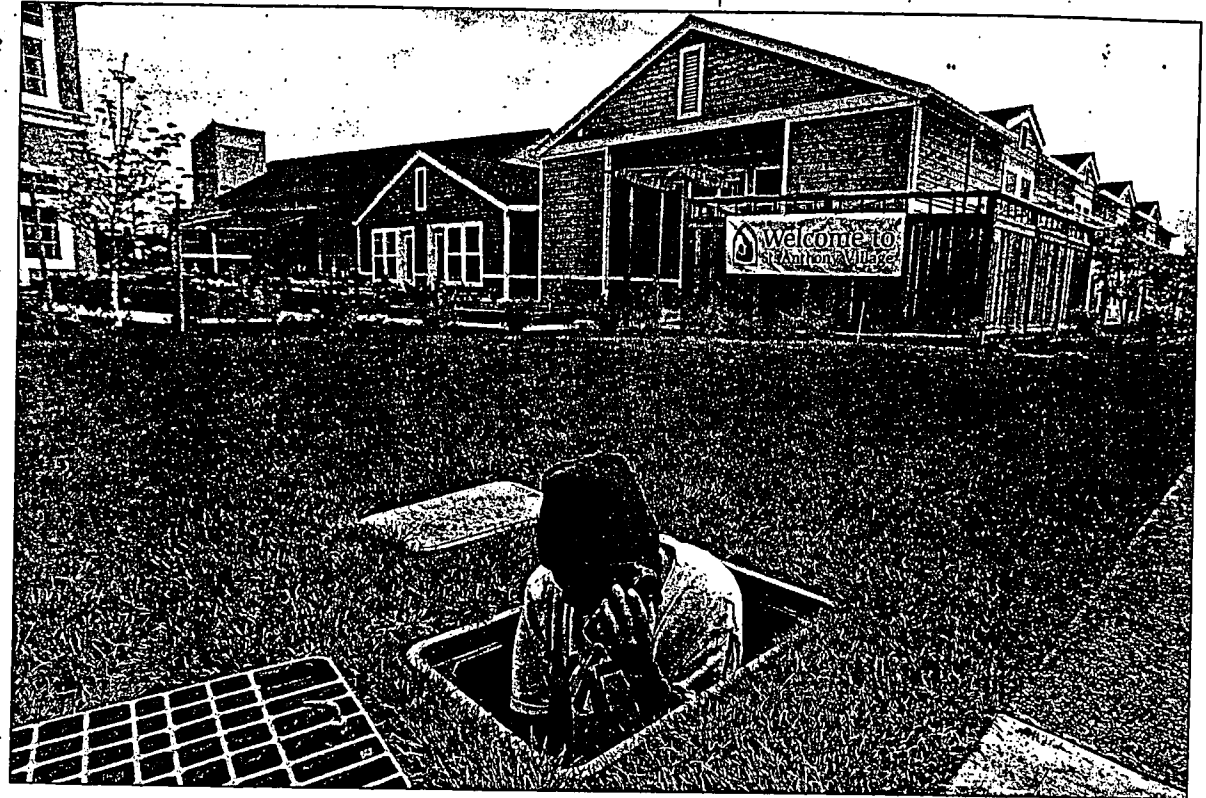
Of the 127 studios, one- and two-bedroom units, 101 are reserved for people with incomes of 60 percent or less of the Portland-area median.

Housing just one component

Yet housing for older people is only one component of the St. Anthony equation. After all, it takes more than housing to make a village. That's why the \$14 million project includes a new church and community center, with construction of a day-care center to begin in July.

Nick Sauvie, executive director of ROSE Community Development Corp., agrees that the project is something of which to be proud.

"I think they are to be congratulated for doing a great project," he



Helping tie together an underground water system at St. Anthony Village is Guadalupe Martinez Gonzalez, who is coordinating with co-workers. The development, which includes three types of housing for older people, shares the five-acre site with a community center and the new St. Anthony Church building.

Photos by PATRICIA CORDELL/THE OREGONIAN



Settling into recently opened St. Anthony Village are Dorothy Kennedy, 79, (left, in chair); Louise Steiner, 86, (center); and Nellie Kasper, 90. They are in breezeway of the project's independent-living apartments.

said. "I really like the way they integrated the development around the church and the parish hall."

Maslowsky, a lawyer before becoming a priest in 1987, said the project was spurred by the dual mission of providing for the community and reviving St. Anthony parish, which has about 300 families in an area bordered by Holgate Boulevard and Division Street, and 54th and 104th avenues.

He said when he arrived as pastor five years ago, the parish was deteriorating. In fact, Maslowsky

said, until the new church opened this month, services had been held for 45 years in the basement of a former building on parish property.

"I think a lot of people had expected the parish to close because it was in decline," he said.

Recent turnaround

The turnaround began about 4½ years ago when a planning process was initiated for development of the five-acre site; about an acre of that area is parish property. Maslowsky said the years he spent

IT TAKES A VILLAGE

A new development in outer Southeast Portland provides much-needed housing for older people as well as a new church for worshippers in St. Anthony parish.

What: St. Anthony Village

Where: 3560 S.E. 79th Ave.

When: Opened this month in Foster-Powell neighborhood

Housing availability: There is a waiting list for the

independent-living units but

some vacancies for assisted-

living and Alzheimer's units.

More information: Call 775-

4414.

living in Europe inspired the idea for the village concept.

The goal of including the church in the development was to "better position the parish for the future," Maslowsky said. "We wanted to ensure the parish would be able to participate in the life of the community."

He said organizers incorporated child care into the development because the outer Southeast area has been identified as being deficient in such services.

The housing options address the varied and sometimes complex sit-

uations faced by older people. Units include 17 for independent living, 86 for assisted living and 24 for people affected by Alzheimer's.

Liz McKinney, executive director of Alzheimer's Association, Oregon Trail Chapter, said that because Alzheimer's is an age-related disease, housing designed specifically for those affected by the condition is a logical fit with developments such as St. Anthony Village.

"It's actually becoming increasingly common," she said. "I think it's important for a number of reasons."

McKinney said 10 percent of people age 65 will have developed some form of dementia, for which Alzheimer's is the primary cause. By age 85, that figure increases to nearly 48 percent.

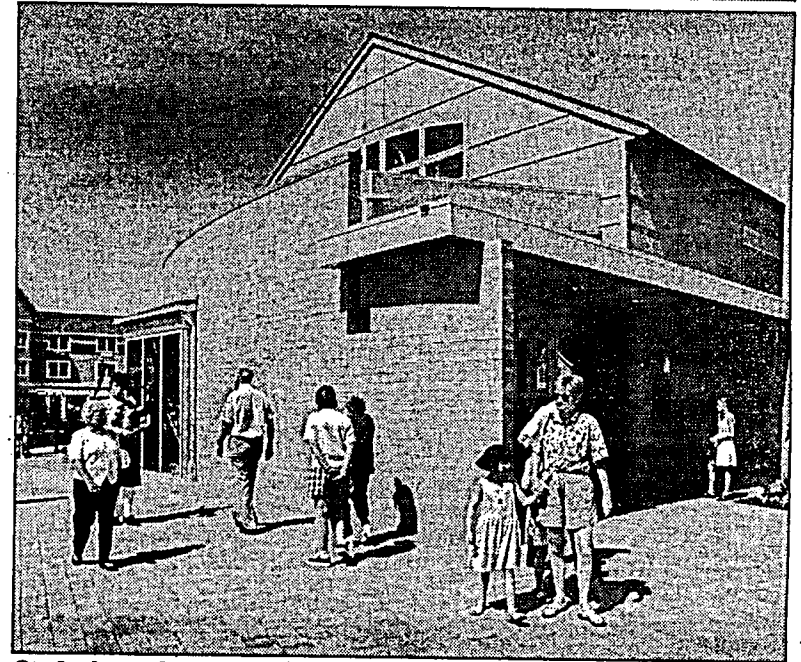
Sauvie is aware of how senior citizens are being squeezed by a shortage of affordable housing options. ROSE developed Lents Village, a 63-unit development of one- and two-bedroom apartments in the Lents neighborhood. The complex opened in fall 1997. It was filled in a month and has a long waiting list, Sauvie said.

"My sense is there's a strong demand for senior housing still," he said. "In particular, there's a lot of seniors in substandard housing. And the demand for senior housing is going nowhere but up as the baby boom gets older."



Sentinel photos by Michael and Margie Wilhelm

Fr. Michael Maslowsky and Archbishop John Vlazny walk past a pond in the garden area.



St. Anthony Church is an integral part of the village.

Parish opens village, where faith and civic responsibility meet

By Ed Langlois
OF THE SENTINEL

6-18-99

The public got its first view last weekend of an urban development with faith at its center.

A new church is almost literally the midpoint of Southeast Portland's St. Anthony Village, where housing is available for 127 fixed-income seniors, where parents will bring their children for daycare and where anyone can take a stroll and pray at an outdoor grotto.

About 200 church and community leaders gathered in the church for a dedication and Sunday Mass on, aptly, the Feast of St. Anthony. Then the crowd joined in a blessing of the village and took tours.

In his homily, Archbishop John Vlazny described the village as a concretization of the Christian mis-



Antoinette Hatfield and parishioners watch Archbishop Vlazny cut the ribbon at the dedication of the village.



Congressman Earl Blumenauer addresses the audience.

sion to serve those in need and embody the Gospel.

"Today the church is challenged to focus on the needs of the elderly and the poor in an increasingly fragmented society," the archbishop said. "Going where the people are with genuine human needs is essential for the effectiveness of a church."

The patron of the parish, St. Anthony of Padua, cared for the poor and was a great evangelizer, the archbishop told the crowd.

"St. Anthony's parish community walks in the footsteps of its saintly patron," he said.

The development, which is incorporated into and not walled off from an urban neighborhood, creates a place where believers may meet those in need of the Gospel.

The archbishop told the congregation that their "lives of faith are not intended to be lived in a kind of schizophrenia which separates our personal convictions from our civic responsibilities."

He lauded those who believed such a daunting project could be

achieved at the parish, where previously the congregation had been waning and the future looked bleak.

"There is a magic in believing a dream," he said.

People of any faith can live at St. Anthony Village, and they will not be proselytized. But they will see a Catholic community in action.

Residents can age in place as they live next to the church. The village includes a continuum of living options, from assisted-living apartments to an Alzheimer's unit, so no one need leave the community.

Father Michael Maslowsky, pastor of St. Anthony's for the past six years, says he wants the village to be "a place where elders can grow old with dignity, children can learn, grow and interact with different generations, and life will be affirmed through faith."

It took \$12 million to build the village, designed after medieval Italian towns Father Maslowsky recalls fondly from his days as a theology student. In those towns, the church was on a plaza in the center of town for everyone to see and remember.

The development is situated on five acres of what was once an overgrown lot used as a trash heap. That has changed. The village has gardens, a reflection pond, places for prayer and walking paths.

Rep. Earl Blumenauer told the crowd that the village is "what the future should be."

Cynthia Peek of the Foster-Powell association, says the village is revitalizing the neighborhood.

The idea for the village came in 1994 as Portland's Korean Catholics, who were using the parish as their spiritual base, decided to buy their own church. The departure left a void, but also created opportunity.

Parishioners decided that Christ was calling them to a mission in their own corner of the world: bring the love of Christ to old people and children from needy families.

Three quarters of the apartments will be rented at a subsidized cost to people who qualify for government aid. The other fourth will go at market rate.

Oregon is short of low-cost assisted-living units. Many disabled

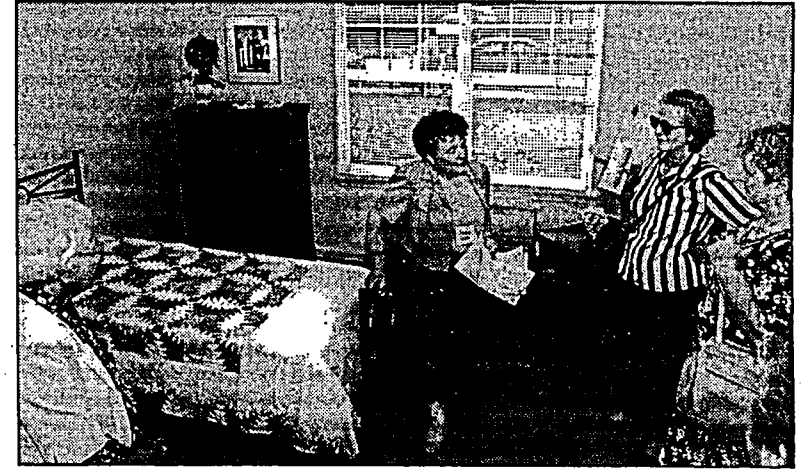
and elderly applicants for such housing are on waiting lists for as long as two years.

Money for the project comes from \$10.1 million in state-authorized bonds and \$2.5 million in federal tax credits.

St. Anthony's appears to be writing the book on a new sort of urban

development. For several days after the dedication, 150 housing officials and diocesan leaders from across the nation gathered at the parish for a seminar on their model.

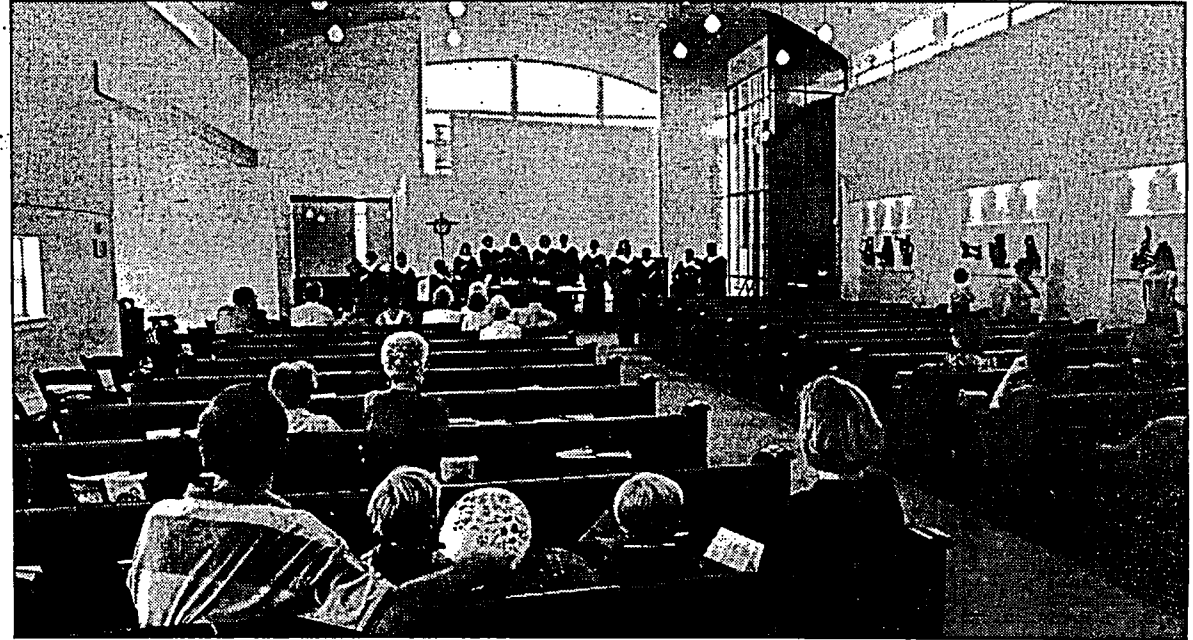
The new church gives the faith community opportunity to grow, says Elaine Falaschetti, a parishioner for 52 years.



Tour guide Millie Braghero, center, shows an apartment.



Scott Meyer and Ernesto Garcia admire a stained-glass window.



A choir performs in the new church.

St. Anthony Starts Pioneering Project

In a market that relies heavily on private-pay clients, St. Anthony Village in Portland, Ore., stands out as an assisted living community designed to serve low-income seniors and the first of



Father Michael Maslowski

its kind in the state to receive low-income housing tax credit (LIHTC) funding, according to Father Michael Maslowski, president of St. Anthony Village Enterprise (SAVE), the project developer.

The challenge for SAVE, a nonprofit corporation established under the Catholic Archdiocese of Portland, Ore., was to come up with equity to reduce its debt burden for the \$13.7 million project.

The key for this project was to win tax credits, which is difficult for assisted living communities due to the services these communities include, such as meals, assistance with daily living and medication.

According to Susan Asam, tax credit administrator at the Oregon Housing and Community Services Department, the

state's elderly and disabled bond program had been used previously for assisted living properties, but St. Anthony Village is the first assisted living facility in the state to obtain tax credits.

The housing portion of an assisted living facility can qualify for tax credits. However, charges for assisted living cannot be mandatory; tenants must have the option of whether to buy them or not.

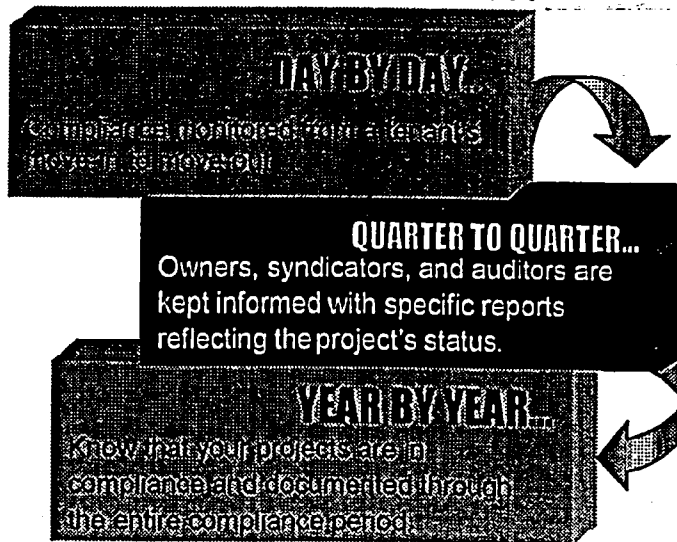
Because needed services vary, the operating managers, Concepts in Community Living, will track service revenue independently from residential revenue, and residents will be billed separately for room and services.

SAVE's financing included 4% tax credits (\$2.7 million) in conjunction with a \$10 million tax-exempt bond. Additional project funding came from private donations.

Shortly after financing St. Anthony Village, Asam says, the MacDonald Center, another assisted living facility in Portland, Ore., managed to secure 9% tax credits through a competitive allocation round. These two communities are now the state's only assisted living centers to be LIHTC funded.

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To enhance its operating balance sheet, St. Anthony Village uses mixed-income tenancy. This approach to affordable assisted living is a promising model, according to market analyst and Washington, D.C., consultant Joe Howell of Howell and Associates. (See AHF October 1998, page 68) While Howell recommends renting most of the units at market rate, St. Anthony Village is using an 80/20 mix – 80% of the units are reserved for Medicaid or SSI recipients and 20% for private pay.

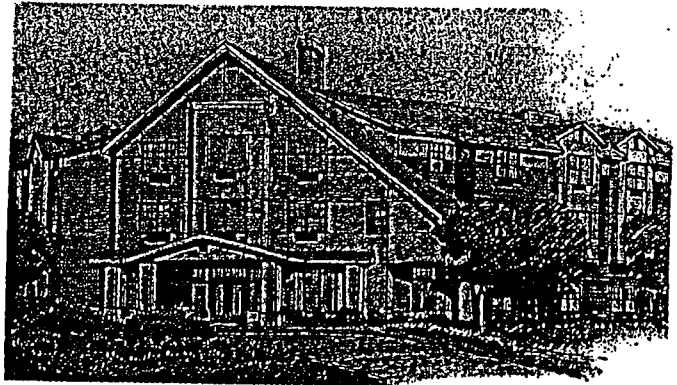
“The great majority of people out there are those who need assisted living but have only SSI or Medicaid to rely on,” says Maslowski. Seniors who are unable to afford assisted living often end up in an inappropriate care facility, such as a medical-model nursing home or an incomplete care center, Maslowski adds, or they remain at home. Aside from causing physical and emotional degeneration to the resident, he says, inappropriate placement costs Medicaid, by conservative estimates, an additional \$1,000 per person per month in the state of Oregon. That figure adds up to \$750,000 to \$1 million per year on unnecessary nursing care reimbursements.

Assisted Living Need Is Great

The need for assisted living is so great that the typical waiting period in Multnomah County, Ore., where St. Anthony is located, stretches two and a half years. Individual costs range from \$3,500 to \$6,500 a month, and 70% to 75% of the current market pays privately for assisted living facilities.

But statistics show that these residents represent only 25% to 35% of the actual assisted living market. Reported income and net worth of assisted living residents is substantially lower than previous benchmarks had suggested. In fact, on average, an occupant's income is equal to or less than the community fees, as revealed in a recent study by the National Investment Center for the Seniors Housing & Care Industries. (See AHF December 1998, page 1)

St. Anthony Village, scheduled to open in June, combines



St. Anthony Village recently received the Silver Seal Award for Design from the National Council on Seniors' Housing.

independent living, Alzheimer's and assisted living housing and care with a church, community center, public garden and child care center. The 127 units will be used as follows:

- 86 assisted living units consisting of studios, one- and two-bedroom apartments ranging in price from \$540 to \$670 per month.
- 17 independent-living apartments with a retirement community setting.
- 24 Alzheimer resident units.

The community also includes intergenerational living elements, such as a surrogate grandparenting program, planned day care for children and on-site training programs in early childhood development. ■

ST. ANTHONY VILLAGE ENTERPRISE SOURCES AND USES OF FUNDS	
SOURCES	
City Exempt Bonds	\$10,000
LP's Equity	792
Developer Loan	6,180
TOTAL SOURCES	17,772
USES	
Acquisition (Architectural)	\$1,150
Construction	7,906
Soft Costs	991
Developer Fees (SAVBI)	1,150
Working Capital	673
Debt Service Reserve Fund	897
Capitalized Interest	707
LIHTC Costs	198
Bond Insurance Costs	365
TOTAL USES	17,772

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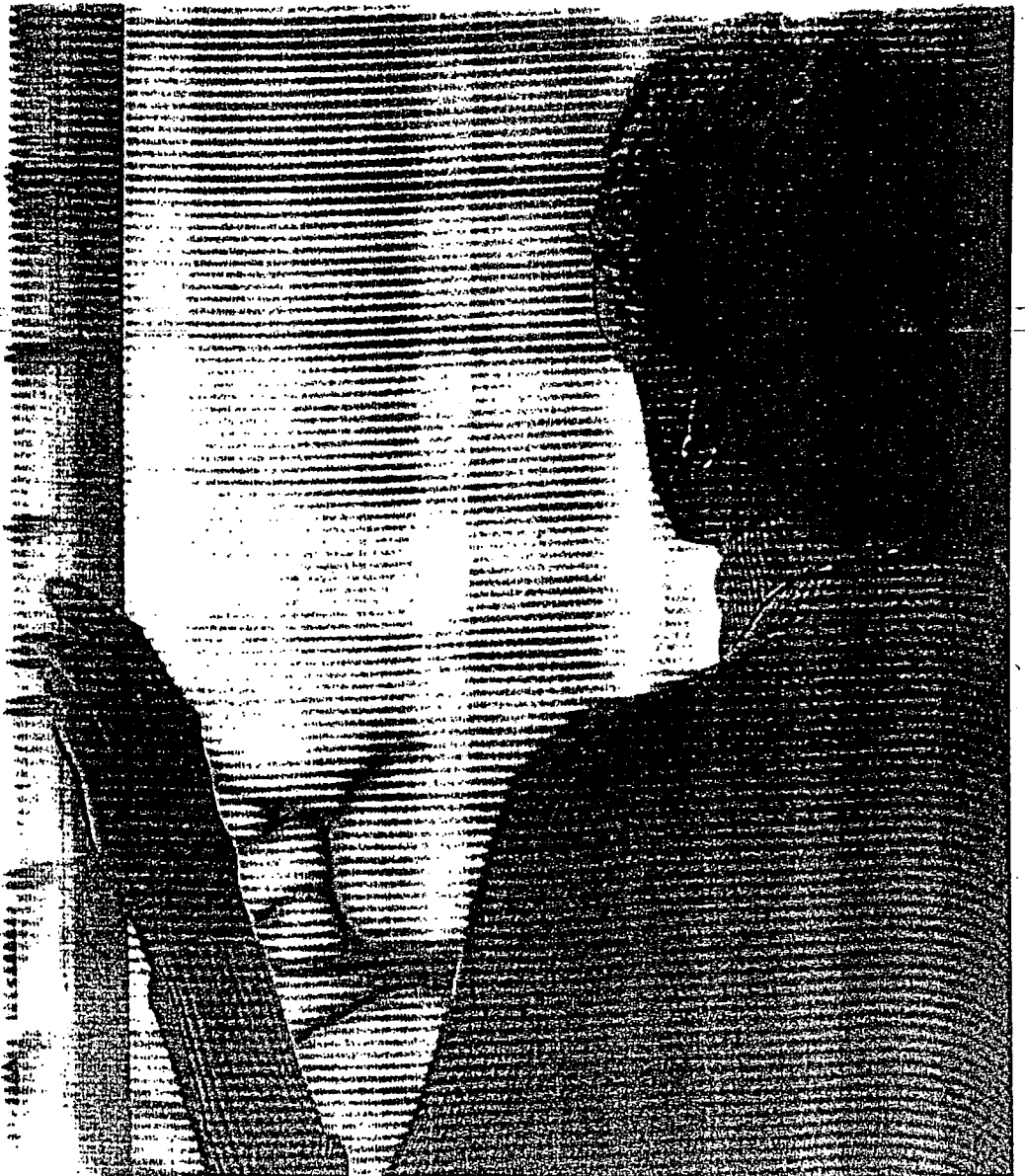


Photo by Chris Shackley

Soup

For the Neighborhood

ELIZABETH HAS ALZHEIMER'S. "It's been several years, and there were several years before that when it was pretty clear," says her son Gordon. She lost her husband in '96. And bits and pieces of her memories since.

"We wanted to get her out of the car," says Gordon, "but we needed a statement from her doctor. He thought she could drive during the day. Then we thought DMV would retest, but they didn't." Eventually, Elizabeth gave up that freedom. Now her children worry when she wants to walk through the old neighborhood. She looks so vulnerable. Will she be safe? Will she find her way back home?

It's cold out there. Better be careful.

How cold it is depends a lot on your economic status. Age is the real wild card. Whether you're from the World War II generation making your own decisions about living and care options, or you're a baby boomer making plans for your aging parents—it can be scary. Add low income to old age and you have a prescription for heartache and despair. But even for many well-to-do seniors the prospect of care in a sterile nursing center or some distant senior retirement villa sounds lonely and frightening, regardless of sunshine or other amenities. Don't necessarily expect help from the community, even if you've lived there for a lifetime. Neighborhoods where many seniors made homes, raised families and built businesses

have often transformed into less-than-family-friendly inner cities.

Maybe Elizabeth will be one of the lucky ones. Born on a small farm in Clackamas, Oregon in 1924, today Elizabeth lives in the house her father and her husband's father built for them after her husband returned home from World War II. Elizabeth was one of eight children, her husband one of ten. His dad lived across the street; her parents lived for a time on a chicken farm around 39th and Powell in Portland. Looking at the site now it's hard to remember a farm there—ever.

Gordon, 46, is one of Elizabeth's five children. He remembers the old Foster-Powell neighborhood well. "I'd ride my bike all over town into areas of northeast, into downtown—we never really worried about safety. I had a paper route. We worried about punks who'd beat you up or kids who'd steal your newspapers. But I'd collect for the newspaper and dangle my money bag on my handlebars. Safety was not much of an issue. Lots of families lived on the block, lots of kids.

Time moved on, and with it lots of the kids and lots of the families. Now Elizabeth's kids are grown and instead of caring for them they care for her, each taking turns on weekends coming to stay with her, to defend her against the ravages of Alzheimer's.



The vision for St. Anthony's Village.

Elizabeth was just the kind of person Fr. Mike Maslowsky was thinking of when he conceptualized St. Anthony's Village. Walking through St. Anthony's, his newly assigned Southeast Portland Catholic parish in 1993, Maslowsky looked beyond the dwindling population, closed school and five acres of unused land and envisioned a village like the ones he had observed while studying in Rome.

"St. Anthony's was a school and church. The Archdiocese was considering closing the parish. But parishioners loved their church" says Maslowsky. "I just kept having this sense that God wanted something good built here."

In the decaying neighborhood around him Maslowsky saw tremendous needs. There was the isolation and lack of care for low income seniors whose spouses died, whose grown kids had moved away, and who could no longer care for themselves. In addition to the frail elderly the other need was care for children. The Foster-Powell neighborhood is the most underserved area of the city per capita for daycare.

"Both needs," says Maslowsky, "benefit from integrated inclusive community. There's nothing sadder than having a funeral and only a dozen people are there because everyone is gone or has died, whatever."

"There's nothing sadder than having a funeral and only a dozen people are there because everyone is gone or has died, whatever. We want to affirm the value of life, and we don't care if you're infirm, elderly, alone — you're welcome here."

**— Fr. Michael Maslowsky, president,
St. Anthony Village Enterprise**

What Fr. Mike Maslowsky created is called St. Anthony's Village — and it's nothing short of a warm, healthy dose of chicken soup for the neighborhood.

"St. Anthony's Village combines 17 studio, one and two-bedroom apartments, 24 apartments for Alzheimer's care, 86 assisted living units for seniors, and daycare for 75 neighborhood kids with a parish hall and a new church. Areas are dedicated to traditional gardens, a rose garden, a special Alzheimer's garden, vegetable gardens, and greenhouses. More property eventually may become available for other

residential care needs such as unwed mothers or hospice.

If Elizabeth can secure a place in one of St. Anthony's Alzheimer's care units, she will fulfill Maslowsky's vision of keeping seniors in the neighborhoods where they feel secure, where they still, sometimes, recognize old friends.

"We want to affirm the value of life and we don't care if you're infirm, elderly, alone — you're welcome here," says Maslowsky. And every small detail at St. Anthony's illustrate the depth of concern for the spiritual, emotional and physical well-being of the residents and surrounding neighbors.

There's the church, the first in Oregon designed by a woman-owned architecture firm. Then there are the garden areas and greenhouse which will be tended by residents and provide food for the kitchens. There's the city park across the street — important for apartment dwellers and daycare kids. But Maslowsky's confident style softens, his businesslike approach turns to tenderness as he walks through the Alzheimer's wing.

Designed in a circular pattern, the repetitive routines of the Alzheimer's wing make residents feel more secure. Likewise the public entries are hidden from view — residents feel safer without the disruptive comings and goings

of strangers. A secure landscape fence replaces the standard variety — safety without the sense of imprisonment. Memory boxes hang on the door of each individual unit. These provide space for a variety of personal mementos from the past, so that later stage patients who lose

track of time and place may be able to identify where they belong from one of these small fragments of memory.

"It's going to be a major setback if something changes in her routine," says Elizabeth's son Gordon, echoing the common concern for Alzheimer's patients. "Everything that's familiar is going to be one less stress. She'll know where she is to some extent; she'll know it's her neighborhood."

"Because of lack of space in assisted living facilities for low-income senior Oregonians, most are placed in nursing homes. Consequently they are treated as



patients," says Maslowsky, "with psychological and physical consequences and added expense for the state. Nursing home care costs about \$1,000 per person per month more than assisted living. St. Anthony's Village will potentially save the state \$1 million per year.

"Tax credits available for low income housing should extend to assisted living as well," says Maslowsky. "At St. Anthony's we worked with Housing, Health, Education, and Cultural Facilities Association (HHECFA) and Oregon Housing and Community Services to access financing from the sale of state bonds (\$10 million) and receive tax credits from the state (\$2.7 million.) The tax credits were then sold to Key Bank."

Maslowsky acknowledges that Portland's Catholic Archdiocese was skeptical at first of mixing parish funds and concerns with public funds and policies. "Government involvement means multiple state/county inspections. And we spent \$100,000 in applications and permits," he says. "Another result of the public financial partnership is that 75 percent of the assisted living slots and apartments are reserved for those on fixed incomes, Medicare, or SSI, and 25 percent are open to all. But what that alphabet soup of agencies and dollars amounts to is enough public support and money to make St. Anthony's work for the community."

An impressive list of Oregon community leaders formed St. Anthony Village Enterprise as a non-profit corporation to redefine communities. As their pilot project,

St. Anthony's is already drawing national attention and national design awards. The senior residences, assisted living units, and independent units are built and managed by St. Anthony Village Enterprise. Financial lines of separation between St. Anthony's Village and St. Anthony's church are clear. None of the bonds or tax credits apply to church, parish hall, or childcare though all will be used for community purposes. The church and parish hall are built with separate church funds and are run by the local parish. Though not a high income neighborhood, the local parishioners are proud of their 94 percent participation in the church/parish hall funding.

Billed straightforwardly as a faith-based community, St. Anthony's goal is to serve the entire community. "We'll be trying to throw as wide a net as possible. It's open to everyone — not just Catholics, not just from the neighborhood. Parish activities welcome everyone whether they're Catholic or not. The Foster-Powell Neighborhood Association used to meet here in the old parish hall until they tore down the building, and we

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Even business is a pleasure at the Monarch



Fr. Maslowsky oversees St. Anthony's construction.

hope they'll come back when we're done," says Maslowsky. He's been pastor for five years. In June 1999, when the doors of St. Anthony's Village open for the first time, his vision will be a reality.

What inspires a man of the world, a man of action, to leave behind a successful law career, and focus his time, energy, and devotion on an old woman like Elizabeth?

Before becoming a Catholic priest, Maslowsky was an attorney in the Portland law firm of Miller, Nash, Wiener, Hager & Carlsen. With a law degree from North-

western School of Law at Lewis & Clark, Maslowsky served as a clerk to Chief Judge James M. Burns of the U.S. District Court for Oregon.

Maslowsky's string of accomplishments runs the gamut from lawyer, to teacher to media star to parish priest. In addition to his legal career, which includes teaching stints at Willamette University and Portland State, Maslowsky is well known for his media appearances on shows such as "20/20," "Good Morning America," and "Fox News." He's hosted a call-in radio show and a television series. Portland viewers of ABC affiliate KATU-TV see Maslowsky every week with his commentary, "A Moment with Father Mike."

Maslowsky wasn't shy about using his legal expertise, his media savvy, his business acumen or his social connections to power up his spiritual goal. According to Maslowsky, the St. Anthony's Enterprise board has been one of the project's greatest strengths. And few other local priests could have threaded the needle of bureaucratic loops required for this breakthrough public/private partnership.

The village concept was something Maslowsky says he brought back from Italy where he completed his doctorate in Sacred Theology from the Pontifical Gregorian University in Rome. He remembered the European town centers there, each with a true character and life of its own, and he saw that vision for St. Anthony's.

"I see this as comparable to 125 years ago when the churches "invented" the parochial school," says Maslowsky. In that era sometimes whole communities of immigrants faced a hostile cultural climate. Worried that public schools would take away their religious freedom and their cultural identities, they reinforced their identities by developing a new education model. It was a cultural problem, begging for a solution.

"I think we're at a similar point in terms of the elderly and other vulnerable populations," says Maslowsky.

And Maslowsky's project could indeed be, as he puts it: "the nucleus for a revitalization of neighborhoods."

"Long term, a project like this is more needed and is,

in fact, the wave of the future. People in our society, a transient society, people are much less surrounded by family, friends, neighborhoods. Baby boomers are more fragmented. Our generation will be far more vulnerable," says Fr. Maslowsky, with visible concern at the prospect.

Look around at your own city, your own neighborhood, says Maslowsky. "Is there a core where people might want to meander or congregate? We need to have a sense that we can leave our house and wander in a public place. You see it in Europe all the time. But we live in a society defined by the car and the parking lot; you don't walk in Portland or any American city.

Portland has tried to maintain the integrity of neighborhoods and communities. But the mall mentality has affected even our parishes. It's become a situation where 3,000 people once a week get in their cars and drive to the parish to have 'an experience.'"

"At the center point of this is the concept of 'aging and place,'" says Maslowsky, returning to his favorite theme. "Too many young people can say, 'I've never seen anybody get old. I've never seen anybody get old and be happy.'"

Apparently, more and more baby boomers like Elizabeth's grown children yearn to do both. They want their parents to grow old in a familiar place, and if possible in a place where people of all ages can see them safely through the process. Mixing generations in a safe community center like St. Anthony's fits the vision of more Oregon families than there are spaces to serve them.

"It would really be a great benefit to her," says Gordon, of his mother Elizabeth. "I don't know of anything else like this. She likes being around people more than she ever has really. She likes to walk; she likes to garden; she likes to spend time with kids."

That's how Fr. Maslowsky sees it. Neighborhoods growing old safe and happy. People growing old safe and happy. Age and place. Not many places come to mind. Will St. Anthony's Village be the new model? Early estimates are that it will open full to capacity. Elizabeth's son worries if she will get a space in St. Anthony's Village, but he's optimistic.

"I hope it works. I hope it's successful. It's kind of great to see the closing of a circle." ■

This Jan. St. Anthony Village Enterprise (SAVE) is hosting "Redefining Communities," a free national symposium on innovations in community development. The symposium is open to representatives of housing, community development and religious organizations, senior service providers, developers and architects, and others interested in new approaches to community development. The goal of the June 11 symposium at St. Anthony Village in Portland is to share the SAVE experience and help others redefine their communities by replicating the village model. For information: (503) 774-7072.

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California Lures Senior Development

More senior housing companies look to tap into the large, growing population of seniors in California. The Golden State boasts the largest elderly population in the United States, with approximately 3.3 million, according to the U.S. Census Bureau. Classic Residence by Hyatt makes an aggressive move into the state with its recent opening of its Western Division office in Los Angeles. Campus Health Care Group also scans the state for opportunities.

Heavyweight Classic Residence heads into California after noting the state contains few upscale continuing care retirement communities (CCRCs). The 1998 construction report by the American Seniors Housing Association reflects that none of the 39 projects in California's pipeline was a CCRC, while 20 of the projects listed were free-standing assisted living facilities (ALFs). Classic Residence expects its financial muscle will allow it to dominate the market. The company's five-year plan includes building and opening three to five 150- to 450-unit CCRCs in California. Classic Residence now focuses on acquiring land and actively pursues opportunities in the San Francisco Bay area, Los Angeles and Orange County. Property sizes will vary according to market need, but the company boasts a malleable prototype allowing it to build vertically or horizontally. Classic Residence seeks infill sites proximate to residential areas. Company execs expect the California projects mainly will be new construction but will consider acquisitions.

Typical Classic Residence projects contain 300,000 to 350,000 s.f. of program space. The properties often compete with high-end apartment and condominium developments along with senior living providers such as Marriott. Classic Residence projects target seniors age 75 years and older with annual incomes of \$351 to \$501 and housing valued at about \$200K. Unit sizes are approximately 270 s.f. for skilled nursing, 300 s.f. for Alzheimer's/dementia care and 400 to 550 s.f. for assisted living. Classic Residence's California development and rental fees have not been determined, but its other CCRCs require a 90% refundable entrance fee of \$194.5K to \$613.5K for one-, two- and two-bedroom-plus-den units ranging from 725 to 2,065 s.f. An additional monthly fee of \$1,565 to \$4,440 typically covers extra care.

Continued on Page 4

Oregon AFL First in State to Get Low-Income Housing Credits

St. Anthony Village Enterprise becomes the first entity in Oregon to receive low-income housing tax credits to build assisted living. The non-profit corporation of the Archdiocese of Portland will serve Portland's low-income seniors with a unique plan to build a faith-based facility on a campus with a parish and community and child day care centers. The group expects to replicate this inter-generational model throughout Oregon and nationwide.

Oregon has been a trendsetter in assisted living. The Beaver State was one of the first to turn to the segment as an alternative to nursing homes and early on issued Medicaid waivers to help provide the state's low-income elderly with affordable assisted living.

The state awarded St. Anthony \$3M in federal tax credits to help construct a 127-unit community containing 17 independent, 86 assisted living and 24 Alzheimer's/dementia

Continued on Page 5

Facts

- The average nursing home resident needs assistance with 3.67 activities of daily living (ADLs) while the typical assisted living resident needs help with 1.3 ADLs, according to the National Survey of Assisted Living Residents by the Annapolis, Md.-based National Investment Center (NIC).
- The average assisted living facility (ALF) competes with eight other ALFs in its market. Only 7% of the properties indicated that they had no competing ALFs in their market.

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Brookdale Grows Portfolio with Construction, Lease

Brookdale Living Communities, Inc. exceeds its expansion plans and thickens its portfolio of Northeastern properties with the acquisition of the lease on a 285-unit Boston-area independent/assisted living property. Brookdale also builds a 218-unit independent/assisted living facility in Lower Manhattan. The company is lured into the region by an in-place senior population. Brookdale notes few seniors relocate and foresees catering mostly to residents living near its facilities.

The Massachusetts and New York properties follow Brookdale's strategy of forming clusters of properties in major urban and suburban markets. The company for the past two years has targeted the Northeast, accumulating properties in Rochester, N.Y.; Farmington, Conn.; and suburban Philadelphia. Brookdale now will operate the River Bay Club, located on 4.7 acres 12 miles south of Boston in Quincy, Mass. The eight-story, 320,000 s.f. property includes approximately 195 independent living and 90 assisted living units. The property is 95% occupied.

Oregon ALF First in State to Get Low-Income Housing Credits...

Continued from Page 1

care units. Tax credits are typically reserved only for residential use, so the corporation agreed to account for food and other care services separately. Key Bank bought the tax credits and another \$10M was raised by selling bonds to investor Van Kampen American Capital of California. A private fundraiser garnered \$1M. The \$2M parish and community center are being built by a separate non-profit.

St. Anthony Village will serve seniors of all religions and the board of directors includes people of several faiths. The facility will sit on five acres in Portland's Foster-Powell neighborhood. The neighborhood has been in decline in recent years but is being revitalized. A shopping center being redeveloped three blocks from St. Anthony will feature a Wal-Mart, bank, theater and medical offices. The parish

River Bay Club is publicly-held Brookdale's ninth lease transaction since November 1997. The leases represent more than 2,000 units, taking the company past its goal of adding 1,200 units per year. Brookdale prefers to buy purpose-built facilities with about 200 units that need minimal refurbishment. Usual renovations include improving common areas and furniture.

Chicago-based Brookdale also has five properties under construction comprising about 1,100 units. Among those projects is a \$50M, 218-unit facility slated to open during mid-2000 in New York's Battery Park City area. The 18-story, upscale property will contain 20 assisted living units with the rest independent living. Rents will start at around \$4,000, including meals, housekeeping and care. Expect the next Brookdale properties to open in Raleigh, N.C.; Pittsburgh, Pa.; Southfield, Mich.; Glen Ellyn, Ill.; and Austin, Texas. Typical Brookdale communities feature 400 to 450 s.f. studios, 650 to 750 s.f. one-bedroom and 1,000 to 1,100 s.f. two-bedroom, two-bath units. Rents average \$2,200.

conceived the idea after noting a large population of elderly among its members.

St. Anthony Village Enterprise expects to serve a thirsty market. The county around the property has an approximately two-year waiting list for affordable assisted living. Child day care centers in the area also are scarce. Seventy-five percent of the new facility will be reserved for limited-income seniors with the rest private pay. Private-pay rents will range from \$500 for a 459 s.f. assisted living studio without services and up to \$3,200 for a 348 s.f. Alzheimer's studio with the most advanced level of care. The community is scheduled to open in June, and one-third of the units is leased. Other Oregon towns have expressed interest in the model and St. Anthony Village Enterprise plans to host a symposium this summer.

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Building a village in Portland

After years of study in Rome, Father Michael Maslowsky had a clear idea of what made a vibrant, strong community. In Europe he saw compact villages and neighborhoods within the cities. People there are well served by mass transportation and a development mode that makes the healthy choice of walking to a store easier than driving. Folks gather at squares or plazas. And the parish church faces its square, at the heart of the community.

When Father Maslowsky, director of pastoral services for the archdiocese, was named pastor of St. Anthony Parish in Southeast Portland, he found a closed school, a dwindling population and five acres of unused land. He evidently saw the situation as a great opportunity.

His new St. Anthony Village will open in 1999. It will include 17 apartments for active seniors; 86 assisted

living units with a wing for Alzheimer's patients, a child care facility for employees and neighbors, a new church, a community center, gardens, an outdoor prayer grotto and, of course, a plaza.

Father Maslowsky put his talents to use in getting funding for the project — \$10.1 million in state-authorized bonds and \$2.5 million in federal tax credits.

The village looks to be a winner; it will truly serve its neighborhood. Father Maslowsky envisions the sounds of children playing enlivening the days of the seniors who live there. Surely the residents will play chess at tables in the plaza on sunny days, and perhaps the father can even import some bocce pins and balls. Bocce or no, as in the days of old, the church will be at the heart of its community. Good show, Father Maslowsky.



St. Anthony Village Enterprise

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FOR IMMEDIATE RELEASE
January 26, 1999

Contact: Jennifer Messenger or
Dawn Boeckermann
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St. Anthony Village and Dieterich Mithun Earn National Award for Innovations in Seniors' Housing

PORTLAND, OR—St. Anthony Village, a faith-based senior housing community in Portland, and Dieterich Mithun Architects of Seattle received the Silver Seal Award for Design from the National Council on Seniors' Housing (NCOSH). The award was presented January 15, 1999, at the National Association of Home Builders (NAHB) International Builders' Show in Dallas. Nearly 150 entries were submitted for the award from architecture firms across the country, and only 19 awards were given.

The village, which opens in June, combines independent living, Alzheimer's and assisted living housing and care for seniors with a church, community center, public garden and child daycare. Eighty percent of the units will be available at affordable rates, one of the first times that these living models have been available to low-income and Medicaid seniors.

The design goal of the project was to invoke the feeling of a traditional village using smaller scale buildings to seamlessly fit within the surrounding neighborhood. The 90,000 square foot facility contains a mix of 17 independent living apartments, 86 assisted living units and 24 Alzheimer's units. The landscaped five-acre site features a reflecting pool, gardens and special Alzheimer's courtyard.

-more-

St. Anthony Village Award—page 2

“Our goal was to create a true village, where our senior residents could interact with each other and with the surrounding community,” said Father Michael Maslowsky, president of St. Anthony Village Enterprise, the non-profit corporation creating and managing the village. “Dieterich Mithun did a wonderful job of creating a community that meets individual residents’ needs but also invites them and their neighbors into common spaces where they can share their lives.”

This is the eighth year NCOSH has presented the senior housing awards. Winners were selected by a panel of judges including nationally renowned design professionals, gerentologists, senior marketing specialists and senior citizens.

St. Anthony Village Enterprise (SAVE) is a non-profit corporation established under the auspices of the Archdiocese of Portland to redefine communities as places where residents of all generations, backgrounds and socio-economic levels make their homes, gather in a common place and share a bond, be it faith, family or pride in the neighborhood. Its plan is to develop and manage the first of these new communities, St. Anthony Village, then to replicate the model across the country.

Dieterich Mithun focuses exclusively on delivering quality design services to owners and developers of residential care projects working to create non-institutional environments that support the independence, dignity and comfort of seniors. Dieterich Mithun Architects is the residential care studio of Mithun Partners, Inc.

###

MAKING OUR HOME: BREAKING NEW GROUND IN SOUTHEAST PORTLAND

Neighborhood Terrace and Village Enterprise

Congratulations to two new housing options for seniors! Mount St. Joseph opened McAuley Terrace, a 60 unit Assisted Living Center in March. Using a neighborhood approach, the architecture is designed to enhance community. Each apartment has a kitchen, bath, bedroom and living room with some rooms set up for couples. There are also common areas which include a solarium, arts and craft shop, and TV rooms. The new units help able-bodied elders maintain as much independence as possible, while getting aid from nurses and other health workers as needed. Founded in 1901 by the Sisters of Mercy, the campus of Mount St. Joseph now cares for almost 400 people ranging from those who need only a little help with mobility and meals to those who need intensive and round the clock medical care. For further information contact Mount St. Joseph at (503) 232-6193.

St. Anthony Village Enterprise (SAVE) consists of 127 housing units arranged around a village square with St. Anthony Church at the center. The Church was dedicated on the Feast of St. Anthony, June 13, by Archbishop John Vlazny. The following day, a national housing symposium *Redefining Communities* was held with 150 participants from across the nation. The pastor and president, Father Michael Maslowsky, sees the village as a unique partnership between public and private resources and as a prototype for similar villages nationwide.

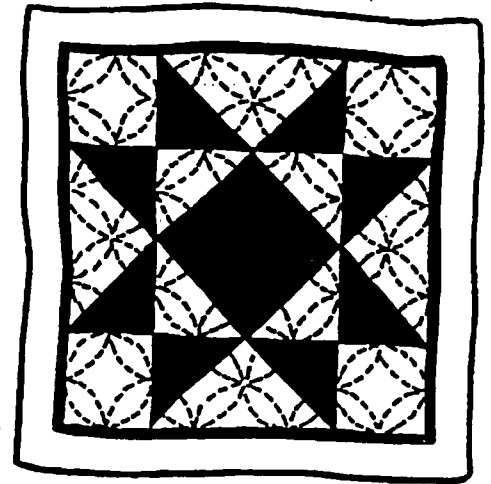
SAVE's 17 private one and two bedroom Independent Living Apartments opened in June. An additional 86 units for Assisted Living, each with private bathroom, and a 24 unit Alzheimer's Facility also with private rooms and baths will open later this summer. All three care categories are integrated to facilitate "aging in place." Construction of the on-site Child Care Facility begins in July. This will further enhance opportunities for generational linkage and neighborhood involvement in a faith based village. For further information contact SAVE at (503) 775-4414.

AGING, LONELINESS, AND THE CHURCH

The importance of maintaining strong interpersonal relationships well into older adulthood is reinforced by new data. In the last decade numerous studies have shown that as people age, those having close relationships with friends or family and holding memberships in clubs or organizations tend to have better health and well-being than older adults who are less involved in the community. *However, the most specific correlation in the data was between church involvement and low mortality risk.*

Individuals who reported attending church more frequently at the beginning of the 12 year study were less likely to die over the study period of 12 to 13 years. (This study filtered out the possible effects of factors such as

from Growing in wisdom, age,
grace, Spring 99



physical health which could limit church attendance and social support which could be a benefit of going to church). *Active worship and faith life in themselves contribute to health and well being.*

Research has shown that men will rarely admit to being lonely and this is also believed to be true with elders. Loneliness is not the same as being alone. Some people don't have a lot of contact with other people, and they're quite happy; others have lots of contact and are still quite lonely. Instead, loneliness can be measured based on questions such as "How often do you feel isolated?" or "How often do you feel in tune with other people?" These are questions which pastoral ministers and volunteers would do well to keep in mind as they interface not only with older persons but with all persons in the parish or neighborhood. The church is essentially a *relational* community, a mystery of relationship as the Body of Christ, and we would want that sense of connection to exist for all persons.

BEST OF PORTLAND

BEST EVIDENCE THAT SOMEONE READ HILLARY CLINTON'S BOOK

Hidden behind the car dealerships and noodle houses of Southeast 82nd Avenue lies a nouveau Old World piazza. In 1993, Father Mike Maslowsky took charge of St. Anthony's parish. At the time, the parish was losing members, and Maslowsky had five acres of land on his hands. He envisioned a church like those in Italy, not on the fringes of life, but at the heart of a community.



Believing that function follows form, he led the design of the St. Anthony Village (3618 SE 79th Ave.) which, when finished, will include housing for seniors, an Alzheimer's patient residence home and a child-care center. In the middle of it all is the piazza and the church, a vital part of the neighborhood. The village's reflecting pool and landscaped gardens are a slice of peace among 82nd's fast-food joints, junk shops and strip clubs.

St. Anthony's to make village

By Ed Langlois
OF THE SENTINEL

An innovative housing development in Southeast Portland will set bricks and mortar on a spiritual foundation.

St. Anthony Village, a parish-based dwelling for more than 100 fixed-income seniors, is set to open in spring 1999. The first of its kind, the \$12 million village will be situated on five acres around a planned new St. Anthony Church and parish center. The development will be enhanced with gardens, a reflection pond, an outdoor prayer grotto, walking paths and a brisk list of activities.

For many residents, Catholic

or not, the parish will be an extension of home. It also looks as if parishioners will get involved in the lives of residents.

"There is a very deliberate integration of the project into the parish and the parish into the project," says Father Michael Maslowsky, pastor of St. Anthony's and president of the project's board of directors.

Beginning with brainstorming sessions with parishioners over prayer and dessert, the priest has marshaled civic leaders and has led the project, which is seen as a sign of resurgence in the Foster-Powell neighborhood, subject to more than its

SEE HOUSING, PAGE 1A

Housing

CONTINUED FROM PAGE 14

by a not-for-profit corporate board appointed by Cardinal Francis George when he was Archbishop of Portland.

Three quarters of the apartments will be rented at a subsidized cost to people who qualify for government aid. The other fourth will go at market rate.

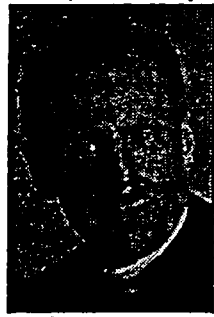
Oregon is short of low-cost assisted living units. Many disabled and elderly applicants for such housing are on waiting lists for as long as two years.

Money for the project comes from \$10.1 million in state-authorized bonds and \$2.5 million in federal tax credits.

It marks the first time that Oregon has awarded federal tax credits to an assisted-living project.

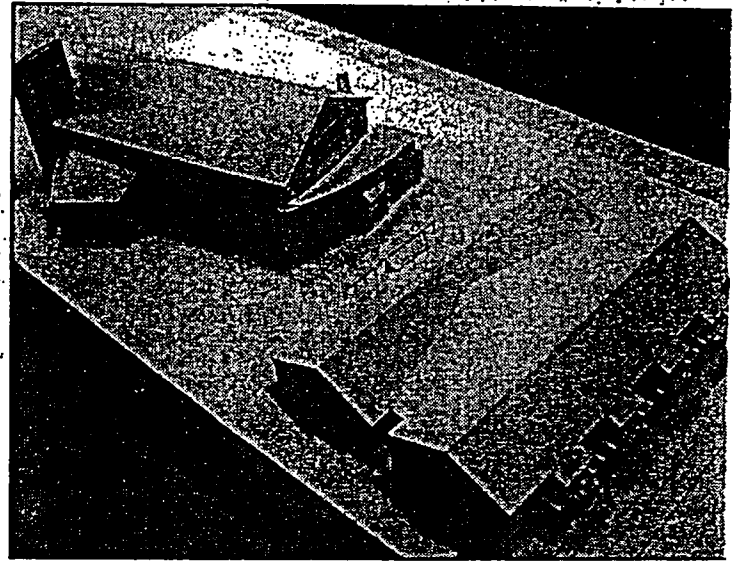
The neighborhood association has backed the project vigorously, testifying in its favor before city officials. All this despite being a cautious organization. They remember how the city chose their area as a home for the criminally insane.

"Lots of things can happen in a neighborhood," says Jack Peek, president of the Foster-Powell association. "St. Anthony Village is exactly what a neighborhood needs. It is exactly what a neighborhood can live with."



Fr. MICHAEL MASLOWSKY

Meanwhile, a small downtown church is also part of building a new assisted-living facility. Due for completion at the end of the year, the new \$6 million Macdonald Center will be affiliated with the Downtown Chapel. It will house 54 frail, elderly and disabled people, all of who are poor enough to qualify for



St. Anthony Parish model

This model provides a bird's eye view of the project.

Medicaid.

The new center, at Northwest 6th and Couch will be a block away from the chapel.

It, too, was recently awarded \$2.5 million in tax credits.

— Robert Pfohman contributed to this report



Sentinel photo by Denise Hogan

Archbishop John Vlazny blesses the site.

share of urban decay. The site for the village, next to the current church, was a vacant lot sometimes used as a trash heap by renegade dumpers.

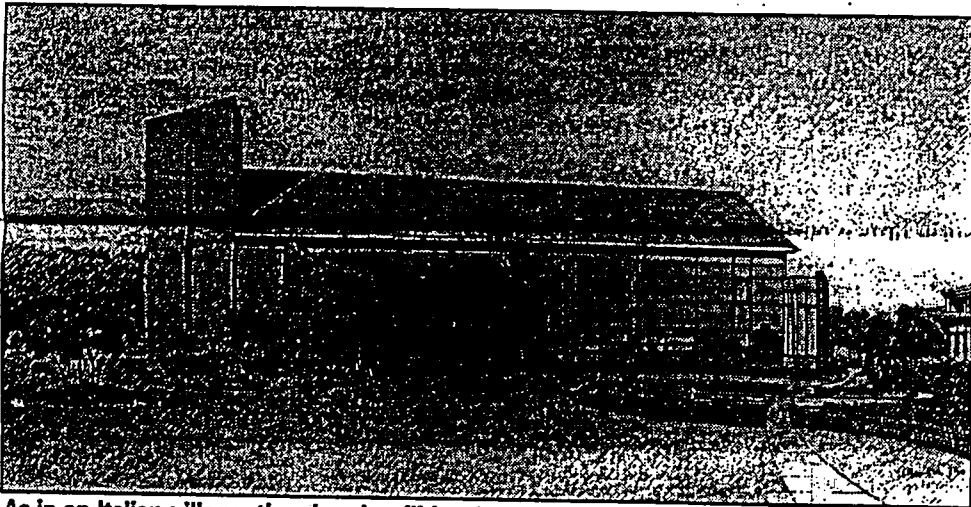
Religious and civic dignitaries gathered last week at

the site to bless the ground.

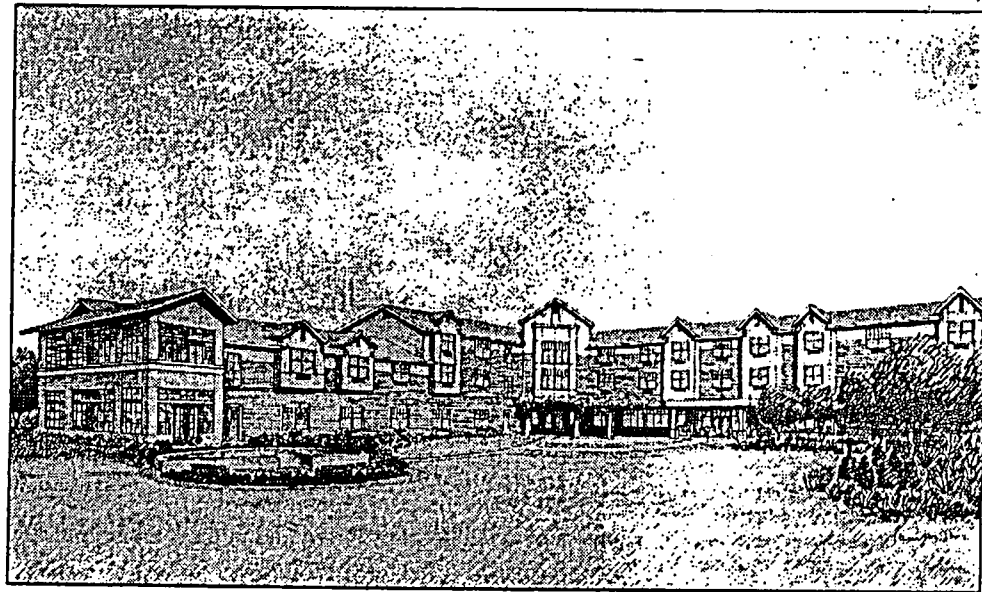
Archbishop John Vlazny said the development is a "positive initiative, a marvelous response by St. Anthony's faith community to be compassionate to the el-

derly and ill in our society.

"Besides building a church, the parish is reaching out and serving others in need," the archbishop told the throng of parishioners and supporters. "I can't think



As in an Italian village, the church will be the development's focal point.



Saint Anthony Village Illustrations

The village of more than 100 units will house active seniors and those in need of care.

of a better way for a people of faith to reach out."

Mass attendance at St. Anthony's, once slipping away, is increasing steadily and is now at about 370 per weekend.

The idea for the village came in 1994 as Portland's Korean Catholics, who were using the parish as their spiritual base, decided to buy their own church. The departure left a void, but also created an opportunity.

Parishioners decided that Christ was calling them to a mission in their own corner of the world: bring the Gospel and the love of Christ to old people and children from beleaguered families.

Located near Southeast 80th and Powell, St. Anthony Village will include 17 apartments for active seniors and 86 assisted-living units. A wing for Alzheimer's patients will have its own garden.

Meant as a gathering place for a wide array of people, the site will include a child care facility and an adult day care center.

Organizers hope that

neighbors will enjoy the greenery, putter on the grounds, attend the community center for aerobics and square dancing, visit residents and use the child care service. At the village rose garden, residents and neighbors will be able to plant flowers in memory of loved ones who have died.

Medical researchers say that an interactive environment is healthful for seniors

and even lengthens life spans.

"I got tired of hearing Hillary Clinton saying, 'It takes a village to raise child,' because it did not answer the question, 'How do you make a village?'" Father Maslowsky says.

"It takes people with a common vision."

The project was developed

SEE HOUSING, PAGE 18

Friday,
April 24, 1998

Sunrise Edition

Portland, Oregon
35¢

The Oregonian

THE LARGEST NEWSPAPER IN THE PACIFIC NORTHWEST

FRIDAY, APRIL 24, 1998

OPINION

Housing: Model assistance

Elderly housing development shows faith community can leverage special benefits to fill aching social needs

Groundbreaking for an elderly and assisted-housing project in outer Southeast Portland Thursday marked an innovative approach to a growing social need. But the development nearly stalled over tax-credit rules that need to be better clarified.

First, the good news.

St. Anthony's Catholic Church, under the leadership of Father Michael Maslowsky and with the Portland Archdiocese's blessing, created a nonprofit arm to develop its five-acre site with a 17-unit apartment for independent elders, 86 units of assisted-living space and 24 units for Alzheimer's patients. The development also will provide separate day-care sites for children, a community center for seniors and neighborhood residents and a new church building in a park-like setting.

Having cleared its predevelopment hurdles, St. Anthony Village can now sell its federal housing tax credits to the private sector for the \$2 million it needs as a project down payment. The bulk of the proceeds, \$10 million, will be financed by state-issued bonds for sale to investors.

But the project nearly washed out over tax-rule interpretations that are still around to hamstring other innovators. That needs fixing.

A disagreement arose over whether assisted-living units were housing, which is eligible for federal tax credits, or medical treatment facilities.

It is the first time that the state of Oregon has allowed such credits to be used for assisted living, but by no means should it be the last. The assisted-living units at St. Anthony Village will be apartments. They will offer seniors independent living with only what drop-in help they need. Assisted living is cheaper than premature nursing-home care, and it keeps more of the elderly involved in the broader community.

How to house and care for a growing elderly population is going to occupy more of the public agenda in coming years. The project engaged by St. Anthony's is a model other communities of faith should look at.

But while they're looking, Congress needs to set clear guidelines on the use of tax credits for assisted-living housing. St. Anthony's has shown a place to begin.

READER FORUM

Doing good work

Pastor of poor Southeast Portland parish finds way to restore faith in the neighborhood

A common refrain of politics in the '90s is that government cannot meet the staggering need for social services alone. The private sector, including communities of faith, must become more involved.

But how exactly will this work? One of the best examples is unfolding right here in Portland.

When Father Michael Maslowsky took on the job of leading St. Anthony's Catholic Church in outer Southeast Portland, the parish was struggling. The congregation was among the poorest in the city, and dwindling with age. Members worshipped in the basement of a modest building that had been moved to the site.

Many expected the parish to close and the members to disperse. But Maslowsky had a better idea. The church sits on a sprawling five-acre site. What if the church could work with government and private investors to build a community center that would serve the broad needs of this low-income, ethnically diverse neighborhood?

Once a practicing lawyer, Maslowsky persuaded the archdiocese to form a not-for-profit

corporation. He put together a board of directors including Robert Szniewajs of U.S. Bank, Antoinette Hatfield and the late Clifford N. Carlsen Jr.

The board developed a vision of a campuslike development offering services from assisted living for seniors to day care for children in a setting with winding paths, rose gardens and a reflecting pool.

St. Anthony Village, aptly named for the saint of the lost, would be open to everyone — not just Catholics.

By brainstorming with creative public and private leaders, the nonprofit board devised a way for St. Anthony Village to obtain federal tax credits for the project. It is the first time that the state of Oregon has allowed such credits to be used for assisted living, which offers seniors who need some help with day-to-day tasks an alternative to the expense and restrictions of nursing care.

Because a nonprofit corporation doesn't pay taxes, St. Anthony Village will sell the federal tax credits to private corporations at a discount. The \$2.1 million in proceeds will be used as a down payment on the development. Another \$10.1 million will be financed through bonds issued by the state and purchased by private corporations.

In addition, members of the congregation have

contributed nearly \$500,000 to fund a new church building for the village — a staggering sum for this parish. Fully 94 percent of parishioners have contributed, demonstrating their strong commitment to the project.

Debt service on the bonds will be the responsibility of the nonprofit corporation. But if marketing surveys are any indication, St. Anthony Village will have no problem meeting its obligations.

Typically, assisted-living centers take as long as 12 months to fill up. This project is expected to fill up in four months or less. One reason is that the center will welcome Medicaid residents as well as private-pay residents. Most private assisted-living companies aim their projects at private-pay residents, where greater profits lie.

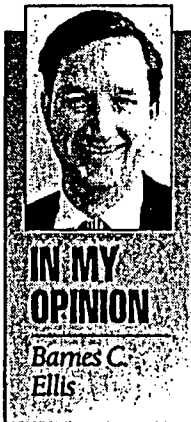
When ground is broken on the project April 23, it will mark a bold experiment in public-private partnerships. If it works — and I have no doubt that it will — St. Anthony Village will provide badly needed services for low-income residents without costing taxpayers a dime.

In fact, because many of the people who will live in its assisted-living facility would otherwise end up in more expensive nursing homes, the project could save taxpayers as much as \$1 million a year.

And if other parishes or faith-based communities see an opportunity to replicate its success, that could be just the beginning. Like its namesake, St. Anthony Village could help lead us in a new direction — from the lost thinking of big government toward a future of shared responsibility and community-based solutions.

Barnes C. Ellis is vice president of Charter Investment Group in Portland.

“When ground is broken on the project April 23, it will mark a bold experiment in public-private partnerships.”



letters TO

History of slavery more complex than we think

PRESIDENT'S AFRICA TRIP

Every did not occur in a vacuum powers.

Referencing President Clinton every resulted from overwhelming ing Africa. Quite the contrary. Africans by Africans was entirel

Selling African slaves to America of internal slave trading ancans by Africans to America repance of terror to shift toward increased scale.

Slavery was not universally ac Southern obsession and was resty of wealthy persons who coul War that proved, with the blood ing to die to protect the human ri

Since 1945, the United States foreign aid to Africa. Untold billi vate American citizens and em United Nations, with huge subs pated in armed peacekeeping mi of genocide by Africans toward A

Officials should serve best interests, not greed

I agree with your editorial reg ing the dismissal of Paula Joi



St. Anthony Village Enterprise

Redefining Communities
Caring for People | Linking Generations | Meeting Needs

St. Anthony Village Enterprise Redefining Communities

St. Anthony Village Enterprise is redefining communities as places where residents of all generations, backgrounds and socio-economic levels make their homes, gather in a common place and share a bond, be it faith, family or neighborhood. This vision recalls the traditional village, where families lived for generations with a true sense of belonging, a sense of place.

St. Anthony Village Enterprise (SAVE) is a non-profit corporation established under the auspices of the Archdiocese of Portland to develop and manage the first of these new communities, St. Anthony Village in Southeast Portland, and to replicate its village model across the country.

St. Anthony Village is unique for its combination of features:

- **A mix of affordable and market-rate housing for seniors.**
- **Unique financing providing for affordable housing through a partnership with the state that uses Federal Low Income Housing Tax Credits and tax exempt bond financing supplemented by corporate, foundation and private donations.**
- **Integrated services for seniors, including independent, Alzheimer's and assisted living. Assisted living, a popular social model allowing seniors to "age in place," has traditionally been available only through private developers, with a lengthy wait for affordable assisted living in Oregon. Extending this option to low income seniors enhances their quality of life and saves Medicaid about \$1,000 per person per month over nursing home care. This is the first time in Oregon that Federal Low Income Housing Tax Credits have been used for assisted living.**
- **Intergenerational living uniting seniors with a variety of care needs, a Child Care Center, and community involvement and interaction for all neighborhood residents.**
- **A faith-based community with St. Anthony parish at the center, providing a ready-made community to embrace the new residents. Parish enthusiasm is evidenced by the fact that 94% of all parishioners have pledged financial support for construction of a new parish church and center that will be developed in conjunction with the project.**

This village is the model that St. Anthony Village Enterprise hopes to use as a national prototype for redefining communities—caring for people, linking generations and meeting needs. Although this model focuses on housing for seniors, similar projects could serve many diverse needs from people with disabilities to hospice care. SAVE will work with other organizations—religious groups, housing organizations, senior advocates, etc.—to share its experiences and offer consultation on building villages that enrich our cities and towns.



St. Anthony Village Enterprise

Redefining Communities
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St. Anthony Village Enterprise History

Walking through his newly assigned parish in 1993, Father Michael Maslowsky looked beyond the dwindling population, closed school and five acres of unused land and envisioned a village like the ones he had discovered while studying in Rome. He saw the St. Anthony Parish as an opportunity to build a town square following the European church-centered model, surrounded by a true community with a character and life of its own.

As director of Pastoral Services for the Archdiocese of Portland, Father Maslowsky also knew the challenges of providing quality, affordable housing for seniors in an increasingly fragmented society. His vision for a village took shape around meeting this need by creating flexible housing options for seniors with various care needs and income levels. Rather than isolating seniors in a sterile nursing environment, the village would allow them to “age in place,” remaining integrated in the community. A Child Care Center, community park, church and parish center would round out the village, which would be situated in the heart of a revitalized neighborhood.

As it became evident that St. Anthony Village could become a model for subsequent projects, a professional development process was implemented to ensure the highest quality planning and work. St. Anthony Village Enterprise was formed, with Father Maslowsky as president, to develop and manage the project, with all assets dedicated to religious, educational and charitable purposes.

Extensive market and financial feasibility studies by local and national firms confirmed strong demand for the project. A prominent group of community leaders agreed to serve as the Board of Directors and hired an experienced team of architects, contractors, development consultants, financial advisors and land planners.

SAVE broke ground for the village in April 1998, with construction scheduled to be completed in June 1999. This village is the model that St. Anthony Village Enterprise plans to use as a national prototype for redefining communities—caring for people, linking generations and meeting needs. Although this model focuses on housing for seniors, similar projects could serve many diverse needs from people with disabilities to family housing. SAVE will work with other organizations—religious groups, housing organizations, senior advocates, etc.—to share its experiences and offer consultation on building villages that enrich our cities and towns.



St. Anthony Village Enterprise

Redefining Communities
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St. Anthony Village The Prototype Community

St. Anthony Village is the first community developed by St. Anthony Village Enterprise and is seen as a national model for similar villages. St. Anthony Village, located at 3600 SE 79th in Portland, Oregon, includes housing and services for seniors, a Child Care Center, a church, a parish center and a community park.

127 Units of Senior Housing:

- 17 units of independent housing
- 24 units of Alzheimer's residences, featuring unique architectural elements such as a circular walking pattern to accommodate resident wandering, "memory boxes" outside residents' rooms to help them find their way home, an enclosed garden for safety, and abundant natural light to help counteract the loss of time perception associated with Alzheimer's
- 86 units of assisted living residences
- 80% at affordable rate (restricted to people earning up to 60% of the area median income) and 20% at market rate

Senior Services Available:

- Three meals daily, seven days a week, including special diets and snacks
- Daily living assistance, including bathing, eating, dressing, laundry, personal hygiene, grooming, toileting and ambulation
- Medical and social transportation
- Social/recreational opportunities
- Pastoral care
- Other services necessary to support the residents
- In addition, the assisted living building will have an interdisciplinary team to assess and respond to residents' physical and emotional needs, and to create a service plan for each resident.

Child Care Center: The Child Care Center will provide day care for area children and opportunities for intergenerational interaction with village residents.

Church: At the center of the village is a church that seats 350 people. It is the first church in Oregon to be designed by a woman owned architecture firm, Robertson Merryman Barnes Architects Inc.

Parish Center: The 25' x 80' Parish Center can be divided into four rooms for separate parish activities or opened into a single room accommodating 250 people. It will be used for celebrations, exercise and other classes, meetings and community functions.



St. Anthony Village Enterprise

Redefining Communities
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St. Anthony Village Enterprise and St. Anthony Village Key Players

St. Anthony Village Enterprise

Non-profit corporation formed to redefine communities

President: Rev. Michael W. Maslowsky, J.D., S.T.D., director, Department of Pastoral Services, Archdiocese of Portland; pastor, St. Anthony Parish

Executive Director: Dan Wendle

Board of Directors:

- Clifford Carlsen (in memorium)
- Eugene P. DiLoreto, P.E., P.L.S., principal in DiLoreto & Associates
- John A. Elorriaga, retired chairman of the board and CEO, US Bancorp
- Antoinette K. Hatfield, member, board of directors of Oregon Ballet Theater and University of Oregon Museum of Art
- Maura O'Scannlain, chair, Archdiocese of Portland Justice and Peace Commission; vice president, Friends of Doernbecher Children's Hospital
- Patrick J. Reilly, Northwest regional manager for US Public Technologies, LLC
- Delford M. Smith, CEO and founder, Evergreen International Aviation, Inc.
- Karl Smith, senior resident vice president, Merrill Lynch
- Brian Scott Shaffer, M.D., chairman, Department of Urology, St. Vincent Hospital
- Nicholas J. Stanley, president, Stanley Investment & Management; chairman and CEO, Fine Arts Graphics, Inc.
- Caroline H. Swindells, board chair, Oregon College of Art and Craft
- Robert D. Sznawajs, vice chairman, US Bancorp

St. Anthony Village

Prototype community in Portland including housing for seniors integrated in a faith-based setting with a church, parish center and child day care

- Allied Irish Bank—financial advisor
- Capital Consulting Group—market study, financial feasibility study
- Centerline Concepts—survey
- Concepts in Community Living—service provider consultant
- Deloitte & Touche LLP—tax counsel
- DiLoreto & Associates—civil engineering
- Dieterich Mithun—project architect
- Ernie Munch AIA—site planning, conditional use approvals
- Fannie Mae—pre-development loan
- Garvey, Schubert & Barer—corporate formation counsel
- Gary McGee & Company—accounting services
- Miller, Nash, Wiener, Hager & Carlsen LLP—tax credit and bond counsel
- St. Anthony Village Enterprise—project development
- Walker Macy—landscape architect
- Walsh Construction Company—general contractor



St. Anthony Village Enterprise

Redefining Communities
Caring for People | Linking Generations | Meeting Needs

**Reverend Michael W. Maslowsky, J.D., S.T.D.
President, St. Anthony Village Enterprise**

Reverend Michael Maslowsky is the president of St. Anthony Village Enterprise, a nonprofit corporation established by the Archdiocese of Portland to redefine communities as places where residents of all generations, backgrounds and socio-economic levels make their homes. Its first project is St. Anthony Village in Portland, Ore., a faith-based community which combines affordable and market-rate housing for seniors with child daycare, a church, a community center and a park, all at the heart of St. Anthony Parish, where Fr. Maslowsky has been the pastor since 1993.

After being ordained in 1987, Fr. Maslowsky served for two years as associate pastor at St. Joseph Parish in Salem, Ore. He then returned to Rome to complete a doctorate (S.T.D.) in Sacred Theology from the Pontifical Gregorian University. In 1990 Fr. Maslowsky was chosen as a priest assistant to the *Synod on Priestly Formation*. In 1992, he was appointed Director of the Office of Ministry Formation for the Archdiocese of Portland. In 1994 he also assumed the position of Director of the Department of Pastoral Services.

Before he joined the priesthood, Fr. Maslowsky's career was in law. He received a Juris Doctorate from the Northwestern School of Law and went on to serve as a law clerk to Chief Judge James M. Burns of the U.S. District Court for Oregon and as an attorney in the law firm of Miller, Nash, Wiener, Hager & Carlsen in Portland.

Fr. Maslowsky has taught both theology and law as an adjunct professor at The Gregorian University in Rome, Willamette University School of Law in Salem, Ore., The University of Dallas and Portland State University, and has been a visiting lecturer at the College of the World in Trieste, Italy. He also has lectured in dioceses across the United States and has led spiritual retreats in the United States and Europe. He has initiated conferences and presentations, delivered lectures and published on a variety of faith, spirituality and other religious topics.

People across the country know Fr. Maslowsky from his numerous news media appearances, including "CBS Morning News," CNN, the BBC "News Update," "20/20," "The Geraldo Rivera Show," "Good Morning America," FOX News and "Hannity and Colmes." He has hosted a call-in radio show, "A Question of Faith," as well as an archdiocesan television series, "Faces of Faith." In addition, Fr. Maslowsky delivers weekly commentary on "A Moment with Father Mike" on Portland ABC affiliate KATU-TV.

MINUTES OF THE METRO COUNCIL MEETING

April 6, 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

Presiding Officer Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS

Art Lewellan, 3205 SE 8th Ave, Portland OR 97201, LOTI, provided a written copy of his statement which may be found in the permanent record of this meeting. He wished to reaffirm his support for the Regional Center concept planning. Second, he suggested that Metro should continue to pursue lightrail in the southeast area. Third, he spoke about the Ross Island Bridge repairs. He suggested that the decision not to widen the sidewalk could be a violation of the federal ADA and the state Uniform Building Codes.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

None.

5. BUDGET/FINANCE COMMUNICATIONS

Councilor McLain, Budget Committee chair, said there had been three budget meetings this week and another one would follow this meeting. She reviewed where the committee was and what amendments would be coming forward for consideration at next week's meetings.

6. MPAC COMMUNICATIONS

Presiding Officer Bragdon said MPAC had not met since the last council meeting, but noted a letter from Mayor Ogden that he had asked Mr. Burton's staff to help with some of the legislative history for the next MPAC meeting April 12.

7. CONSENT AGENDA

7.1 Consideration of minutes of the March 30, 2000 Regular Council Meeting.

Motion: **Councilor McLain** moved to adopt the meeting minutes of the March 30, 2000 Regular Council meeting.

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

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed, Councilor Atherton was absent from the vote.

8. ORDINANCES –FIRST READING

8.1 **Ordinance No. 00-858**, For the Purpose of Amending Metro Code Chapter 5.02 to Extend the Sunset Date for the Regional System Fee Credit Program to June 20, 2001.

Presiding Officer Bragdon assigned Ordinance No. 00-858 to the REM Committee.

9. RESOLUTIONS

9.1 **Resolution No. 00-2917A**, For the Purpose of Appointing Thomas Donaca, Washington County, Christine Cook, Multnomah County and Robert Traverso, Clackamas County, to the Metro Boundary Appeals Commission.

Motion: **Councilor Washington** moved to adopt Resolution No. 00-2917A.

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

Councilor Washington introduced the resolution and asked Mr. Cooper to explain further.

Dan Cooper, General Counsel, said this commission's jurisdiction was extremely limited compared to the jurisdiction and authority of the former boundary commission.

Councilor Washington said there was a nominee from each of the three counties that would hear boundary appeals sent to Metro. He said the terms were to be for 4 years and would be staggered, which explained the difference in terms on the Resolution.

Mr. Cooper said the statute that abolished the boundary commission required Metro to create a Boundary Appeals Commission to hear appeals from boundary change decisions made by local governments where the appeal was filed by another local government. It further required the commission to be appointed by the Executive Officer from nominees from the counties, subject to approval by the Council.

Councilor Washington said there was an appeal pending so the committee needed to get up and running. He urged an aye vote on the resolution.

Councilor Atherton asked Mr. Cooper if there was an appeal process for this three-member commission's decisions.

Mr. Cooper said it would probably be LUBA but there was no specific statute to say that. There was a possibility, if there was no land use issues involved, that it could be appealed to circuit court. That would be up to the lawyer representing the parties to figure out where to file.

Councilor Atherton asked if all of those cases would be based on the record.

Mr. Cooper said that was correct.

Councilor Kvistad expressed concern about Ms. Cook, who in the past had represented 1000 Friends of Oregon. He would oppose her nomination if she was still representing them.

Councilor Washington noted that Ms. Cook's resume reflected that she was staff attorney to 1000 Friends from 1992 to 1998, and was now a sole practitioner of law concentrating on Oregon land use law, representing individuals, organizations and business entities in local and state level appeals.

Councilor Kvistad said it was not personal towards Ms. Cook, but directed towards the interest because of the number of suits against Metro from 1000 Friends dealing with land use issues. He said unless he knew for a fact that she no longer represented 1000 Friends, he could not support her nomination. He was unsure how to proceed because he could support the other two people named in the resolution.

Presiding Officer Bragdon offered clarification. He said his investigation revealed that she had represented individuals who had appealed to the Metro Council pertaining to the UGB, and in fact had appeared before Metro this year regarding those appeals. He said that was a concern to him as well until Mr. Cooper explained to him that this boundary commission would deal with appeals between governments and not UGB decisions.

Mr. Cooper said that was correct, but each councilor had the authority to move to delete any particular candidate from the resolution if they could not support that candidate, or to vote against the entire resolution.

Presiding Officer Bragdon said he was commenting on the question of whether the person was involved in any cases that could come before the committee, not on their ideology or affiliations in any way.

Councilor Kvistad noted Ms. Cook's resume said under professional experience "concentration in Oregon land use law representing individuals, organizations and business entities in local proceedings and state level appeals". He perceived a conflict in this particular nomination. He reiterated that it was not directed at Ms. Cook individually, but if she was indeed an attorney representing people in land use interests, he was not comfortable with the nomination. He said he would make a motion to split out the individuals.

Motion to

Amend: **Councilor Kvistad** moved to separate the question three ways and vote on each individual separately prior to the final vote.

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

Councilor Kvistad said his concern was putting an attorney who dealt with local land use proceedings on this committee. He felt that made a conflict of interests a real possibility. He said splitting them out would give him the opportunity to support the other nominees, which he did.

Councilor Monroe asked Mr. Cooper what would happen if they approved some of the appointees and not all of them. He asked if they could function with fewer than three members in place. He noted there was an urgency to this resolution because of the pending case.

Mr. Cooper said it was possible, but without a third member to guarantee there could not be a tie vote, there could be problems.

Councilor Atherton asked Councilor Kvistad why he was not also concerned about Mr. Traverso.

Councilor Kvistad responded that the other two individuals had not been before the Council lobbying on behalf of land use organizations.

Presiding Officer Bragdon clarified that they were not speaking to individual qualifications but to the motion to split.

Vote to

Amend: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Atherton, McLain and Monroe and Presiding Officer Bragdon voting no.

Councilor Monroe felt all of the nominees had been involved in things that had land use implications. He noted Ms. Cook's resume said she had represented 1000 Friends until 1998. He assumed that since it said "until 1998" she was no longer representing them, and in fact if she was, then her resume was inaccurate. He said he had known Mr. Donaca for many years and knew he had an interest in land use decisions for many years as a lobbyist for Associated Oregon Industries. He noted that Mr. Traverso's background was wide and varied and included a lot of rural activities that had at various times an interest in land use and land use law. He said all three had different backgrounds and a considerable amount of experience in dealing with issues that affected land use. He was convinced that between the three of them they could make rational decisions regarding boundary disputes that would come before them.

Councilor Washington asked for clarification. He wanted to know if they would have voted on each individual separately had the vote been to separate the question. He felt this situation was similar to many of the Council's concerns or perceptions with regard to ethics. He commented that while they each knew how they should act, whenever the issue came up, they always said it was the perception that they had to guard against.

Mr. Cooper responded yes, they would have had to vote each individual separately. He said the Oregon Ethics law for all public officials applied to this body so if any member had a financial interest they must declare it. If there was an actual conflict, they would be precluded from participation unless their vote was required to break a tie. They could not vote in a way that would be of direct financial benefit to them. He noted there were also Oregon State Bar ethical requirements that would apply to attorney members of the board that would also affect their ability to sit on cases where they had a client as well.

Councilor Washington asked if the separation prevailed, would Councilor Kvistad have had the opportunity to express his vote against one person and still support the other two.

Mr. Cooper said in essence, that was correct.

Councilor Kvistad said he had asked one simple question, did one particular person represent an organization that was currently suing this body on land use issues. He said until that question was answered, he could not in good conscience vote to allow that person on this board. He said he had no choice then, but to vote against two qualified people because he was not given the opportunity to do otherwise. He said because of the fact that this person represented individuals, businesses and other entities in local proceedings on land use issues, he could not support the resolution.

Councilor Monroe asked Nancy Goss-Duran to come forward and asked her whether Ms. Cook was currently working for 1000 Friends or representing any other organization that was currently involved in land use disputes affecting Metro.

Nancy Goss-Duran, Executive Office, responded that to the best of her understanding Ms. Cook was a lawyer in independent practice and did not work for 1000 Friends, however she was involved in the Malinowski case.

Councilor Park asked Mr. Cooper if who was suing Metro directly in this particular situation was legally relevant.

Mr. Cooper said if the Councilor meant did this person have an inherent conflict of interest under the Oregon conflict of interest laws that would disqualify her from hearing any case brought before her, he believed the answer was no.

Presiding Officer Bragdon clarified the question was regarding the matter in which she was representing a party who has an involvement with Metro, and was that an issue that was likely to come to the body that she was proposed to be appointed to.

Mr. Cooper said no.

Councilor McLain said there were many times in life when they had to figure out if what they were doing would cause others to have problems with perception or conflict of interest. She said these three individuals seemed to be in positions to make them valuable to this particular board. She thought they all seemed to have an understanding of ethics law because of the fact they were all lawyers. It was her opinion that all three would bring balance, expertise, and good work to this board. She thought it was important to remember that the ethics code, which governed the council, would govern them. When there was a conflict, they would state so and do the appropriate thing. She said she would support the resolution.

Councilor Atherton asked Ms. Goss Duran about Mr. Donaca's Washington County property and if Mr. Traverso owned real estate in Clackamas County or in the region other than his home. He said property ownership in an area would be a clear conflict when deciding boundary issues.

Ms. Goss Duran said she did not know, but she would attempt to find out.

Presiding Officer Bragdon did not think property ownership went to the issue of conflict for the job these people were being appointed to since they would be adjudicating disputes among different local governments.

Mr. Cooper added that if the property owned by one of the individuals was within the territory that was the subject of the dispute, then a conflict of interest would exist and they would be

disqualified. If the concern was that one of these individuals held extensive property and would perhaps be more sympathetic to the views of other property owners, that was a different matter.

Councilor McLain said they had talked about the candidates and the ethics they would have to follow. She asked for a reconsideration of the motion to divide.

Motion to

Amend: **Councilor McLain** moved to reconsider the motion to split the vote on each nominee.

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

Councilor McLain said she suggested the reconsideration as a courtesy to Councilor Kvistad because, as Mr. Cooper had indicated, they would have to vote on all of it some time. She said dividing the question was not going to complicate the issue.

Councilor Monroe said he had a problem with dividing the issue because he was in support of all three of them as a group. Individually, he might vote against any one of them, but collectively, they had enough balance that he did not have a problem.

Councilor Atherton said he supported Councilor Monroe's position, but wanted to add that they had just demonstrated that if they started getting into nit-picking and pointing at an individual, they could find flaws anywhere. He said he was not in favor of splitting the motion.

Vote on motion

to reconsider: The vote was 5 aye/ 2 nay/ 0 abstain. The motion to reconsider passed with Councilors Monroe and Atherton voting nay.

Vote on the motion to separate:

The vote was 4 aye/ 3 nay/ 0 abstain. The motion to separate passed with Councilors Atherton and Monroe and Presiding Officer Bragdon voting nay.

Motion: **Councilor Kvistad** moved to consider Thomas Donaca for the position on the committee.

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

Motion: **Councilor Atherton** moved to consider Christine Cook for the position on the committee.

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

Councilor Kvistad reiterated his concerns regarding Ms. Cook's appointment to the committee.

Presiding Officer Bragdon repeated that although Ms. Cook was involved with a land use case with Metro, it would not be one that would come before this committee.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with

Councilor Kvistad voting nay.

Motion: Councilor Kvistad moved to consider Robert Traverso for the position on the committee.

Seconded: Councilor Washington seconded the motion.

Vote: The vote was 6 aye/ 0 nay/ 1 abstain. The motion passed with Councilor Atherton abstaining.

Presiding Officer Bragdon commented that impartiality was important to any group of appeals, functionaries and the impartiality needed to apply to what they were considering. He said he had objections raised to him about all three of the people in the resolution on ideological grounds, but none of the objections were relevant to the job they were being asked to do. He said he would support them individually and as a package.

Councilor Atherton said he would abstain on Mr. Traverso was in part, due to his failure in homework. He was concerned about Mr. Traverso's land holdings in Clackamas County that might make it difficult for him to participate on the committee.

Councilor McLain said she found all three people to be excellent candidates for the board. She said she supported the resolution and wished them well on their first appeal.

Councilor Park felt it was ironic that they had taken up so much time on this matter. He said the logical conclusion to avoid all this would be to get people outside of their jurisdictions who had no interest or property holdings to serve. He said there were already conflict of interest laws in place and he had confidence in all three candidates by virtue of the screenings they received through Metro's process as well as their county commissioners.

Councilor Kvistad thanked Councilor McLain for the courtesy. He said it had been his intention only to cast his vote quietly and move on, not to make it a convoluted process. He said he would abstain from the vote to not vote against the two individuals he did not have a problem with.

Vote on the

Main Motion: The vote was 6 aye/ 0 nay/ 1 abstain. The motion passed with Councilor Kvistad abstaining.

10. COUNCILOR COMMUNICATIONS

Presiding Officer Bragdon announced that the next Council meeting would be at 2 p.m. April 13, 2000 at St. Anthony's Parish Hall, 3618 SE 79th, Portland. There will be a tour of St. Anthony's Village for interested Councilors at 1 p.m.

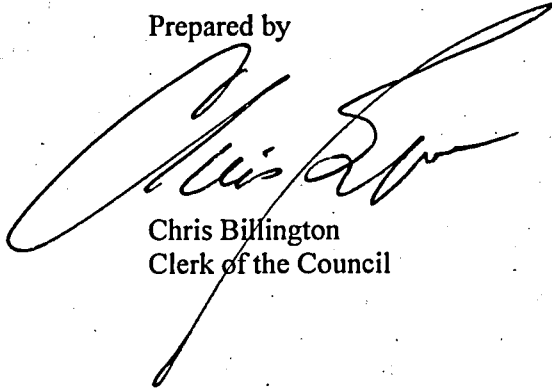
Councilor Monroe said he would be out of town for the next meeting.

Councilor Atherton announced Alternatives to Growth Oregon would have their second conference on April 15th at Portland State. He invited the councilors and said he had applications for anyone who wished to attend.

11. 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

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
040600c-01	3/30/2000	Minutes of the March 30, 2000 Regular Council Meeting		
040600c-02	4/6/2000	Written Testimony for Citizen Communications RE: Ross Island Bridge Repairs and Measure 82	Metro Council/Art Lewellan	

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	Name:	Fax No.	Company/Firm:	Office No.
TO:	Commissioner Lisa Naito	248-5262	Multnomah County	248-5217
	Mayor Charles J. Becker	665-7692	City of Gresham	618-2584
	Councilor David Ripma	360-817-8505	City of Troutdale	252-5436x8754
	Jeff Grover	695-2285	Corbett Water District	695-2651
	Mayor Vera Katz	823-3588	City of Portland	823-4120
	Commissioner Dan Saltzman	823-3036	City of Portland	823-4151
	Commissioner Michael Jordan	650-8944	Clackamas County	655-8581
	Councilor Jack Hoffman	224-7324	Dunn Carney	306-5324
	Mayor Jill Thorn	635-2537	City of West Linn	635-9307
	John Hartstock	658-3395	Boring Fire District #59	780-4806
	Commissioner Andy Duyck	693-4545	Washington County	648-8681
	Mayor Rob Drake	526-2571	City of Beaverton	526-2481
	Carol Gearin	641-4427	TVF&R	643-4311
	Bernie Giusto	665-1639	City of Gresham Police Department	618-2314
	Rebecca Read	725-5199	Portland State Univ.	725-5143
	Scott Leading	655-2216	Ken Hoffman, Inc.	655-1711
	Richard Benner	503-378-5518	DLCD	503-378-0050
	Commissioner Craig Pridemore	360-397-6058	Clark County	360-397-2232

Councilor Jeanne Lipton	360-696-8049	City of Vancouver	360-696-8211
Councilor Susan McLain	797-1793	Metro	797-1553
Councilor Rod Park	663-2696	Metro	797-1547
Councilor Bill Atherton	697-6594	Metro	797-1887
Mike Salsgiver	264-1823	Centennial School District	264-5667
Commissioner Doug Neeley	657-1955	City of Oregon City	657-0891
Mayor Gordon Faber	681-6232	City of Hillsboro	681-6100
Mike Thorne	944-7080	Port of Portland	944-7011
Commissioner Diane Linn	248-5440	Multnomah County	248-5220
Councilor Chris Lassen	665-7692	City of Gresham	618-2584
Jeff Kee	397-5171	Burlington Water District	240-0233
Commissioner Erik Sten	823-3596	City of Portland	823-3589
Commissioner Larry Sowa	650-8944	Clackamas County	655-8581
Councilor Tom Lowrey	697-6594	City of Lake Oswego	635-6000
Mayor Eugene Grant	796-2900	City of Happy Valley	222-9981
Commissioner Delna Jones	693-4545	Washington County	648-8681
Councilor Wes Yuen	526-2479	City of Beaverton	526-2345
Mayor Richard Kidd	359-5081	City of Forest Grove	359-5851
Mark Knudsen	537-7007	Tualatin Hills Park & Rec	537-7000
Ed Gronke	646-6546	Citizen	656-6546
Jim Sitzman	731-4068	DLCD	731-4065
Councilor Jack Burkman	360-696-8049	City of Vancouver	360-696-8121

Annette Mattson	570-4420	David Douglas School Dist	570-4408
Mayor John F. Williams, Jr.	657-1229	City of Oregon City	657-2868
Councilor John Godsey	690-2595	Hillsboro	690-6600

Name: Ty K. Wyman **Sender's Direct Dial:** (503) 294-9827

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DATE: April 11, 2000

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COMMENTS: Attached, please find a copy of a letter from Gail Achterman to the Metro Growth Management Committee dated April 4, 2000. This copy is being provided for you per the request of Lou Ogden for your review prior to the April 12, 2000 MPAC meeting.

Thank you.

STOEL RIVES LLP

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April 4, 2000

GAIL L. ACHTERMAN
Direct Dial
(503) 294-9123
email glachterman@stoel.com

Metro Growth Management Committee
600 NE Grand Ave.
Portland, Oregon 97232-2736

Re: Goal 5 Riparian Corridor Program; Revised Work Schedule

Dear Chair Park, Councilor Washington, and Councilor Monroe:

We represent the Portland Riparian Committee, comprised of regional business and industry leaders with long histories of public participation and community service. These leaders have recently met with Metro's local government partners to discuss Goal 5 and Endangered Species Act compliance issues. Business leaders are united in their recognition of the sizable task facing the region—maintaining its dual commitments to urban redevelopment and stewardship of the environment. They want to participate constructively in the process to develop effective fish and wildlife habitat regulations, while assuring that our area's economic goals are met.

Our firm has extensively reviewed and publicly commented on the complex sets of federal (ESA and the 4(d) rule), state (Goal 5), and local (Title 3, § 5) laws and regulations relating to Metro's current riparian corridor work plan. We have also reviewed and will soon submit detailed written comments on the December, 1999 Streamside CPR Discussion Draft. Our understanding of the legal framework and the existing technical work raises the following concerns about the revised schedule for completion of the Metro Council's Goal 5 work plan recommended by staff:

1. Goals and Objectives. We do not believe the initial question in this process has yet been answered: What is the plan's objective? Stating that the goal is to conserve, protect and restore fish and wildlife is not clear enough to develop effective conservation planning regulations. What species of fish and wildlife is Metro trying to restore and enhance? What

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distinctions, if any, will be made between existing habitat and potential habitat? That MPAC is struggling to determine the objective of a work plan that is 90% complete reveals a fundamental problem with the plan's development. Staff reports cite innumerable Metro policies regarding fish and wildlife habitat preservation, but they omit critical language explaining the context of those policies. All of the cited policy documents recognize the fundamental need to balance all of the region's goals, including those (e.g., compact urban form and flood management) that may conflict with large riparian setbacks. In this context, it is critical that staff provide your committee, MPAC and the public with a specific answer to what the impact of adopting the Regional Safe Harbor will be on the Urban Growth Boundary in terms of reduced buildable land inside the existing UGB.

2. Relationship to Existing Local Plans and Metro Title 3, § 3. Nothing in ESA, 4(d), or Goal 5 requires Metro to complete this program. The revised work schedule perpetuates staff's deviation from its own Goal 5 work plan, which, as mandated by Title 3, § 5, clearly requires a program that addresses only identified deficiencies in existing city and county Goal 5 programs. While it may be convenient to simply declare that all riparian corridors are regionally significant, this approach will impose development restrictions on many areas that may provide little or no habitat values today, have little restoration potential, but do have the potential for major contributions to other development objectives inside the UGB. In addition, without being able to explain clearly to the public what additional fish and wildlife habitat is being protected and enhanced compared to current programs, it will be difficult to explain the need for the additional regulations to affected property owners. Our coalition believes that Metro should not impose additional land use regulations under Goal 5 unless it can demonstrate what, if anything is wrong with the existing plans. The current Draft Streamside CPR fails to make any such showing. It simply concludes the local plans are inadequate.

3. Relationship to Basin Planning. We can all agree that we want to conserve, protect and enhance fish and wildlife habitat in the Metro region. Decisions about fish and wildlife habitat restoration, however, should fit within a broader bioregional context. For example, the Willamette Restoration Initiative is now working with the federal government to develop a recovery plan for listed salmon stocks in the Willamette Basin. The Biodiversity Project led by Defenders of Wildlife has done a "gap" analysis of critical areas needed for biodiversity protection. Metro should assure that its Goal 5 efforts facilitate these broader efforts and encourage habitat mitigation banking and other measures that allow greater development to occur within the UGB in exchange for participation in high priority restoration efforts elsewhere.

A consensus on new Goal 5 measures can come only once these issues are considered carefully at the policy level. Rather than trying to answer the questions that the *technical*

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advisory committees wish to ask, staff should be directed to address the questions that City and County and MPAC *policy* makers and affected landowners have about the plan.

We fully recognize that factors outside of this process compress Metro's time for decision-making. However, this time compression merely makes more urgent the need to expand the discussion in an effort to develop and maintain a consensus on these issues. The concerns we have described above should be addressed explicitly by the staff as a part of the Work Plan. The Work Plan should also require response to any written comments received on the Draft following review of the proposed responses by MPAC and this committee to assure appropriate policy guidance before are revised or supplementary CPR Report is prepared. We appreciate your consideration, and look forward to your questions and to continuing to participate in the process.

Very truly yours,



Gail L. Achterman

TKW/pjn

cc: Mr. David Bragdon, Metro Presiding Officer
Mr. Mike Burton, Metro Executive Officer
Ms. Elaine Wilkerson, Metro Growth Management Services Director
Mr. Daniel Cooper, Esq., Metro General Counsel
Mayor Lou Ogden, Chair MPAC
Mayor Rob Drake, Past Chair MPAC
Ms. Ruth Scott, Association for Portland Progress
Mr. Hank Ashforth, Chair, Portland Riparian Committee
Ms. Anne Nickel, Columbia Corridor Association
Ms. Betty Atteberry, Westside Economic Alliance

EXHIBIT A**DRAFT**

Proposed Urban Growth Boundary Periodic Review Work Program 2000
Citizen Involvement Element
4/12/00

Citizen Involvement Program

Purpose: To inform the public and provide opportunities for meaningful input into the planning process. To meet the requirements of State Goal 1 and RUGGOs Goal 1, Objective 1.

Evaluation and Work Program Review

1. Coordination with local governments and stakeholders
 - a. Send notice and draft work program and evaluation to local governments
 - b. Send notice and draft work program and evaluation to stakeholders
 - c. MTAC, MPAC and MCCI review
 2. Hearing at Growth Management Committee on Evaluation and work program
 3. Hearing and adoption of evaluation and work program by Metro Council
- B. Work Program public involvement**
1. Coordination with local governments
 - a. Send notice to local governments of work program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Review and comment by MTAC and MPAC
 - c. Metro Council hearings
 2. Citizen and stakeholder input
 - a. Notice to stakeholders and property owners of program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Community Forums for the public on process, study areas and selection criteria
 - c. Information sheet on process and comment opportunities
 - d. Metro web page on process and contacts
 - e. Phone line with information on process and contacts
 - f. Growth Management Committee comment and information
 - g. Property owner notice of hearings
 - h. Metro Council hearings
- C. Develop and initiate process to respond to citizen and local government comments**
- D. Refine and outline citizen involvement program for Phase II and Phase III**

EXHIBIT B

DRAFT

Proposed Urban Growth Boundary Periodic Review Work Program 2000 Evaluation and Work Program Outline 04/12/00

Evaluation

Evaluation of regional urban growth boundary and Metro code

Purpose: To weave together the related issues having to do with timing, prior decisions, general approach, changes in policies and circumstances and establish what needs to be addressed in periodic review.

- A. Substantial change in circumstances
 - 1. Urban reserves are no longer in place
 - 2. Last periodic review was 1992
 - 3. Goal 5 resource protection impacts land supply
- B. Implementation decisions are inconsistent with statewide goals
No inconsistencies
- C. Issues of regional/statewide significance must be addressed
 - 1. State requirements OAR 660-0025-0030(1), (2)(d) requires Metro to review UGB every five to ten years
 - 2. Metro deadline for UGB expansion based on 1997 need is October 31, 2000
- D. Prior decisions
 - 1. 1997 – 2017 need
 - 2. HB 2709 requirements/deadlines
- E. General approach
 - 1. Address regional need for housing and jobs in phase 1
 - 2. Assess subregional need in second phase
 - 3. Update forecast in second phase

Work Program Elements

PHASE 1 – CONTINUATION OF 1997 REGIONAL NEED ANALYSIS AND URBAN GROWTH BOUNDARY AMENDMENT DECISIONS

I Citizen Involvement Program – See Exhibit A

II Determination of Need

Purpose: To verify, reconcile and report on data, timing, specific UGR factors, development activity from 1993 to 1998 and to present a unified approach to establishing need.

- A. Document that inside the UGB the following Functional Plan requirements of local governments to change zoning to support a compact urban form
 - 1. 2040 design types – mixed use area planning
 - 2. Lot partitioning requirement
 - 3. Housing minimum densities
 - 4. Accessory dwelling unit requirement
 - 5. Industrial, office and retail building FARs are established
 - a. Recommended design type persons per acre (fp)
 - b. Mixed use area planning (local plans)
- B. Verify regional need for housing units and jobs
 - 1. Staff report on baseline data 1997-2017 time horizon
 - 2. Accessory dwelling unit verification
 - 3. Development density of constrained lands verification
 - 4. Jobs research on type and size of sites

5. Final compilation
- C. Reconcile Urban Growth Report with Metro Functional Plan Table 1 and Metro Code
 1. Staff analysis and report
 2. Recommended changes to the Functional Plan
 3. Recommended changes to Metro Code

III Alternative Analysis

Purpose: To identify exception lands and exclusive farm use land that is completely surrounded by exception land for possible inclusion in the urban growth boundary. A more detailed work plan has been prepared for this task.

- A. Identify study areas
- B. Discussion paper of relevance of other studies pertaining to exception lands
 1. Information from Local governments
 2. Information from citizens/property owners
- C. Data Collection
 1. Description of each study areas
 2. Assessment of potential dwelling units/jobs
 3. Serviceability/Public facility rating
- D. Resource Assessment
- E. ESEE Analysis
- F. General determination of lands to be considered for inclusion in the UGB

IV Refine Analysis of Exception Lands

Purpose: Analyze the remaining exception lands (per the alternative analysis) in the context of Metro policies and goals. Make recommendations as to the effectiveness of different exception land to meet regional policies, such as jobs/housing balance and complete communities.

- A. Establish criteria for selection of exception land for inclusion in the UGB
 1. Boundary Location Issues
 - RUGGO Boundary Features
 - Natural and built features as edges
 2. Separation of Communities
 - a. RUGGO Urban/Rural Transition
 - b. RUGGO 2040 Growth Concept – Rural Reserves
 3. Complete Communities
 4. Jobs/Housing Balance
 - a. RUGGO Built Environment
 - b. RUGGO Housing
 - c. RUGGO 2040 Growth Concept
 - d. RUGGO Transportation
 - e. RUGGO Economic Opportunity
 5. Transportation Considerations
 - a. RUGGO Transportation and RTP
 - Planned and existing transportation infrastructure and unused capacity
 - b. Urban Growth Management Function Plan – Title 6
 - Opportunities for connectivity (limited stream crossings)
 6. Public Facilities
 - RUGGO 18 Public Services and Facilities
 - Maximizing public investment and efficiencies
 7. Resource Protection
- B. Analyze exception land with the selection criteria

V Selection of Exception Lands for urban growth boundary amendment

- A. Technical Amendments to the UGB Part 1
 1. Analysis of technical problems with the location of the boundary line
 - a. Inconsistency of location of boundary in relationship to streets
 - b. etc.
 2. Review Metro code for administrative issues
 3. Draft proposed changes to boundary line and administrative language

4. Identify properties for amendment process
- B. Selection exception land for urban growth boundary amendments
- C. Notice property owners
- D. Coordinate with Local Governments (MTAC/MPAC) and respond to comments
- E. Prepare summary staff report
- F. Conduct Public Hearings before Growth Management Committee and Metro
- G. Metro Council hearings in September (4 to 5 hearings)
- H. Adoption of ordinances and amendments of the urban growth boundary to comply with ORS 197.293 and to address technical issues

PHASE 2 - SUBREGIONAL ANALYSIS AND URBAN GROWTH BOUNDARY DECISIONS AS NECESSARY

I Evaluate and Revise Work Program

Purpose: To revise and update the assessment of the capacity of the urban growth boundary to address subregional need, a 2022 forecast and 2002 periodic review as required by Metro code section 3.01.080 and State statute

- A. Review changes to Goal 14 and administrative rules
- B. Review Metro policy
- C. Revise work program
- D. Coordinate with local governments
 1. MTAC and MPAC review and comment
 2. Notification to local governments of process and opportunities for comment
 3. Metro Council hearing and adoption of revised work plan
- E. Coordinate with DLCD
- F. Submit proposed periodic review work program changes to LCDC

II Subregional Analysis

- A. Identify existing policy basis for subregional analyses (e.g. jobs/housing balance and economic development goals)
- B. Define subareas according to subregional issue or policy (use existing 400 zone system to delineate area)
- C. Formulate policy scenarios that can be analyzed
- D. Identify measures for policy performance
- E. Refine regional growth management policies on subregional demand for housing and jobs, based on policy factor analysis such as:
 1. equitable distribution of jobs, income, investment and tax capacity
 2. achieving subregional vitality through "equitable" distribution of jobs, wages and affordable housing
 3. reductions in VMT per capita or other comparable measures
- F. Determine if there is a need for an amendment in the urban growth boundary to ensure a 20-year supply of land to meet subregional need
 1. Analyze the policy scenarios
 - a. Test scenarios on exception land only
 - I. Evaluate impact/outcome of each policy scenario
 - II. Evaluate each policy by its measure of performance
 - III. Evaluate effectiveness of each policy according to core policy targets
 - b. Test scenarios on lower priority land, if necessary
 - I. Evaluate impact/outcome of each policy scenario
 - II. Evaluate each policy by its measure of performance
 - III. Evaluate effectiveness of each policy according to core policy targets
 2. Draft memo on performance of the different policy scenarios
- G. Draft recommendations on amendments to the urban growth boundary

III Alternatives Analysis

- A. Identify Study Areas
- B. Data Collection
 - 1. Description of each study area
 - 2. Assessment of potential dwelling units/jobs
 - 3. Serviceability/Public facility rating
- C. Resource Assessment
- D. ESEE Analysis
- E. Development of selection criteria
- F. General determination of lands to be considered for inclusion in the UGB

IV Selection of lands for urban growth boundary amendment

- A. Selection exception land or lower priority lands if necessary for urban growth boundary amendments
- B. Notice property owners
- C. Coordinate with Local Governments (MTAC/MPAC) and respond to comments
- D. Prepare summary staff report
- E. Conduct Public Hearings before Growth Management Committee and Metro
- F. Metro Council hearings
- G. Adoption of ordinances and amendments of the urban growth boundary

PHASE 3 – COMPLETION OF 5 YEAR REGIONAL ANALYSIS AND URBAN GROWTH BOUNDARY AMENDMENT DECISION

I Regional Forecast, Allocation and Research

- A. Forecast
 - 1. Update regional forecast to 2022 (2000 update)
 - 2. Local allocation process for regional forecast
 - a. Local government participation
 - b. Land use and transportation analysis
 - c. Peer review
- B. Update 1997 Housing Needs Analysis

II Land Supply Analysis

- A. Update Vacant Land Data
 - 1. Aerial photos – July 2000
 - 2. Aerial data to Metro - December 2000
 - 3. Vacant Buildable Lands data available – March 2001
- B. Research on Capacity Factors
 - 1. Refine and update zoning categories
 - 2. Jobs research on type and size of site
 - 3. Update accessory dwelling unit data based on survey of sample areas

III Determination of Regional Need

- A. Compare demand to supply
- B. Report on analysis and outcomes

IV Alternatives Analysis

- A. Identify Study Areas
- B. Data Collection
 - 1. Description of each study area
 - 2. Assessment of potential dwelling units/jobs
 - 3. Serviceability/Public facility rating
- C. Resource Assessment
- D. ESEE Analysis
- E. Development of selection criteria
- F. General determination of lands to be considered for inclusion in the UGB

V Selection of lands for urban growth boundary amendment

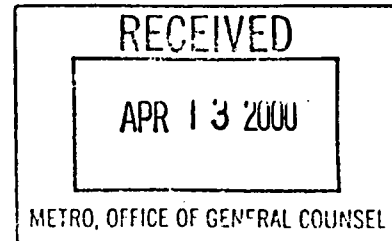
- A. Technical Amendments to the UGB Part 2
 - 1. Analysis of technical problems with the location of the boundary line
 - 2. Review Metro Code for administrative issues
 - 3. Draft proposed changes to boundary line and administrative language
 - 5. Identify properties for amendment process
- B. Selection land for urban growth boundary amendments
- C. Notice property owners
- D. Coordinate with local governments (MTAC/MPAC) and respond to comments
- E. Prepare summary staff report
- F. Conduct Public Hearings before Growth Management Committee and Metro
- G. Metro Council hearings
- H. Adoption of ordinances and amendments of the urban growth boundary to comply with ORS 197.293 and to address technical issues

Timothy J. Sercombe
(503) 226-5726

April 13, 2000

HAND-DELIVERED

Daniel B. Cooper, Esq.
General Counsel
Metropolitan Service District
Metro Regional Center
600 N.E. Grand Avenue, Third Floor
Portland, OR 97232-2736



Re: Metro Periodic Review Work Program

Dear Dan:

We appreciated your commitment of time yesterday to discuss Metro's proposed periodic review work program with various stakeholders. On behalf of the City of Hillsboro, we value your patience and willingness and that of the Metro Council to consider some additional thoughts and suggestions that we offer via this letter and enclosed material on this subject.

I enclose a redlined redraft of the preliminary work program exhibits distributed to the Council on April 11. It contains suggested preliminary work program modifications that may be considered now by the Metro Council, or later on by the Council or perhaps by LCDC during its consideration of Metro's request for Periodic Review consideration. Our suggestions should not be viewed as a formal proposal for changes to the preliminary work program at this time. We understand and appreciate Metro's need to submit to LCDC in a timely manner a preliminary work program outline, along with your Resolution requesting Periodic Review. We do not wish to interrupt your schedule for submitting these documents.

Our main suggestion is an expansion of Phase 1 of the preliminary work program outline to identify, quantify and begin to address subarea special needs and other regional needs not based upon compliance with the dictates of HB 2709. These needs can be based upon more than quantified land demand for housing and jobs as already indicated in your preliminary work program outline.

I wish to confirm our understanding of the process. Following Metro Council initiation of the requested periodic review process, if periodic review is accepted by LCDC the work program will be subjected to public comment and may be revised either by Metro or by LCDC to reflect those comments. We are very concerned about the efficacy of the draft program in its current content and form. We understand that tentative support by the Council for the preliminary work program outline will not discourage or preclude any needed revision before it takes its final form in the near future.

We appreciate this future opportunity to comment on the content of the preliminary work program outline. We remain committed to partnering with Metro to address regional and subregional needs for urban growth management. I forward our suggested modifications to you to accelerate this dialogue, and am available at your earliest convenience for resumption of this discourse on this important matter.

Please make this letter a part of the record of the Council deliberations today on adoption of the periodic review resolution. Thank you.

Sincerely,



Timothy J. Sercombe

TJS:tjs

Enclosure

cc: Hon. Gordon Faber
David Lawrence
Pat Ribellia

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EXHIBIT B

DRAFT

Proposed Urban Growth Boundary Periodic Review Work Program 2000 Evaluation and Work Program Outline 04/13/00

Evaluation

Evaluation of regional urban growth boundary and Metro code

Purpose: To weave together the related issues having to do with timing, prior decisions, general approach, changes in policies and circumstances and establish what needs to be addressed in periodic review.

- A. Substantial change in circumstances
 1. Urban reserves are no longer in place
 2. Last periodic review was 1992
 3. Goal 5 resource protection impacts land supply
- B. Implementation decisions are inconsistent with statewide goals
No inconsistencies
- C. Issues of regional/statewide significance must be addressed
 1. State requirements OAR 660-0025-0030(1), (2)(d) requires Metro to review UGB every five to ten years
 2. Metro deadline for UGB expansion based on 1997 need is October 31, 2000
- D. Prior decisions
 1. 1997 – 2017 need
 2. HB 2709 requirements/deadlines
- E. General approach
 1. Address regional need for housing and jobs compliance with HB 2709 requirements and determine regional and subregional needs -in phase 1
 2. Assess Address -remaining regional need, subregional and local coordination needs in second phase
 3. Update forecast in second phase
 4. Comply with applicable UGB expansion statutes, rules and case law.

Work Program Elements

PHASE 1 –CONTINUATION OF 1997 REGIONAL NEED ANALYSIS AND URBAN GROWTH BOUNDARY AMENDMENT DECISIONS

I Citizen Involvement and Local Coordination Program – See Exhibit A

II Determination of Need

Purpose: To verify, reconcile and report on data, timing, specific UGR factors, development activity from 1993 to 1998 and to present a unified approach to establishing need in accord with Goal 14, Factors 1 and 2.

- A. Document that inside the UGB the following Functional Plan requirements of local governments to change zoning to support a compact urban form and determine the extent to which local governments will comply with these requirements based on local Functional Plan compliance reports.
 1. 2040 design types – mixed use area planning
 2. Lot partitioning requirement
 3. Housing minimum densities
 4. Accessory dwelling unit requirement
 5. Industrial, office and retail building FARs are established
 - a. Recommended design type persons per acre (fp)

- b. Mixed use area planning (local plans)
- B. Verify regional need for housing units and jobs
 1. Staff report on baseline data 1997-2017 time horizon
 2. Accessory dwelling unit verification
 3. Development density of constrained lands verification
 4. Jobs research on type and size of sites
 5. Final compilation and determination of range of projected need for housing units and jobs
- C. Reconcile Urban Growth Report with Metro Functional Plan Table 1, Regional Framework Plan and Metro Code based on:
 1. Staff analysis and report
 2. Recommended changes to the Functional Plan
 3. Recommended changes to Metro Code
 4. Reported local governments Functional Plan compliance performance.
- D. Determine Subregional Needs for housing, employment opportunities and livability.
 1. Identify and address existing policy basis for subregional analyses (e.g., jobs/housing balance, economic development goals, coordination with adopted local comprehensive plan policies, coordination of public facilities and services)
 2. Define relevant subareas according to subarea issue, adopted policy or local comprehensive planning area
 3. Identify and address measures for assessing subregional needs for housing, employment opportunities and livability (e.g., coextensive supply of industrial land and residential land, projected job growth, subregional differences in infrastructure investments, tax capacity and other measures, reduction in VMT and energy conservation, disparity in constrained lands among subareas, continuation of community form, attainment of 2040 community goals and RUGGOs, state mandates, local plan consistency with statewide planning goals, subregional vitality through equitable distribution of jobs, housing, parks and open space, schools, and protected natural resources).
 4. Quantify subarea need for expansion of urban growth boundary by subarea or planning area based upon identified measures for assessing subregional needs for housing, employment opportunities and livability.
 5. Identify available exception land, lower priority land and other suitable land for satisfying identified subarea needs.
- E. Adjust needs determinations based upon coordination with adopted local comprehensive provisions.
- F. Adopt implementing amendments to urban growth management functional plan on subarea needs and opportunity areas
- G. Recognition that establishing "need" under Goal 14, factors 1 and 2, as implemented through Metro's acknowledged legislative UGB amendment criteria, can be based on a need to accommodate long-range population growth, as per MC 3.01.020(b)(1), and/or a need for housing and employment opportunities in a subregion of the Metro region, including local community building and related livability considerations, as per MC 3.01.020(b)(2)(A) and (B).

III Alternative Analysis

Purpose: To identify exception appropriate- lands and exclusive farm use land that is completely surrounded by exception land for possible inclusion in the urban growth boundary in accordance with Goal 14, Factors 3-7 balancing requirements and other legislative UGB amendment criteria in the Metro Code (MC 3.01.020). A more detailed work plan has been prepared for this task.

- A. Identify study areas (exception lands, exclusive farm use land that is completely surrounded by exception lands, other appropriate lands)
- B. Discussion paper of relevance of other studies pertaining to exception lands
 1. Information from Local governments
 2. Information from citizens/property owners
 3. Record and findings from earlier urban growth amendment proceedings

C. Identify methodology for rating each decisional factor (livability, potential dwelling units, jobs, serviceability/public facilities, efficiency of land uses, agricultural lands impacts)

C. Data Collection

1. Description of each study areas
2. Assessment of potential dwelling units/jobs/livability
3. Serviceability/Public facility rating
4. Efficiency of land uses rating
5. Impacts on agricultural lands rating

D. Resource Assessment

E. ESEE Analysis

F. General determination of lands to be considered for inclusion in the UGB

IV Refine Analysis of ~~Exception~~ Candidate Lands

Purpose: Analyze the remaining ~~exception~~ lands (per the alternative analysis) in the context of Metro policies and goals. Make recommendations as to the effectiveness of different ~~exception~~ categories of land to meet regional policies, such as jobs/housing balance and complete communities.

A. Establish criteria for selection of ~~exception~~ land for inclusion in the UGB that address ORS 197.298 requirements and the following additional regional criteria:

1. Boundary Location Issues

RUGGO Boundary Features

Natural and built features as edges

2. Separation of Communities

a. RUGGO Urban/Rural Transition

b. RUGGO 2040 Growth Concept – Rural Reserves

3. Complete Communities

4. Jobs/Housing Balance

a. RUGGO Built Environment

b. RUGGO Housing

c. RUGGO 2040 Growth Concept

d. RUGGO Transportation

e. RUGGO Economic Opportunity

5. Transportation Considerations

a. RUGGO Transportation and RTP

Planned and existing transportation infrastructure and unused capacity

b. Urban Growth Management Function Plan – Title 6

Opportunities for connectivity (limited stream crossings)

6. Public Facilities

RUGGO 18 Public Services and Facilities

Maximizing public investment and efficiencies

7. Resource Protection

B. Analyze ~~exception~~ land with and determine the relative performance of appropriate lands in addressing the selection criteria

V Selection of ~~Exception~~ Land for urban growth boundary amendment

A. Technical Amendments to the UGB Part 1

1. Analysis of technical problems with the location of the boundary line

a. Inconsistency of location of boundary in relationship to streets

b. etc.

2. Review Metro code for administrative issues

3. Draft proposed changes to boundary line and administrative language

4. Identify properties for amendment process

B. Selection ~~exception~~ appropriate land for urban growth boundary amendments

C. Notice property owners

D. Coordinate with Local Governments (MTAC/MPAC) and respond to comments

E. Prepare summary staff report

F. Conduct Public Hearings before Growth Management Committee and Metro

- G. Metro Council hearings in September (4 to 5 hearings)
- H. Adoption of ordinances and amendments of the urban growth boundary to comply with ORS 197.2939 and to address technical issues

PHASE 2 — REMAINING REGIONAL ANALYSIS, SUBREGIONAL ANALYSIS AND URBAN GROWTH BOUNDARY DECISIONS AS NECESSARY

I Evaluate and Revise Work Program

Purpose: To revise and update the assessment of the capacity of the urban growth boundary to address remaining regional needs beyond those required by ORS 197.299, subregional needs, local coordination, a 2022 forecast and 2002 periodic review as required by Metro code section 3.01.080 and State statute

- A. Review changes to Goal 14 and administrative rules
- B. Review Metro policy
- C. Revise work program (if needed)
- D. Coordinate with local governments on Phase 1 determinations relevant to Phase 2 work program
 - 1. MTAC and MPAC review and comment
 - 2. Notification to local governments of process and opportunities for comment
 - 3. Metro Council hearing and adoption of revised work plan
- E. Coordinate with DLCDC
- F. Submit proposed periodic review work program changes to LCDC

II Subregional Analysis

- ~~A. Identify existing policy basis for subregional analyses (e.g. jobs/housing balance and economic development goals)~~
- ~~B. Define subareas according to subregional issue or policy (use existing 400 zone system to delineate area)~~
- ~~C. Formulate policy scenarios that can be analyzed~~
- ~~D. Identify measures for policy performance~~
- ~~E. Refine regional growth management policies on subregional demand for housing and jobs, based on policy factor analysis such as:
 - 1. equitable distribution of jobs, income, investment and tax capacity
 - 2. achieving subregional vitality through "equitable" distribution of jobs, wages and affordable housing
 - 3. reductions in VMT per capita or other comparable measures~~
- ~~F. Determine if there is a need for an amendment in the urban growth boundary to ensure a 20 year supply of land to meet subregional need
 - 1. Analyze the policy scenarios
 - ~~a. Test scenarios on exception land only
 - I. Evaluate impact/outcome of each policy scenario
 - II. Evaluate each policy by its measure of performance
 - III. Evaluate effectiveness of each policy according to core policy targets~~
 - ~~b. Test scenarios on lower priority land, if necessary
 - I. Evaluate impact/outcome of each policy scenario
 - II. Evaluate each policy by its measure of performance
 - III. Evaluate effectiveness of each policy according to core policy targets~~
 - 2. Draft memo on performance of the different policy scenarios~~
- G. Draft recommendations on amendments to the urban growth boundary

III Alternatives Analysis to Address Remaining Regional Need and Identified Subregional Needs

- A. Identify Study Areas

- B. Data Collection
 - 1. Description of each study area
 - 2. Assessment of potential dwelling units/jobs
 - 3. Serviceability/Public facility rating
- C. Resource Assessment
- D. ESEE Analysis
- E. Development of selection criteria
- F. General determination of lands to be considered for inclusion in the UGB

III Selection of lands for urban growth boundary amendment

- A. Selection exception land or lower priority lands if necessary for urban growth boundary amendments
- B. Notice property owners
- C. Coordinate with Local Governments (MTAC/MPAC) and respond to comments
- D. Prepare summary staff report
- E. Conduct Public Hearings before Growth Management Committee and Metro
- F. Metro Council hearings
- G. Adoption of ordinances and amendments of the urban growth boundary

PHASE 3 – COMPLETION OF 5 YEAR REGIONAL ANALYSIS AND URBAN GROWTH BOUNDARY AMENDMENT DECISION

I Regional Forecast, Allocation and Research

- A. Forecast
 - 1. Update regional forecast to 2022 (2000 update)
 - 2. Local allocation process for regional forecast
 - a. Local government participation
 - b. Land use and transportation analysis
 - c. Peer review
- B. Update 1997 Housing Needs Analysis

II Land Supply Analysis

- A. Update Vacant Land Data
 - 1. Aerial photos – July 2000
 - 2. Aerial data to Metro - December 2000
 - 3. Vacant Buildable Lands data available – March 2001
- B. Research on Capacity Factors
 - 1. Refine and update zoning categories
 - 2. Jobs research on type and size of site
 - 3. Update accessory dwelling unit data based on survey of sample areas

III Determination of Regional Need

- A. Compare demand to supply
- B. Report on analysis and outcomes

IV Alternatives Analysis

- A. Identify Study Areas
- B. Data Collection
 - 1. Description of each study area
 - 2. Assessment of potential dwelling units/jobs
 - 4. Serviceability/Public facility rating
- C. Resource Assessment
- D. ESEE Analysis
- E. Development of selection criteria
- F. General determination of lands to be considered for inclusion in the UGB

V Selection of lands for urban growth boundary amendment

- A. Technical Amendments to the UGB Part 2

Metro Periodic Review Work Program 2000

1. Analysis of technical problems with the location of the boundary line
 2. Review Metro Code for administrative issues
 3. Draft proposed changes to boundary line and administrative language
 5. Identify properties for amendment process
- B. Selection land for urban growth boundary amendments
 - C. Notice property owners
 - D. Coordinate with local governments (MTAC/MPAC) and respond to comments
 - E. Prepare summary staff report
 - F. Conduct Public Hearings before Growth Management Committee and Metro
 - G. Metro Council hearings
 - H. Adoption of ordinances and amendments of the urban growth boundary to comply with ORS 197.293 and to address technical issues

EXHIBIT A

DRAFT

**Proposed Urban Growth Boundary Periodic Review Work Program 2000
Citizen Involvement Element
4/13/00**

Citizen Involvement Program

Purpose: To inform the public and provide opportunities for meaningful input into the planning process. To meet the requirements of State Goal 1 and RUGGOs Goal 1, Objective 1.

Evaluation and Work Program Review

1. Coordination with local governments and stakeholders
 - a. Send notice and draft work program and evaluation to local governments
 - b. Send notice and draft work program and evaluation to stakeholders
 - c. MTAC, MPAC and MCCI review
2. Hearing at Growth Management Committee on Evaluation and work program
3. Hearing and adoption of evaluation and work program by Metro Council

B. Work Program public involvement

1. Coordination with local governments
 - a. Send notice to local governments of work program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Review and comment by MTAC and MPAC
 - c. Metro Council hearings
2. Citizen and stakeholder input
 - a. Notice to stakeholders and property owners of program products and comment opportunities (Goal 14 analysis, selection criteria and revised need tables)
 - b. Community Forums for the public on process, study areas and selection criteria
 - c. Information sheet on process and comment opportunities
 - d. Metro web page on process and contacts
 - e. Phone line with information on process and contacts
 - f. Growth Management Committee comment and information
 - g. Property owner notice of hearings
 - h. Metro Council hearings

C. Develop and initiate process to respond to citizen and local government comments

D. Refine and outline citizen involvement program for Phase II and Phase III

E. Adopt Findings on Consistency of Proposed Work Program with Identified Portions of Local Comprehensive Plans.

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Periodic Review Workplan410updateexhibits.doc

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING AN)	RESOLUTION NO. 00-2933-A
AMENDMENT TO THE INTERGOVERNMENTAL)	
AGREEMENT WITH THE CITY OF PORTLAND)	Introduced by Presiding Officer,
REGARDING THE CIVIC STADIUM AND THE)	David Bragdon
PORTLAND CENTER FOR THE PERFORMING ARTS)	

WHEREAS, pursuant to an Intergovernmental Agreement with the City of Portland (City), Metro operates the City's Civic Stadium and the Portland Center for the Performing Arts; and

WHEREAS, the City has selected a private partner to operate the Civic Stadium; and

WHEREAS, Metro and the City are nearing completion on negotiations for a mutually acceptable transition agreement in order to return the Civic Stadium to the City in anticipation of the City entering into a binding agreement with a private partner; and

WHEREAS, the existing Intergovernmental Agreement contains deadlines for unilateral termination of the agreement of April 15, 2000; and

WHEREAS, Metro and the City desire to extend that deadline in order to conclude ongoing good faith negotiations; now, therefore,

BE IT RESOLVED:

That the Metro Council authorizes the Metro Executive Officer to execute an amendment to the existing Intergovernmental Agreement with the City regarding the Civic Stadium and the Portland Center for the Performing Arts to authorize an additional mutual right of termination on or before May 1, 2000, effective July 1, 2000.

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

David Bragdon, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

jep
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04/12/00

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 00-2933-A, FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PORTLAND REGARDING THE CIVIC STADIUM AND THE PORTLAND CENTER FOR THE PERFORMING ARTS.

Date: April 12, 2000

Prepared by: Daniel B. Cooper

BACKGROUND

Metro and the City of Portland (City) are parties to a 1989 intergovernmental agreement which provides for the operation of the Civic Stadium and the Portland Center for the Performing Arts. The parties are in negotiations to amend that agreement to return Civic Stadium to the City, in anticipation of the Stadium being turned over to a private operator later this year.

The purpose of this amendment is to eliminate the possibility that either the City of Portland (City) or Metro would need to make a decision prior to April 15, 2000 to unilaterally terminate the existing agreement. The Portland City Council is scheduled to vote on the extension amendment on April 12, 2000. It is similar to one approved by the parties in December, 1999, which extended the agreement's termination notice date from December 31, 1999 to April 15, 2000.

This amendment will allow Metro and the City an additional two weeks to conclude ongoing negotiations toward a mutually acceptable agreement for the transition of Civic Stadium. There is every reason to believe an agreement will be reached, but if it is not, neither party will have relinquished the unilateral right to terminate the current agreement effective July 1, 2000.

RECOMMENDED ACTION

The Presiding Officer recommends approval of Resolution No. 00-2933-A

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GROWTH MANAGEMENT COMMITTEE REPORT**CONSIDERATION OF RESOLUTION NO. OO-2934, FOR THE PURPOSE OF REQUESTING PERIODIC REVIEW OF THE REGIONAL URBAN GROWTH BOUNDARY.**

Date: April 10, 2000

Presented by: Councilor Park

Committee Action: At its March 21, 2000 meeting, the Growth Management Committee voted 3-0 to send Resolution 00-2934 to Council with no recommendation. Voting in favor: Councilors Monroe, Washington and Park.

Background: State law requires local jurisdictions to undergo major evaluations of their comprehensive plans every 5-10 years (i.e. periodically). Metro's urban growth boundary and amendment process have been found to constitute a comprehensive plan. It last underwent a periodic review in 1992.

Now that Metro is engaged in a legislative urban growth boundary process, with an LCDC approved deadline of October 31, 2000 for completion, the Growth Management Committee has discussed the advantages of entering into periodic review with LCDC.

- **Existing Law:** ORS 197.633 calls for every city and county to conduct a periodic review every 5-10 years. Senate Bill 543 was adopted in 1999 revising several aspects of the periodic review rule.
- **Budget Impact:** Probably none for fy 00-01. If, through the periodic review process, DLCD were to require a substantially different Metro work plan for phase 1, it could impact the Metro budget and/or staffing capacity. Also, the budget for all of phase two, extending into the year 2002, has not been established at this time.

Committee Issues/Discussion: The committee held several informal discussions regarding the merit and timing of entering into periodic review. The advantage was felt to be greater certainty and sustainability with regard to Metro's legislative ugb review process. A February 23, 2000 memo from Dan Cooper, Metro's General Counsel, indicates that, in periodic review, Metro would be directed to carry out the ugb expansion pursuant to a work program approved by the Land Conservation and Development Commission. Any appeal of that decision would be directed to the Oregon Court of Appeals, not the Land Use Board of Appeals.

The timing of the periodic review process begins with council adoption of a resolution requesting periodic review, and that contains a detailed work plan that is sent to DLCD. The DLCD director then makes a recommendation to the Land Conservation and Development Commission regarding the request and work plan. This is expected to take place in late April. Periodic review actually begins when LCDC agrees to revise its periodic review schedule to add Metro to its list. Metro is then required to hold a public hearing within 21 days of that date, for purpose of gathering comment on the proposed work plan.

Chair Park asked whether, having entered periodic review, Metro could then withdraw from it. Mr. Cooper said that it would be difficult, but not impossible, and would require LCDC permission.

Councilor McLain expressed concern that the formula for alternatives analysis was being determined through periodic review and that it was in essence the most important thing the Council would be doing this year.

The periodic review work plan (attached to Resolution 00-2934), as explained by Mary Webber in committee, and later at a Council/Exec informal, lays out two phases: phase 1 ending on October 31, 2000 and addressing regional need, and phase 2 extending possibly to 2002. Staff will be bringing revisions to the phase 1 and 2 work plans to the Council/Exec informal on April 11, and may bring further revisions to Council on April 13.

METRO GROWTH MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. OO-2935, FOR THE PURPOSE OF AMENDING THE YEAR 2000 GROWTH MANAGEMENT COMMITTEE WORK PLAN.

Date: April 13, 2000

Presented by: Councilor Washington

Committee Action: At its April 4, 2000 meeting, the Metro Growth Management Committee voted 3-0 to recommend Council adoption of Resolution 00-2898. Voting in favor: Councilors Washington, Monroe and Park.

Background: Elaine Wilkerson, Growth Management Department gave the staff report on this issue. She indicated those items that had been added to the existing report, which has been approved by the Metro Council and is the basis for the DLCDD extension for Metro to finalize its legislative urban growth boundary review:

- Item 2.4, Stormwater is new
- Item 2.3, Goal 5 Riparian has added 3 months to complete the work to allow for review of comments by local governments and citizens.
- Item 2.2, Urban Growth Report reflects current timing
- Item 2.1, Jobs research clarifies the subject of review; land capacity, by type, parcel and geographic distribution.
- Item 2.0 Goal 14 need indicates that preliminary tests will be completed in June based on items 2.1-2.4.
- Item 1.1 Alternatives analysis reflects completion in May not April.

- UGB process adds periodic review items in April-July, maintains 45 day notice in June and property owner notice in July. The entire process still ends with the October deadline.

Committee Issues/Discussion: The committee discussed this item in conjunction with Resolution 00-2934 requesting periodic review of the Regional Urban Growth Boundary.