

A G E N D A

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



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING - REVISED
DATE: March 19, 1998
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	CALL TO ORDER AND ROLL CALL	
(5 min.)	1. INTRODUCTIONS	
(5 min.)	2. CITIZEN COMMUNICATIONS	
(5 min.)	3. EXECUTIVE OFFICER COMMUNICATIONS	
(10 min.)	4. MPAC COMMUNICATIONS	
(30 min.)	5. SOUTH NORTH LIGHT RAIL PRESENTATION	Cotugno
	6. CONSENT AGENDA	
2:55 PM (5 min.)	6.1 Consideration of Minutes for the March 12, 1998 Metro Council Regular Meeting.	
	7. ORDINANCES - FIRST READING	
3:00 PM (5 min.)	7.1 Ordinance No. 98-732 , For the Purpose of Revising Quasi-judicial Urban Growth Boundary Amendment Procedures in Metro Code 3.01.033, 3.01.035, 3.01.055, 3.01.065 and declaring an emergency.	

3:05 PM
(5 min.)

- 7.2 **Ordinance No. 98-737**, Amending the FY 1997-98 budget and appropriations schedule in the Support Services Fund by transferring \$15,000 from the Administrative Services Department to the Office Of the Auditor and transferring \$4,600 from Capital Outlay to Materials and Services within the Office Of the Auditor to provide funding for conducting an implementation review of the InfoLink project.

8. RESOLUTIONS

3:10 PM
(5 min.)

- 8.1 **Resolution No. 98-2610A**, For the Purpose of Authorizing Release of RFB #98-6-REM for the Construction of a Latex Paint Processing Building at Metro South Station.

McFarland

3:15 PM
(5 min.)

- 8.2 **Resolution No. 98-2623A**, For the Purpose of Encouraging Governor Kitzhaber to Consider the Location of A Women's Prison and Intake Center at the Proposed Alternate Site Located in an area of Metro's Urban Reserve Area (Rural Industrial Zone).

McLain

3:20 PM
(10 min.)

9. COUNCILOR COMMUNICATION

ADJOURN

CABLE VIEWERS: Council Meetings, the second and fourth Thursdays of the month are shown on City Net 30 (Paragon and TCI Cablevision) the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on City Net 30. The meeting is also shown on Channel 11 (Community Access Network) the first Monday after the meeting at 4:00 p.m. The first and third Thursdays of the month are shown on Channel 11 the Friday after the meeting at 2:00 p.m. and the first Sunday and Wednesday after the meeting on Channels 21 & 30 at 7:00 p.m.

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

Agenda Item Number 5.0

SOUTH NORTH LIGHT RAIL PRESENTATION

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

Agenda Item Number 6.1

Consideration of the March 12, 1998 Metro Council Regular meeting minutes.

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

MINUTES OF THE METRO COUNCIL MEETING

March 12, 1998

Council Chamber

Councilors Present: Ruth McFarland (Deputy Presiding Officer), Susan McLain, Patricia McCaig, Lisa Naito, Don Morissette, Ed Washington

Councilors Absent: Jon Kvistad (excused)

Deputy Presiding Officer McFarland convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

Art Lewellan, LOTI Designer, 3205 SE 8th #9, Portland, OR said he would be presenting his proposal for the South North Light Rail before the Transportation Planning Committee next Tuesday. He has reviewed objectively Metro, AORTA and others proposals for the South North Light Rail. He supported the west side light rail. He noted his previous testimony about his 2040 vision.

Deputy Presiding Officer McFarland asked Councilor Washington if Mr. Lewellan's presentation had come before the Transportation Planning Committee yet. She felt Mr. Lewellan had done a good job on his presentation and had provided at least one alternative to the South North Light Rail.

Councilor Washington indicated Mr. Lewellan would be presenting next Tuesday at the Transportation Planning Committee.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. MPAC COMMUNICATION

Councilor McLain reported about the MPAC meeting last night which included representatives from the cities Hillsboro and Oregon City. With the new bylaws that MPAC would be submitting to Council these two new members would be sitting on MPAC. She indicated that she had carried forward a letter from the Presiding Officer concerning the joint meeting between MPAC and Council on May 28th from 5:00 p.m. to 7:30 p.m.. MPAC would be happy to meet with Council on that date and had an additional request to meet with Council. MPAC would not be meeting on April 8th, they felt they could not continue their work until they had met with

Council. They invited any councilor that could to meet with them on April 9th at 5:00 p.m. at Metro. She would forward this invitation to the presiding officer.

Second, MTAC had presented to MPAC Title III information. She had asked Elaine Wilkerson, Growth Management Director to put together a list of remaining issues on Title III where WRPAC and MTAC had not agreed. She noted a matrix that the Council should review so they could be prepared for the Growth Management Committee meeting on March 17th.

Councilors McLain and Naito had attended the JPACT meeting. There were several issues that came up which included linking transportation funding to affordable housing. She noted a memo from TPAC to JPACT indicating some specific language from staff and the Transportation Planning Chair, Councilor Ed Washington, addressing this issue through the funding measures, incentives versus penalties, and the idea of connecting transportation and affordable housing as was done in the 2040 Growth Concept. This discussion would be continued at the Transportation Planning Committee.

Councilor Washington thanked Councilor McLain for meeting with JPACT in his stead. He and Mr. Cotugno were aware of the JPACT presentation. He assured everyone that they were trying to reward people for making strong connections between transportation and housing. He was pleased to hear this had been accepted by JPACT.

Councilor McLain announced that the joint JPACT/MPAC work session on the Strategic Regional Transportation Plan would be on April 15th from 5:30 p.m. to 7:30 p.m. at the state office building in Room 140. Transportation 2000, a joint debate about the future of Oregon's transportation system would be hosted Thursday, March 19th at Portland Hilton Grand Ballroom from 7:30 a.m. to 12:00 noon. There was a \$25.00 fee for attendance. She encouraged councilors attendance.

Councilor Washington noted that Councilor McLain was Vice Chair of JPACT.

5. CONSENT AGENDA

5.1 Consideration meeting minutes of the March 5, 1998 Regular Council Meeting.

Motion: **Councilor Morissette** moved to adopt the meeting minutes of March 5, 1998 Regular Council Meeting.

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

Discussion: **Councilor Morissette** asked that his remarks be modified from a question to a statement.

Vote: The vote was 5 aye/ 0 nay/ 0 abstain. The motion passed as amended with Councilor Naito and Presiding Officer Kvistad absent from the vote.

6. ORDINANCES - FIRST READING

6.1 Ordinance No. 98-731, For the Purpose of Granting a Yard Debris Processing Facility License to Allwood Recyclers, Inc. to Operate a Yard Debris Processing Facility License to

Allwood Recyclers, Inc. to Operate a Yard Debris Processing Facility and Declaring an Emergency.

Presiding Officer Kvistad assigned Ordinance No. 98-731 to the Regional Environmental Management Committee.

6.2 **Ordinance No. 98-734, Amending and Readopting Metro Code 2.06 (Investment Policies); and Declaring an Emergency.**

Presiding Officer Kvistad assigned Ordinance No. 98-734 to the Finance/Budget Committee.

7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 98-728, Amending the FY 1997-98 Budget and Appropriations Schedule by transferring \$51,623 from Contingency to Personal Services in the Zoo Operating Fund to provide for staffing of the new facilities associated with the Oregon Project; and declaring an emergency.**

Motion: Councilor McCaig moved to adopt Ordinance No. 98-728.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McCaig said there were four different phases to the Oregon Project. Phase Two was almost completed, about a \$16 million phase. Included in the phase were the new entrance, improvements to the restaurant, the mountain goat exhibit and several other elements. In order for this phase to open in September some of the individuals needed to be brought on earlier. This ordinance was a request that Metro fund 3.75 FTE positions for about \$51,000. The money was already in contingency and would be moved to personal services. It had no real effect on the amount of funds in contingency. She urged the council's approval.

Deputy Presiding Officer McFarland opened a public hearing on Ordinance No. 98-728. No one came forward. Deputy Presiding Officer McFarland closed the public hearing.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present. Presiding Officer Kvistad was absent from the vote.

8. RESOLUTIONS

8.1 **Resolution No. 98-2580, For the Purpose of Approving the Columbia River Management Unit Master Plan.**

Motion: Councilor Naito moved to adopt Resolution No. 98-2580.

Seconded: Councilor McLain seconded the motion.

Discussion: Councilor Naito asked the greenspaces staff to show the drawing of the Master Plan to council. This resolution called for approval of the Master Plan for the James Gleason Boat Ramp. This had been before committee several times to answer questions concerning the plan. Metro currently owned the Broughton Beach area adjacent to the boat ramp

on the Columbia River. Metro had a long term lease arrangement for the boat ramp with the Port of Portland. Metro in partnership with the Port, Multnomah County and the Oregon State Marine Board had prepared the Columbia River Management Unit Master Plan. The master planning had included extensive public involvement, comments and opinions had been incorporated into the Plan. There would be traffic pattern changes so there was a more uniform way for the boats to unload and enter the river. The safety would be greatly enhanced with the new plan. The building that currently existed had deteriorated to the point of needing to be replaced. This Plan involved providing improvements to the boat ramp, costs would be borne by the Oregon State Marine Board. The cost was approximately \$1.1 million for the change and improvement. The Multnomah County River Patrol would bear the responsibility for moving and replacing the structure for their use, approximately \$1.4 million. Metro would be responsible for improvements to the parking facility and the beach structure. She did not believe this had been approved yet but it was important for it to be master planned as one unit so that all of the changes were coordinated.

Councilor Washington asked staff to review the background of this Master Plan and what would follow.

Ms. Berit Stevenson, Property Service Division Project Manager, said they had been working on this Master Plan with the partners for about a year and had developed the current draft of the Plan. This draft embodied improvements in three areas: boater improvements, Multnomah County River Patrol facility relocation currently located too close to the boat ramp creating problems with launching and was also in the 100 year flood plain. The current facility would require deferred maintenance and improvements for ADA and other code violations. The Master Plan suggested that the facility be relocated to the Portage Rain parcel on higher land. The beach improvements would be Metro's responsibility. They recognized the beach as an under utilized resource right now. It was a very important resource to the region, one of the few public beaches in the area. Its recreational potential was immense. Currently there were very few amenities, no adequate on-site parking for beach users who now dashed across Marine Drive to get to the beach. This plan would include some amenities for the beach users, on-site parking, two covered picnic areas and permanent rest room facilities.

Councilor Washington asked about the fiscal impact, would there be a charge in the years ahead?

Ms. Stevenson responded yes, there was now a day use charge of \$3 and this would be continued.

Deputy Presiding Officer McFarland said that it would be organized differently with a gate for collection of the fees.

Councilor Washington noted that the beach had had its share of 'run ins with the law', what provisions would be in place to make sure it was a safe, secure beach from the standpoint of protecting everyone's liability? Would there be patrols and by whom?

Ms. Stevenson said they recognize that the beach did not attract a family oriented crowd. There was extensive discussion during the master planning process, the success would be to change that into attracting a more family oriented crowd. There had been suggestions of including play equipment and a rest room to attract families. They knew that they needed to work together with

the various law enforcement agencies to ensure safety in the area. It was not one Metro could handle on its own. Law enforcement contacts had been made and they had indicated their willingness to work with Metro on these issues. Another important part of managing the beach would be Metro's presence at the fee booth and a centralized access point.

Councilor Washington said the safety problem had been going on a long time, recently it had escalated. It was his hope that we would attend to this area.

Ms. Stevenson said it would take more than putting play equipment in the area. They understood the problem and were working on it.

Councilor McCaig noted the fiscal impact. She said there had been some confusion about the commitment and the obligation of the Council and its funds as it related to an adoption of a master plan. She indicated that under the openspaces bond measure there were funds available specifically for acquisition out of the local share which totaled about \$300,000. She had no difficulty with this, it was in the CIP. There were also matching grants available to improve the site regardless of any other commitment from Metro. If this was looked at in reference to all of the other needs in the region, this would not meet the test for her for general fund dollars. This would not be an area that she would advocate spending \$800,000 to improve the site. She had no difficulty with preparing a master plan and how Metro would go forward with the master plan if they had the money. She said she wanted to make it clear that Metro was not committing spending \$800,000 for improving the site. Metro did not have \$800,000. In the fiscal impact it said specifically, "Metro was expected to fund the day use improvements." She did not want to create a record that this was an anticipated expenditure from Metro. This was a master plan, there was no obligation from the Metro Council, we were not building an expectation that this would be funded by Metro. She asked that this line be deleted in the staff report.

Ms. Stevenson said yes, she called Councilor McCaig's attention to the report which indicated that project timing was tentative and subject to change based on funding availability and other considerations.

Councilor McCaig said she had seen this but again if the Council wanted to create the discussion that a master plan was a step forward in a financial commitment from the council then she wanted to know this and that would determine whether or not she would approve this master plan. The master plan was a master plan on what the costs for these improvements were likely to be but it was not an agreement that Metro was going to take the necessary step over the next ten years to fund this project.

Deputy Presiding Officer McFarland asked where these comments could be found?

Councilor McCaig responded that it was not in the resolution itself but in the staff report.

Ms. Stevenson said that in a master plan they did try to identify costs and funding sources for those costs however there was no commitment in the master plan beyond the identification of potential costs and potential funding sources.

Deputy Presiding Officer McFarland clarified that Councilor McCaig simply wished to have this line removed from the staff report.

Councilor McCaig said yes, it was not so much that particular line but the policy about a master plan and the intent of a master plan. She thought that what was passed out of committee was clearly a master plan with no commitment, no intention from Metro to fund that \$800,000.

Councilor Naito suggested that this portion be deleted from the record, with it in the record, it could give the implication of funding. It was discussed at length in committee, they supported the idea of planning so it was a coordinated effort to do changes as they moved forward and received these funds from the Marine Board. The committee had also discussed seeking other venues in the future for these improvements. It might not fall to Metro's responsibilities. They had concerns about listing these as unfunded capital improvement projects that the Council had theoretically agreed to when they had not.

**Motion to
Amend the**

Staff Report: **Councilor Naito** moved to strike the language in the staff report under fiscal impact beginning with the word....'and, Metro was expected to fund the day use improvements.'

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

Discussion: **Deputy Presiding Officer McFarland** suggested that although this could be done with a nod test that she would rather the council vote on the amendment.

Councilor Morissette said he agreed, we didn't have the resources nor did he think it should be a priority for the Council to commit to this funding.

Councilor McLain said she would support this motion but wondered if a line should be added. This very issue had come up when they had done the master plan for the zoo. The Council actually ended up reworking the master plan because the Council did not feel they could fund the master plan as was stated in the original vote. The Council felt that because of the dollars Metro did have they were going to have to reconfigure and scale down the program. She asked, if the Council wanted to include a sentences that said, 'any budgetary requirements of this master plan would be taken up again at the time that it was brought forward for implementation or construction.'

Deputy Presiding Officer McFarland suggested not to say anything. If the Council did not authorize it, then clearly when the time came the Council would take it up.

Councilor Naito concurred with the committee chair. The committee did have extensive discussion on this in committee. There may be other ways to scale down the project, such as gravel parking instead of paved parking. This discussion could be brought up at a later time. She felt it confused the record to bring it up now when the Council did not know what they might want to do. She suggested simply removing the expectation that Metro would pay for this portion of the plan.

Councilor McLain said, with that explanation and the fact that the committee reflected that conversation, she was comfortable with this recommendation.

Deputy Presiding Officer McFarland said the committee was very clear. The committee all understood that adopting the master plan was not committing dollars.

Councilor McCaig noted that number 3 said, "be it resolved, as Metro will implement the master plan in a manner consistent with fiscal appropriations." She felt this supported the committee's philosophy.

**Vote to
Amend the**

Staff Report: The vote was 6 aye/ 0 nay/ 0 abstain. The amendment passed unanimously of those present.

Councilor McCaig noted that the staff had worked very hard on this master plan, as a result everyone had a better understanding of what the master planning process was about, how much it would cost and what Metro was committing itself to. She felt the plan was a good plan and she would be support the resolution.

Vote on the

Main Motion: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present.

8.2 **Resolution No. 98-2616, For the Purpose of Accepting New Nominees for February 1998 to the Metro Committee for Citizen Involvement (MCCI).**

Motion: **Councilor McLain** moved to adopt Resolution No. 98-2616.

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

Discussion: **Councilor McLain** asked that the Chair of MCCI introduce the new staff member to the Council and suggested that Ms. Durtchi introduce the new candidates for MCCI.

Ms. Kay Durtchi, Chair of MCCI, introduced Karen Winthrow, the full time staff person for MCCI. She felt Ms. Winthrow was very capable and had been very proficient in assisting MCCI.

Ms. Karen Winthrow said that she would be available to assist the council in any way.

Ms. Durtchi prefaced that Aleta Woodruff was unavailable due to an illness. She reviewed the two new candidates for MCCI. Rick Buhler, a past chair of MCCI who had been brought back to the Council because he had missed three consecutive meetings due to family matters. He represented the portion of Clackamas County outside of Urban Growth Boundary. Job Lazar, a West Linn attorney, had been very active in his children's school and in his community. He had attended the orientation session and the MCCI retreat.

Councilor McLain closed by saying that in attending the retreat in February both seemed to be excellent candidates. Currently MCCI's membership was exceptional.

Vote: The vote was 6 aye/ 0 nay/0 abstain. The motion passed unanimously of those present.

8.3 Resolution No. 98-2617, For the Purpose of Confirming the Appointment of Anthony Vecchio to the Position of Director of the Metro Washington Park Zoo.

Motion: Councilor Naito moved to adopt Resolution No. 98-2617.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor Naito said she was pleased to bring forward Mr. Vecchio's name for confirmation as Director of the Metro Washington Park Zoo. She had had the opportunity to be involved in the interview process for the director's position. There were many outstanding candidates. Mr. Vecchio was currently the director of the Roger Williams Park Zoo in Rhode Island and had been there for almost 10 years. She said their zoo's attendance and membership had increased substantially. The zoo had become Rhode Island's number one tourist attraction. Mr. Vecchio's skills included public relations, management, fiscal planning, and animal management. She added that he was on a governor's commission studying the link between child and animal abuse. He recognized the challenges of the zoo including going beyond simply exhibiting animals. He had had innovative approaches to making a zoo a more educational, recreational and interactive place for families. She spoke of one of his innovative approaches, the Marco Polo Trail, allowing individuals to journey through time by use of costume, exhibits, and current technology. She felt Mr. Vecchio would bring energy and vitality to our zoo.

Deputy Presiding Officer McFarland noted that Mr. Vecchio was still in Rhode Island.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

9. COUNCILOR COMMUNICATION

Councilor McLain handed out a memo and informational packet concerning Water Quality Issues outside the Urban Growth Boundary.

Councilor Morissette asked Councilor McLain if this information was to the question he had about why the farm land did not have the same requirements for phosphate, leachate and other chemicals going into the river as homes and industry?

Councilor McLain said yes, this was part of the answer.

Councilor Morissette he still had a problem with this, he felt there was a double standard.

Councilor McLain said this was to help address the issue and start that debate.

Councilor Naito said this issue would be brought up in committee and she had asked staff to bring an individual from the Department of Agriculture to begin the conversation. As Metro moved on the Title III Water Stream Protection there were other issues in terms of water quality that she believed Metro should take a lead role on. She wanted to begin the dialogue with what was covered by the Department of Agriculture, what could and couldn't Metro do.

Councilor Morissette commented that this was obviously a hot subject. Metro had the authority or the potential to try and regulate things within its boundaries. The reason this issue was coming forward was that he felt Metro was opting to regulate one polluter while not regulating another. He did not think this was fair.

Councilor Washington urged the council to request a briefing about current Transportation issues to keep them up to date. He had just returned from Washington DC about South North Light Rail funding and reauthorization of ISTEA. He urged the council get briefed on the trip as well as general transportation issues.

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

Councilor Morissette declared a potential conflict with the executive session and left the chamber.

Deputy Presiding Officer McFarland opened an Executive Session pursuant to ORS 192.660(1)(e) at 2:55 PM to update council on property transactions.

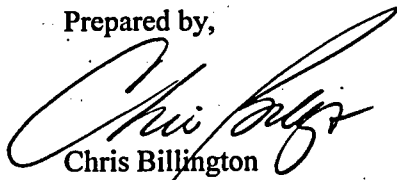
Present: Jim Desmond, Dan Cooper, Council staff, Dan Cromer, Amy Kirschbaum, Amy Chestnut, Heather Nelson, Alexis Dow.

Deputy Presiding Officer McFarland closed the Executive Session at 3:05 PM.

11. ADJOURN

There being no further business to come before the Metro Council, Deputy Presiding Officer McFarland adjourned the meeting at 3:10 p.m.

Prepared by,



Chris Billington
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
031298c-01	3/12/98	Final LOTI Design for alternative to the South North Light Rail	TO: Metro Council FROM: Art Lewellan, LOTI Designer	
031298c-02	2/26/98	Art Lewellan's testimony concerning alternative alignments	TO: Metro Council FROM: Art Lewellan	

031298c-03	3/5/98	to the DEIS "The Walk Community of 2040"	TO: Metro Council FROM: Art Lewellan
031298c-04	3/5/98	Memo concerning linking transportation funding to affordable housing	TO: JPACT FROM: TPAC
031298c-05	3/12/98	Memo and materials concerning water quality issues outside of the UGB	TO: Metro Council FROM: Susan McLain

Agenda Item Number 7.1

Ordinance No. 98-732, For the Purpose of Revising Quasi-Judicial Urban Growth Boundary Amendment Procedures in Metro Code 3.01.033, 3.01.035, 3.01.055, 3.01.065 and Declaring an Emergency.

First Reading

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REVISING) ORDINANCE NO 98-732
QUASI-JUDICIAL URBAN GROWTH)
BOUNDARY AMENDMENT) Introduced by Mike Burton, Executive Officer
PROCEDURES IN METRO CODE) and Councilor Susan McLain
3.01.033 , 3.01.035, 3.01.055, 3.01.065 and)
DECLARING AN EMERGENCY)

WHEREAS, Metro's urban growth boundary (UGB) procedures were revised and acknowledged for compliance with the statewide Goals in 1992; and

WHEREAS, Metro recognized ORS 197.763 (1989) on quasi-judicial procedures by following the statute and requiring that a copy of the statute be provided at each hearing; and

WHEREAS, Metro has had very few quasi-judicial UGB amendment applications since 1989, while the ORS 197.763 was amended in 1991, 1995, and 1997; and

WHEREAS, more quasi-judicial UGB amendment applications are anticipated in 1998 and 1999 due to the deadlines in ORS 197.299 (HB 2493); and

WHEREAS, incorporating the amended statutory language into Metro's quasi-judicial procedures will clarify and shorten the hearing procedure, now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1 - Adoption. The provisions of Metro Code 3.01.033 Applications for Major Amendments and Locational Adjustments and Metro Code 3.01.055 Public Hearing Rules Before the Hearings Officer are hereby adopted as revised in Exhibit "A," attached and incorporated into this Ordinance.

Section 2 - Locational Adjustments. The limitation that the total of all locational adjustments for any one year shall not exceed 100 net acres is hereby amended to establish the

order that locational adjustments qualify for the 100-acre per year limit. Metro Code 3.01.035(b) and the corresponding provisions in Ordinances Nos. 96-647C and 97-715B, Appendix A are hereby amended to read as follows:

“(b) All locational adjustment additions and administrative adjustments for any one year shall not exceed 100 net acres and no individual locational adjustment shall exceed 20 net acres. Natural areas adjustments shall not be included in the annual total of 100 acres, and shall not be limited to 20 acres, except as specified in 3.01.035(g), below. Completed locational adjustment applications shall be processed on a first come, first served basis.”

Section 3 - Emergency Clause. This ordinance shall be effective March 30, 1998 as necessary for the health, safety or welfare of the Metro area for the following reasons: (1) these procedures are needed to expedite amendment application hearings; (2) the deadline for 1998 applications is March 15, with two weeks for additions to complete the applications; and (3) postponement of hearings to await the effectiveness of these procedures is inconsistent with Metro's efforts to comply with the December 18, 1998 deadline for UGB amendments in ORS 197.299(2).

ADOPTED by the Metro Council this ____ day of _____ 1998.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form: _____

Recording Secretary

Daniel B. Cooper, General Counsel

I:\DOCS\#07.P&D\02UGBV02AMENDM.ENT\01PROCED.URE\CODEAMD.ORD

3.01.033 Applications for Major Amendments and Locational Adjustments

(a) All petitions filed pursuant to this chapter for amendment of the UGB must include a completed petition on a form provided by the district. Petitions which do not include the appropriate completed form provided by the district will not be considered for approval.

(b) Major Amendments or Locational Adjustments may be filed by:

- (1) A county with jurisdiction over the property or a city with a planning area that includes or is contiguous to the property; or
- (2) The owners of the property included in the petition or a group of more than 50 percent of the property owners who own more than 50 percent of the land area in each area included in the petition.

(c) Completed petitions for amending the UGB through either a major amendment or locational adjustment, shall be considered by the district if filed prior to March 15. No petition shall be accepted under this chapter if the proposed amendment or locational adjustment to the UGB would result in an island of urban land outside the existing UGB, or if the proposed addition contains within it an island of non-urban land excluded from the petition. The district will determine not later than seven working days after the deadline whether a petition is complete and notify the petitioner. The petitioner must remedy any identified deficiencies within 14 days of notification, or the petition and fees shall be returned to the petitioner and no further consideration shall be given. Completeness of petitions shall be the petitioners' responsibility.

(d) Upon request by a councilor or the executive officer, the council may, by an affirmative vote of two-thirds of the full council, waive the filing deadline for a particular petition or petitions and hear such petition or petitions at any time. Such waiver shall not waive any other requirement of this chapter.

(e) The district shall give notice of the March 15 deadline for acceptance of petitions for UGB major amendments and locational adjustments under this chapter not less than 90 calendar days before a deadline and again 20 calendar days before

a deadline in a newspaper of general circulation in the district and in writing to each city and county in the district. A copy of the notice shall be mailed not less than 90 calendar days before a deadline to anyone who has requested notification. The notice shall explain the consequences of failing to file before the deadline and shall specify the district officer or employee from whom additional information may be obtained.

(f) All petitions shall be reviewed by district staff and a report and recommendation submitted to the hearings officer. For locational adjustments, the staff report shall be submitted not less than 10 calendar days before the hearing. For major amendments, the staff report shall be submitted not less than 21 calendar days before the hearing. A copy of the staff report and recommendation shall simultaneously be sent to the petitioner(s) and others who have requested copies. Any subsequent staff report used at the hearing shall be available at least seven days prior to the hearing.

(g) It shall be the responsibility of the petitioner to provide a list of names and addresses for notification purposes, consistent with section 3.01.055-(b), when submitting a petition.

Said list of names and addresses shall be certified in one of the following ways:

- (1) A list attested to by a title company as a true and accurate list of property owners as of a specified date; or
- (2) A list attested to by a county assessor, or designate, pledging that the list is a true and accurate list of property owners as of a specified date; or
- (3) A list with an attached affidavit completed by the proponent affirming that the names and addresses are a true and accurate list of property owners as of a specified date.

(h) Local Position on Petition:

- (1) Except as provided in subsection 4 of this section, a petition shall not be considered completed for hearing unless the petition includes a written statement by the governing body of each city or county with land use jurisdiction over the area included in the petition that:

- (A) recommends that Metro approve the petition;
or

- (B) recommends that Metro deny the petition; or
 - (C) expresses no preference on the petition.
- (2) Except as provided in subsection 4 of this section, a petition shall not be considered completed for hearing unless the petition includes a written statement by any special district which has an agreement with the governing body of each city or county with land use jurisdiction over the area included in the petition to provide one or more urban services to the subject area that:
- (A) recommends that Metro approve the petition;
or
 - (B) recommends that Metro deny the petition; or
 - (C) expresses no preference on the petition.
- (3) If a city, county or special district holds a public hearing to establish its position on a petition, the city or county shall:
- (A) provide notice of such hearing to the district and to any city or county whose municipal boundaries or urban planning area boundary abuts the area affected; and
 - (B) provide the district with a list of the names and addresses of parties testifying at the hearing and copies of any exhibits or written testimony submitted for the hearing.
- (4) Upon request by an applicant, the executive officer shall waive the requirements of subsections (1) and (2) of this section regarding written recommendations from the city or county with land use jurisdiction or a special district which provides one or more urban services if the applicant shows that a request for comment was filed with the local government at least 120 calendar days previously and that the local government or service provider has not yet adopted a position.
- (i) Petitions outside district boundary:

- (1) Petitions to extend the UGB to include land outside the district shall not be accepted unless accompanied by:
 - (A) A copy of a petition for annexation to the district to be submitted to the Portland Metropolitan Area Local Government Boundary Commission pursuant to ORS chapter 199; and
 - (B) A statement of intent to file the petition for annexation within 90 calendar days of Metro action, or after the appeal period following final action by a court concerning a Metro action, to approve the petition for UGB major amendment or locational adjustment.
- (2) A city or county may, in addition to the action required in subsection B of this section, approve a plan or zone change to implement the proposed adjustment in the area included in a petition prior to a change in the district UGB if:
 - (A) The district is given notice of the local action;
 - (B) The notice of the local action states that the local action is contingent upon subsequent action by the district to amend its UGB; and
 - (C) The local action to amend the local plan or zoning map becomes effective only if the district amends the UGB consistent with the local action.
- (3) If the city or county has not contingently amended its plan or zoning map to allow the land use category of the proposed amendment proposed in a petition, and if the district does approve the UGB amendment, the local plan or map change shall be changed to be consistent with the UGB amendment within one year.

3.01.055 Public Hearing Rules before the Hearings Officer

(a) Notice of the hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:

(1) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(2) Within 500 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(3) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

(4) At the discretion of the applicant, Metro shall also provide notice to the Department of Land Conservation and Development.

(5) The notice shall:

(A) Explain the nature of the application and the proposed use or uses which could be authorized;

(B) List the applicable criteria from the ordinance and the regional framework plan that apply to the application at issue;

(C) Set forth the street address or other easily understood geographical reference to the subject property;

(D) State the date, time and location of the hearing;

(E) State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue;

(F) Be mailed at least:

(i) Twenty days before the evidentiary hearing; or

(ii) If two or more evidentiary hearings are allowed, 10 days before the first evidentiary hearing;

(G) Include the name of a Metro representative to contact and the telephone number where additional information may be obtained;

(H) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;

(I) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and

(J) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

(6) The failure of the property owner to receive notice as provided in this section shall not invalidate such proceedings if Metro can demonstrate by affidavit that such notice was given. The notice provisions of this section shall not restrict the giving of notice by other means, including posting, newspaper publication, radio and television.

(a) (b) All major amendment and locational adjustment petitions accepted under this chapter shall receive a contested case hearing according to the following rules:

- (1) Hearings officers shall be selected by the district pursuant to the provisions of section 2.05.025(a) of the Metro Code.
- (2) Parties to the case shall be defined as being any individual, agency, or organization who participates orally or in writing in the creation of the record used by the hearings officer in making a decision. If an individual represents an organization orally and/or in writing, that individual must indicate the date of the organization meeting in which the position presented was adopted. The hearings officer may request that the representative explain the method used by the organization to adopt the position presented. Parties need not be represented by an

attorney at any point in the process outlined in this subsection and elsewhere in this chapter.

- (3) At the time of the commencement of a hearing, the hearings officer shall provide the following information to parties:
- (A) A list and statement of the applicable substantive criteria, ~~a copy of ORS 197.763,~~ and procedures for notice and conduct of local quasi-judicial land use hearings, ~~notice requirements, hearing procedures,~~ provided that failure to provide copies to all those present shall not constitute noncompliance with this subsection; and
 - (B) A statement that testimony and evidence must be directed toward the criteria or other specific criteria which the person believes apply to the decision; and
 - (C) A statement that the failure to raise an issue accompanied by statements or evidence with sufficient specificity to afford the decision-maker and the parties an opportunity to respond to the issue precludes appeal; and
 - ~~(D) A statement that any party may request a continuance of the hearing, but that any continuance would be granted at the discretion of the hearings officer upon finding good cause;~~
- (4) (A) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The hearing may be continued for a reasonable period as determined by the hearings officer. The hearings officer shall grant such request by continuing the public hearing pursuant to paragraph (B) of this subsection or leaving the record open for additional written evidence, arguments or testimony pursuant to paragraph (C) of this subsection.
- (B) If the hearings officer grants a continuance, the hearing shall be continued to a date,

time and place certain at least seven days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments and testimony. If new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.

(C) If the hearings officer leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days. Any participant may file a written request with the hearings officer for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings officer shall reopen the record pursuant to subsection (7) of this section.

(D) Unless waived by the applicant, the local government shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence.

~~(4)~~(5) Failure of the petitioner to appear at the hearing without making arrangements for rescheduling the hearing shall constitute grounds for immediately denying the petition.

~~(5)~~(6) The hearing shall be conducted in the following order:

(A) Staff report.

(B) Statement and evidence by the petitioner in support of a petition.

(C) Statement and evidence of affected persons, agencies, and/or organizations opposing or

supporting the petition, and/or anyone else wishing to give testimony.

(D) Rebuttal testimony by the petitioner.

- ~~(6)~~ (7) The hearings officer shall have the right to question any participant in the hearing. Cross-examination by parties shall be by submission of written questions to the hearings officer. The hearings officer shall give parties the opportunity to submit such questions prior to closing the hearing.
- ~~(7)~~ ~~The hearing may be continued for a reasonable period as determined by the hearings officer.~~
- (8) The hearings officer may set reasonable time limits for oral testimony and may exclude or limit cumulative, repetitive, or immaterial testimony.
- (9) A verbatim audio tape or video tape, written, or other mechanical record shall be made of all proceedings, and need not be transcribed unless necessary for review upon appeal.
- ~~(10)~~ ~~Upon conclusion of the hearing, the record shall be closed and new evidence shall not be admissible thereafter unless a party requests that the record remain open before the conclusion of the initial, evidentiary hearing. Upon such a request, the record shall remain open for at least seven days after the hearing unless there is a continuance.~~
- ~~(11)~~ (10) The burden of presenting evidence in support of a fact or position in the contested case rests on the petitioner. The proponent of a proposed UGB amendment shall have the burden of proving that the proposed amendment complies with the all applicable standards. ~~in this chapter.~~
- ~~(12)~~ ~~A proponent or opponent shall raise all issues of concern either orally or in written form at the public hearing. Failure to do so will constitute a waiver to the raising of such issues at any subsequent administrative or legal appeal deliberations.~~
- ~~(13)~~ (11) The hearings officer may reopen a record to receive evidence not available or offered at the hearing. If the record is reopened, any person

may raise new issues which relate to the new evidence before the record is closed.

(12) An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the Metro Council. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.

(13) All documents or evidence relied upon by the applicant shall be submitted to Metro and be made available to the public.

(14) UGB petitions may be consolidated by the hearings officer for hearings where appropriate. Following consultation with district staff and prospective petitioners, the hearings officer shall issue rules for the consolidation of related cases and allocation of charges. These rules shall be designed to avoid duplicative or inconsistent findings, promote an informed decision-making process, protect the due process rights of all parties, and allocate the charges on the basis of cost incurred by each party.

~~(b)~~ (c) Within 30 calendar days following the close of the record, the hearings officer shall prepare and submit a proposed order and findings, together with the record compiled in the hearing and a list of parties to the case, to the executive officer. Within seven working days of receiving the materials from the hearings officer, the executive officer, or designate, shall furnish the proposed order and findings to all parties to the case. Accompanying the proposed order and findings shall be notification to parties which includes:

- (1) The procedure for filing an exception and filing deadlines for submitting an exception to the proposed order and findings of the hearings officer. Parties filing an exception with the district must furnish a copy of their exception to all parties to the case and the hearings officer.
- (2) A copy of the form to be used for filing an exception.

- (3) A description of the grounds upon which exceptions can be based.
- (4) A description of the procedure to be used to file a written request to submit evidence that was not offered at the hearing, consistent with Metro Code sections 2.05.035(c) and (d).
- (5) A list of all parties to the case.

~~(e) UCB petitions may be consolidated by the hearings officer for hearings where appropriate. Following consultation with district staff and prospective petitioners, the hearings officer shall issue rules for the consolidation of related cases and allocation of charges. These rules shall be designed to avoid duplicative or inconsistent findings, promote an informed decision making process, protect the due process rights of all parties, and allocate the charges on the basis of cost incurred by each party.~~

(d) Once a hearings officer has submitted the proposed order and findings to the executive officer, the executive officer, or designate, shall become the custodian of the record compiled in the hearing, and shall make the record available at the district offices for review by parties.

3.01.065 Council Action On Quasi-Judicial Amendments

(a) The council may act to approve, remand or deny a petition in whole or in part. When the council renders a decision that reverses or modifies the proposed order of the hearings officer, then, in its order, it shall set forth its findings and state its reasons for taking the action.

(b) Parties to the case and the hearings officer shall be notified by mail at least 10 calendar days prior to council consideration of the case. Such notice shall include a brief summary of the proposed action, location of the hearings officer report, and the time, date, and location for council consideration.

(c) Final council action following the opportunity for parties to comment orally to council on the proposed order shall be as provided in Code section 2.05.045. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to 1979 Oregon Laws, chapter 772.

(d) Comments before the council by parties must refer specifically to any arguments presented in exceptions filed according to the requirements of this chapter, and cannot introduce new evidence or arguments before the council. If no party to the case has filed an exception, then the council shall decide whether to entertain public comment at the time that it takes final action on a petition.

(e) Within 20 days from the day that the proposed order and findings of the hearings officer are mailed to them, parties may file a motion to reopen the record to receive admissible evidence not available at the hearing. The motion shall show proof of service on all parties. The council shall rule on such motions with or without oral argument at the time of its consideration of the case. An order approving such a motion to reopen the record shall remand the case to the hearings officer for evidentiary hearing. When the Metro Council or the hearings office reopens a record to admit new evidence, arguments or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.

(f) When the council acts to approve in whole or in part a petition by requiring annexation to a city and/or service district(s) and Tri-Met and whenever a petition includes land outside the district:

- (1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the district within six months of the date of adoption of the Resolution.
- (2) The council shall take final action, as provided for in paragraphs (c) and (d) of this section, within 30 calendar days of notice that all required annexations to a city, service district(s) and the district have been approved.

(g) When the council is considering an ordinance to approve a petition, it shall take all public comment at its first reading of the ordinance, discuss the case, and then either pass the ordinance to second reading or remand the proposed order and findings of the hearings officer to the executive officer or the hearings officer for new or amended findings. If new or amended findings are prepared, parties to the case shall be provided a copy of the new order and findings by mail no less than seven calendar days prior to the date upon which the council will consider the new order and findings, and parties will be given the opportunity to provide the council with oral or written testimony regarding the new order and findings.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 98-732, FOR THE PURPOSE OF REVISING QUASI-JUDICIAL URBAN GROWTH BOUNDARY AMENDMENT PROCEDURES IN METRO CODE 3.01.033, 3.01.035, 3.01.055, 3.01.065 AND DECLARING AN EMERGENCY

Date: March 4, 1998

Presented by: Larry Shaw

Proposed Action

Ordinance No. 98-732 amends Metro Code Chapter 3.01 to clarify and shorten the hearing procedure for Major Amendments and Locational Adjustments to the Urban Growth Boundary (UGB). This ordinance would be effective on March 30, 1998.

Factual Background and Analysis

Urban Reserves were adopted by the Metro Council on March 6, 1997. The Urban Growth Report sections on buildable lands, capacity analysis, forecasts for population, households and employment and the 1997 housing needs analysis were adopted on December 18, 1997. With these two decisions, which concluded that there is a deficit in the 20-year dwelling unit capacity, has come a dramatic increase in the number of inquiries for amending the UGB. With more UGB amendment activity anticipated, the Executive Officer recommends revisions, consistent with ORS 197.763, to clarify the procedures for processing UGB petitions.

The proposed changes are as follows:

1. Metro Code Section 3.01.033, Applications for Major Amendments and Locational Adjustments, would be amended to require that any staff report used at hearing shall be available at least seven days prior to the hearing.
2. Metro Code Section 3.01055 and 065 would be amended to incorporate the requirements that are specified in the Oregon Revised Statutes for notification and other procedural changes regarding the hearing itself.

In addition to the above, the Executive Officer recommends that Metro Code Section 3.01.035(b), Locational Adjustment Procedures, include the provision to process petitions on a first come, first served basis.

Budget Analysis

There is no budget impact.

Executive Officer's Recommendation

The Executive Officer recommends that the Metro Council adopt Ordinance No. 98-732.



METRO

DATE: February 20, 1998

TO: Councilor Lisa Naito
Chair, Growth Management Committee

FROM: *LSH*
Larry Shaw
Office of General Counsel

SUBJECT: UGB Amendment Procedure - Quasi-Judicial Applications

Metro's UGB Amendment Procedures were written and acknowledged in 1992. Quasi-judicial amendments are filed once a year and processed by a hearings officer prior to a Metro Council decision. Since 1992, Metro has had very few UGB Amendment applications each March. Therefore, biennial changes in the procedural statutory requirements in ORS 197.763 have been followed by Metro staff and the hearings officers using the statute and providing the parties a copy of the statute at each hearing. With more UGB amendment activity anticipated, the Executive Officer requested a discussion draft of amendments to Metro's acknowledged quasi-judicial procedures.

With one addition, the discussion draft is now Ordinance No. 98-732 amending Metro Code to add the following:

1. The absolute deadline for any staff memo of seven days prior to the hearing is added to 3.01.033(f) to reflect ORS 197.763(4)(b).
2. Public hearing notice requirements from ORS 197.763(2), (3) and (8) are incorporated into new 3.01.055(a), moving or eliminating 3.01.055(b)(3)(D); (b)(7),(10) and (12).
3. Continuance rules from ORS 197.763(6) are incorporated into new 3.01.055(b)(4).
4. The appeal issues statement from ORS 197.763(1) is incorporated into new 3.01.055(b)(12).
5. The full applicant documentation statement from ORS 197.763(4)(a) is incorporated into 3.01.055(b)(13).
6. The reopened record statement from ORS 197.763(7) is incorporated into 3.01.065(e).
7. The small addition to the discussion draft is to establish a first come, first served order for locational adjustments to qualify for the 100-acres per year limit.

These amendments address neither legislative amendments of the UGB, nor the process for "exceptions" to the hearings officer reports for quasi-judicial amendments. Legislative procedures could be addressed when the urban reserves productivity analysis to aid legislative amendments is complete.

Agenda Item Number 7.2

Ordinance No. 98-737, Amending the FY 1997-98 budget and appropriations schedule in the Support Services Fund by transferring \$15,000 from the Administrative Services Department to the Office of the Auditor and transferring \$4,600 from Capital Outlay to Materials and Services within the Office of the Auditor to provide funding for conducting an implementation review of the InfoLink project.

First Reading

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1997-98)
BUDGET AND APPROPRIATIONS SCHEDULE) ORDINANCE NO. 98-737
IN THE SUPPORT SERVICES FUND BY)
TRANSFERRING \$15,000 FROM THE)
ADMINISTRATIVE SERVICES DEPARTMENT TO)
THE OFFICE OF THE AUDITOR AND TRANS-) Introduced by Metro Auditor
FERRING \$4,600 FROM CAPITAL OUTLAY) Alexis Dow, CPA
TO MATERIALS AND SERVICES WITHIN THE)
OFFICE OF THE AUDITOR TO PROVIDE)
FUNDING FOR CONDUCTING AN IMPLEMEN-)
TATION REVIEW OF THE INFOLINK PROJECT)

WHEREAS, Metro recently completed implementation of the general ledger, purchasing and accounts payable modules in the new management information system; and

WHEREAS, additional modules remain to be implemented; and

WHEREAS, a review of implementation procedures and outcomes would identify and assist in the resolution of issues prior to financial statement preparation and implementation of subsequent modules; and

WHEREAS, the Metro Council has reviewed and considered the need to transfer appropriations with the FY 1997-98 budget; and

WHEREAS, the need for a 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 1997-98 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 \$15,000 from the Administrative Services Department in the Support Services Fund to the Office of the Auditor and transferring \$4,600 from Capital Outlay to Materials and Services within the Office of the Auditor for the purpose of providing funding for an implementation review of the InfoLink Project.

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 _____, 1998.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

Exhibit A
Ordinance No. 98-737
Support Services Fund

FISCAL YEAR 1997-98		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Administrative Services Department							
<i>Personal Services</i>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	0.94	90,542	0.00	(10,050)	0.94	80,492
	Senior Director	0.90	79,702	0.00	0	0.90	79,702
	Directors	1.00	81,592	0.00	0	1.00	81,592
	Senior Manager	2.50	180,455	0.00	0	2.50	180,455
	Managers	2.45	157,723	0.00	0	2.45	157,723
	Senior Program Supervisor	4.00	238,797	0.00	0	4.00	238,797
	Senior Services Supervisor	1.00	46,941	0.00	0	1.00	46,941
	Program Supervisor	2.00	108,466	0.00	0	2.00	108,466
	Associate Program Supervisor	0.00	0	0.00	0	0.00	0
	Construction Coordinator	1.00	58,798	0.00	0	1.00	58,798
	Senior Auditor	0.00	0	0.00	0	0.00	0
	Principal Administrative Services Analyst	3.94	224,692	0.00	0	3.94	224,692
	Senior Administrative Services Analyst	3.75	190,167	0.00	0	3.75	190,167
	Associate Administrative Services Analyst	1.00	45,391	0.00	0	1.00	45,391
	Sr. Management Analyst	1.00	39,818	0.00	0	1.00	39,818
	Associate Services Supervisor	0.00	0	0.00	0	0.00	0
	Assoc. Management Analyst	2.00	86,266	0.00	0	2.00	86,266
	Asst. Management Analyst	3.00	123,639	0.00	0	3.00	123,639
	Management Technician	1.45	45,162	0.00	0	1.45	45,162
	Sr. Public Affairs Specialist	1.00	53,291	0.00	0	1.00	53,291
	Assoc. Public Affairs Specialist	0.00	0	0.00	0	0.00	0
	Associate Graphic Design Specialist	3.00	132,160	0.00	0	3.00	132,160
	Systems Specialist	3.00	151,102	0.00	0	3.00	151,102
	D.P. Operations Analyst	0.00	0	0.00	0	0.00	0
	Programmer/Analyst	1.00	48,358	0.00	0	1.00	48,358
	Senior Accountant	1.00	48,369	0.00	0	1.00	48,369
	Assistant Creative Services Specialist	1.00	41,798	0.00	0	1.00	41,798
	Graphics/Exhibit Designer	0.00	0	0.00	0	0.00	0
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	2.25	67,569	0.00	0	2.25	67,569
	Secretary	1.00	22,816	0.00	0	1.00	22,816
	Receptionist	0.00	0	0.00	0	0.00	0
	Office Assistant	0.00	0	0.00	0	0.00	0
	Administrative Support Assistant C	4.94	149,530	0.00	0	4.94	149,530
	Administrative Support Assistant B	1.00	22,434	0.00	0	1.00	22,434
	Administrative Support Assistant A	0.00	0	0.00	0	0.00	0
	Lead Accounting Clerk	4.00	143,236	0.00	0	4.00	143,236
	Accounting Clerk 2	7.00	202,976	0.00	0	7.00	202,976
	Program Assistant 2	0.00	0	0.00	0	0.00	0
	Program Assistant 1	1.37	31,142	0.00	0	1.37	31,142
	Technical Assistant	1.00	41,781	0.00	0	1.00	41,781
	D.P. Operator	0.00	0	0.00	0	0.00	0
	Technical Specialist	3.00	114,405	0.00	0	3.00	114,405
	Reproduction Clerk	2.00	58,832	0.00	0	2.00	58,832
	Building Service Worker	0.45	11,877	0.00	0	0.45	11,877

Exhibit A
Ordinance No. 98-737
Support Services Fund

FISCAL YEAR 1997-98		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Administrative Services Department							
	Building Services Technician	0.45	16,734	0.00	0	0.45	16,734
511225	WAGES-REGULAR EMPLOYEES (part time)						
	Receptionist	0.63	13,041	0.00	0	0.63	13,041
511231	WAGES-TEMPORARY EMPLOYEES (full time)						
	Temporary Support	1.00	49,102	0.00	0	1.00	49,102
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Support	0.10	1,288	0.00	0	0.10	1,288
511400	OVERTIME		23,049	0.00	0		23,049
512000	FRINGE		1,139,383	0.00	(4,950)		1,134,433
Total Personal Services		72.12	4,382,424	0.00	(15,000)	72.12	4,367,424
Total Materials & Services			1,126,419		0		1,126,419
Debt Service							
xxxxxxx	Capital Lease Payments		27,232		0		27,232
Total Capital Outlay			1,088,547		0		1,088,547
TOTAL EXPENDITURES		72.12	6,624,622	0.00	(15,000)	72.12	6,609,622

Exhibit A
Ordinance No. 98-737
Support Services Fund

FISCAL YEAR 1997-98		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Auditor's Office							
Total Personal Services		5.57	394,617	0.00	0	5.57	394,617
<u>Materials & Services</u>							
521100	Office Supplies		2,509		0		2,509
521110	Computer Software		3,078		0		3,078
521111	Computer Supplies		2,483		0		2,483
521290	Other Supplies		7,838		0		7,838
521310	Subscriptions		428		0		428
521320	Dues		3,000		0		3,000
524110	Accounting & Auditing Services		77,400		0		77,400
524190	Misc. Professional Services		18,000		19,600		37,600
525640	Maintenance & Repairs Services-Equipment		513		0		513
526200	Ads & Legal Notices		536		0		536
526310	Printing Services		865		0		865
526410	Telephone		1,695		0		1,695
526420	Postage		2,784		0		2,784
526440	Delivery Services		165		0		165
526500	Travel		7,500		0		7,500
526510	Mileage Reimbursement		1,540		0		1,540
526700	Temporary Help Services		3,010		0		3,010
526800	Training, Tuition, Conferences		5,700		0		5,700
528100	License, Permits, Payments to Other Agencies		309		0		309
529500	Meetings		1,030		0		1,030
529800	Miscellaneous		1,030		0		1,030
Total Materials & Services			141,413		19,600		161,013
<u>Debt Service</u>							
xxxxxxx	Capital Lease Payments		0		0		0
<u>Capital Outlay</u>							
571500	Purchases-Office Furniture & Equipment		8,606		(4,600)		4,006
Total Capital Outlay			8,606		(4,600)		4,006
TOTAL EXPENDITURES		5.57	544,636	0.00	15,000	5.57	559,636

Exhibit B
Ordinance No. 98-737
Schedule of Appropriations

	<u>Current</u> <u>Appropriation</u>	<u>REVISION</u>	<u>Revised</u> <u>Appropriation</u>
SUPPORT SERVICES FUND			
Administrative Services			
Personal Services	4,382,424	(15,000)	4,367,424
Materials and Services	1,126,419	0	1,126,419
Capital Outlay	1,088,547	0	1,088,547
Debt Service	27,232	0	27,232
Subtotal	6,624,622	(15,000)	6,609,622
Office of General Counsel			
Personal Services	655,656	0	655,656
Materials and Services	41,856	0	41,856
Capital Outlay	21,644	0	21,644
Subtotal	719,156	0	719,156
Office of Public and Government Relations			
Personal Services	75,758	0	75,758
Materials and Services	60,427	0	60,427
Capital Outlay	1,750	0	1,750
Subtotal	137,935	0	137,935
Council Office of Public Outreach			
Personal Services	100,049	0	100,049
Materials and Services	31,185	0	31,185
Capital Outlay	8,033	0	8,033
Subtotal	139,267	0	139,267
Office of Citizen Involvement			
Personal Services	61,631	0	61,631
Materials and Services	22,480	0	22,480
Capital Outlay	0	0	0
Subtotal	84,111	0	84,111
Auditor's Office			
Personal Services	394,617	0	394,617
Materials and Services	141,413	19,600	161,013
Capital Outlay	8,606	(4,600)	4,006
Subtotal	544,636	15,000	559,636
General Expenses			
Interfund Transfers	788,762	0	788,762
Contingency	348,834	0	348,834
Subtotal	1,137,596	0	1,137,596
Unappropriated Ending Fund Balance	306,414	0	306,414
Total Fund Requirements	\$9,693,737	\$0	\$9,693,737

All other appropriations remain as previously adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE 98-737 AMENDING THE FY 1997-98 BUDGET AND APPROPRIATIONS SCHEDULE IN THE SUPPORT SERVICES FUND BY TRANSFERRING \$15,000 FROM THE ADMINISTRATIVE SERVICES DEPARTMENT TO THE OFFICE OF THE AUDITOR AND TRANSFERRING \$4,600 FROM CAPITAL OUTLAY TO MATERIALS AND SERVICES WITHIN THE OFFICE OF THE AUDITOR TO PROVIDE FUNDING FOR CONDUCTING A IMPLEMENTATION REVIEW OF INFOLINK, AND DECLARING AN EMERGENCY.

Date: March 5, 1998

Presented by: Alexis Dow

FACTUAL BACKGROUND AND ANALYSIS

InfoLink is an integrated management information system consisting of accounting, human resources, purchasing, project costing and contract management functions. Metro initiated this project to avoid Year 2000 problems and to move away from software that is no longer supported by the vendor. The \$2.4 million InfoLink project involves transitioning from a mainframe-based system to a client/server environment.

Three modules have been implemented to date: general ledger, purchasing and accounts payable. Changes required to improve the performance of these modules are proceeding. Additional modules are scheduled for implementation by July 1998. Early savings on purchases of hardware and software have been offset by increased implementation costs; the total budget remains unchanged.

This Ordinance would provide funds for an implementation review. This review has two levels: 1) an applications/business process review, and 2) an evaluation of project status.

The applications/business process review will be conducted on implemented modules that have been functioning for several months. This review will evaluate whether internal controls are in place to ensure complete, accurate, and approved data are entered and accepted for processing, and reports accurately reflect the results of processing. It will also determine if users are satisfied with the performance of the system. Finally, it will assess whether an appropriate implementation plan was utilized to ensure that the applications were properly installed.

The project status review will take a broader look at the InfoLink project. Questions answered by this review include whether the project will be completed within budget and on schedule, and whether Metro will obtain the essential capabilities and benefits that were anticipated when this project was approved.

The funds requested in this ordinance are needed because an outside firm will be hired for this essential work. The staff in the Office of the Auditor requires the additional technical expertise to carry out all phases of this work. One Senior Auditor will be dedicated to this implementation review, providing assistance in non-technical areas.

This implementation review will provide a variety of benefits to Metro. It will provide information on whether the key objectives of the project are likely to be attained using the approaches and resources currently being employed. It will suggest changes if significant roadblocks to complete and successful implementation are found. The applications review will help ensure that data entered into the new system will enable Metro staff to produce accurate and reliable financial and management reports.

BUDGET IMPACT

This action reduces the Administrative Services Department budget within the Support Services Fund by \$15,000 but sufficient funds remain in that budget for the rest of the fiscal year. This action also transfers \$4,600 from capital outlay to materials and services within the Office of the Auditor budget.

The total request in this ordinance is \$15,000 of additional funding for the Office of the Auditor. The Metro Auditor is contributing remaining funds for this project from existing budget and will also contribute personnel resources with the dedication of a Senior Auditor to this project.

AUDITOR'S RECOMMENDATION

The Metro Auditor recommends approval of Ordinance No. 98- 737.

Agenda Item Number 8.1

Resolution No. 98-2610A, For the Purpose of Authorizing Release of RFB #98-6-REM for the Construction of a Latex Paint Processing Building at Metro South Station.

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING RELEASE) RESOLUTION NO. 98-2610A
OF RFP #98B-6-REM FOR THE CONSTRUCTION)
OF A LATEX PAINT PROCESSING BUILDING AT) Introduced by Mike Burton
METRO SOUTH STATION) Executive Officer

WHEREAS, For reasons of safety and efficiency as described in the accompanying staff report, Metro requires the construction of a latex paint processing building at Metro South Station; and

WHEREAS, The project was identified in Metro's Adopted Capital Improvement Plan; and

WHEREAS, The project will comply with the Adopted Performance Standards of Title 3 requirements of the Urban Growth Management Functional Plan; and

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

BE IT RESOLVED,

1. That the Metro Council authorizes issuance of RFB #98B-6-REM attached hereto as Exhibit "A".
2. That the Metro Council, pursuant to Section 2.04.026(b) of the Metro Code, authorizes the Executive Officer to execute a contract with the lowest responsive bidder.

ADOPTED by the Metro Council this ___ day of _____, 1998.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel
S:\SHARE\GEYESTATIONS\982610.res

DOCUMENT TOO LARGE TO COPY
PLEASE CONTACT REM DEPT. FOR
COPY.

REQUEST FOR BIDS

FOR

METRO SOUTH TRANSFER STATION

**LATEX PAINT BUILDING, UTILITIES &
EQUIPMENT**

RFB # 98B-6-REM

February 1998

Metro
Regional Environmental Management Department
600 N.E. Grand Avenue
Portland, OR 97232-2736

EXECUTIVE SUMMARY
RESOLUTION 98-2610
CONSTRUCTION OF A LATEX PAINT PROCESSING BUILDING AT THE METRO
SOUTH TRANSFER STATION

PROPOSED ACTION

- Adopt Resolution No. 98-2610, which authorizes release of RFP #98B-6-REM and authorizes the Executive Officer to execute a contract for the construction of a latex paint processing building at the Metro South Transfer Station.

WHY NECESSARY

- Metro's Hazardous Waste Program receives more latex paint than any other material, and the amount is growing by 12% annually.
- An independent health and safety audit identified a variety of ergonomic and potential respiratory problems associated with current operations that are conducted in an abandoned loading tunnel.
- The tunnel provides inadequate storage, causing paint to be stored outdoors, where it can freeze and become unrecoverable.
- Staff has concluded that due to its original design, the tunnel is an inappropriate place to conduct these operations, and that latex paint recovery operations need to be moved.
- An analysis comparing contracting out latex paint processing with construction and operation of a new facility concluded that construction of a latex paint processing building was the more cost-effective option.

ISSUES/CONCERNS

- Increased congestion may occur in the waste transport contractor's on-site parking lot. However, safety and working conditions will improve for staff, while latex paint recovery rates should increase.

BUDGET/FINANCIAL IMPACTS

- The Engineer's Estimate for this project is \$540,000. This amount is higher than the staff's preliminary design estimate of \$468,000 included in the Capital Improvement Plan. However, sufficient funds are available in the General Account.
- The increase is due mainly to improvements in the HVAC and structural features of the building.
- These enhancements were made to improve environmental safeguards and increase storage available from the preliminary design.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 98-2610, FOR THE PURPOSE OF AUTHORIZING RELEASE OF RFB #98B-6-REM FOR THE CONSTRUCTION OF A LATEX PAINT PROCESSING BUILDING AT METRO SOUTH STATION

Date: January 29, 1998

Presented by: Bruce Warner,
Rob Smoot

PROPOSED ACTION

Adopt Resolution No. 98-2610, which authorizes release of RFB #98B-6-REM and authorizes the Executive Officer to execute a contract for the construction of a latex paint processing building at the Metro South Transfer Station.

FACTUAL BACKGROUND AND ANALYSIS

Metro receives about 75,000 gallons of latex paint annually through its Hazardous Waste Program. Utilizing an abandoned loading tunnel at Metro South, the program has been able to recycle 64% of the paint received, and solidify and dispose of 36%. The program receives more latex paint than any other material, and the amount is growing by 12% annually.

Health and Operational Efficiency Concerns

An independent health and safety audit identified a variety of ergonomic and potential respiratory problems associated with current operations. In addition, the tunnel provides inadequate storage, causing paint to be stored outdoors, where it can freeze and become unrecoverable. Staff has concluded that due to its original design, the tunnel is an inappropriate place to conduct these operations, and latex paint recovery operations should be moved.

Options Considered

The following two scenarios were examined to replace tunnel operations:

- 1) Contracting out processing and recovery of latex paint, or
- 2) Constructing an appropriate building to process and recover the paint.

Based on an analysis for Metro's capital improvement program, construction of a latex paint processing building was shown to be the most cost effective option, while achieving higher recycling rates. In addition, owning the paint facility will allow Metro to control the recovery rate.

The Structure

For this function, we recommend a prefabricated metal building that will be manufactured and partially assembled off-site. It will be approximately 5,000 square feet in area, and

will consist of a paint processing area, storage space, office, lunchroom and lavatory/shower. A prefabricated building was chosen because it is the least expensive structure, and it can be erected in the shortest time frame.

Design and specifications for construction of the building and related utilities have been developed through a previous procurement approved by the Metro Council. These specifications are included in RFB #98B-6-REM, which is attached to the resolution as Exhibit "A". Construction is expected to begin in May of 1998 and conclude in September 1998.

BUDGET IMPACT

The Engineer's Estimate for this project is \$540,000. This estimate is higher than staff's preliminary design estimate of \$468,000 included in the Capital Improvement Plan. However, sufficient funds are available in the General Account. The increase is due mainly to improvements in the HVAC and structural features of the building. These enhancements were made to improve environmental safeguards and increase storage available from the preliminary design.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 98-2610.

REGIONAL ENVIRONMENTAL MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 98-2610, FOR THE PURPOSE OF AUTHORIZING THE RELEASE OF RFB #98-6-REM FOR THE CONSTRUCTION OF A LATEX PAINT PROCESSING BUILDING AT METRO SOUTH STATION

Date: February 17, 1998 Presented by: Councilor McFarland

Committee Recommendation: At its February 17 meeting, the Committee considered Resolution No. 98-2610 and voted unanimously to send the resolution to the Council with a do pass recommendation. Voting in favor: Councilors McFarland, Washington and Chair Morissette.

Background

Metro has recycled paint returned to our HHW facilities for several years. The material has been processed into a range of colors, repackaged in large drums and then given to non-profit and public agencies. The paint processing presently occurs at Metro South in the old transfer trailer tunnel between the HHW facility and the main transfer station building. Over the years, Metro has made several "improvements" designed to meet various state and federal health and safety requirements. In addition, the tunnel lies at the lowest point at the transfer station and is subject to flooding.

Metro has embarked on a pilot project with two local paint companies to encourage their customers to return unused paints directly to their retail outlets. If this program is successful, Metro may explore the potential of expanding the program. If a large-scale return program is initiated, the amount of paint available for recycling would likely exceed the capacity of the existing processing facility.

Committee Issues/Discussion: Bruce Warner, Regional Environmental Management Director, presented the staff report. Warner explained that the purpose of the proposed resolution is the solicit proposals for the construction of a new latex paint processing building at a different location on the Metro South Station site. Warner noted that staff had determined that relocation of the facility would substantially reduce the potential for flooding, provide a safer, state of the art facility, and increase storage space.

Councilor McLain asked if staff had determined whether the proposed construction would be in compliance with the provisions of proposed Title 3 (which would regulate construction near waterways) of the Regional Framework Plan. Warner responded that compliance issues had not been addressed. McLain requested that REM staff work with Growth Management staff to determine if the proposed building was in compliance with Title 3. She requested a response prior to consideration of the resolution by the full Council. She was particular interested in whether the site had flooded in 1996 and whether it was within the 100 year flood plain.

Chair Morissette indicated that his interpretation of the standards in proposed Title 3 would be that the proposed building would be considered new construction and therefore could not be built.

Agenda Item Number 8.1

A revised committee report will be available after the March 17, 1998 REM Committee meeting.

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

REGIONAL ENVIRONMENTAL MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 98-2610A, FOR THE PURPOSE OF AUTHORIZING THE RELEASE OF RFB #98-6-REM FOR THE CONSTRUCTION OF A LATEX PAINT PROCESSING BUILDING AT METRO SOUTH STATION

Date: February 17, 1998 Presented by: Councilor Morissette
March 18 Revised

Committee Recommendation: At its February 17 meeting, the Committee considered Resolution No. 98-2610 and voted unanimously to send the resolution to the Council with a do pass recommendation. Voting in favor: Councilors McFarland, Washington and Chair Morissette. At the request of the Chair, the resolution was returned to committee and an additional hearing was held at the March 17 committee. The resolution was amended (see below) and sent to the Council with a do pass as amended recommendation. Voting in favor: Councilor McFarland, Chair Morissette. Councilor Washington was absent.

Background

Metro has recycled paint returned to our HHW facilities for several years. The material has been processed into a range of colors, repackaged in large drums and then given to non-profit and public agencies. The paint processing presently occurs at Metro South in the old transfer trailer tunnel between the HHW facility and the main transfer station building. Over the years, Metro has made several "improvements" designed to meet various state and federal health and safety requirements. In addition, the tunnel lies at the lowest point at the transfer station and is subject to flooding.

Metro has embarked on a pilot project with two local paint companies to encourage their customers to return unused paints directly to their retail outlets. If this program is successful, Metro may explore the potential of expanding the program. If a large-scale return program is initiated, the amount of paint available for recycling would likely exceed the capacity of the existing processing facility.

Committee Issues/Discussion: Bruce Warner, Regional Environmental Management Director, presented the staff report. Warner explained that the purpose of the proposed resolution is to solicit proposals for the construction of a new latex paint processing building at a different location on the Metro South Station site. Warner noted that staff had determined that relocation of the facility would substantially reduce the potential for flooding, provide a safer, state of the art facility, and increase storage space.

Councilor McLain asked if staff had determined whether the proposed construction would be in compliance with the provisions of proposed Title 3 (which would regulate construction near waterways) of the Regional Framework Plan. Warner responded that compliance issues had not been addressed. McLain requested that REM staff work with Growth Management staff to determine if the proposed building was in compliance with Title 3. She requested a response prior

to consideration of the resolution by the full Council. She was particular interested in whether the site had flooded in 1996 and whether it was within the 100 year flood plain.

Chair Morissette indicated that his interpretation of the standards in proposed Title 3 would be that the proposed building would be considered new construction and therefore could not be built.

The resolution was scheduled for full Council consideration at the February 26 meeting. On that day, staff notified and briefed the members of the REM committee that its analysis resulted in a determination that the proposed building site did, in fact, fall within the floodplain as determined by the 1996 flood. As a result, the department would be required under Title 3 to mitigate the effect of the building within the floodplain. Given that Councilors were receiving this information only hours before the Council meeting, the Chair requested that the resolution be returned to committee for additional review.

At the March 17 Committee meeting, Mr. Warner presented an amended resolution that recognized the results of the staff's analysis and it's proposed mitigation plan. He noted that staff had met with Oregon City planning officials and achieved agreement on the nature of the mitigation work that would be performed.

Jim Watkins, Engineering and Analysis Manager, explained the details of the proposed mitigation. Watkins explained that Oregon City is using the level of the 1996 flood for purposes of determining compliance with proposed Title 3 waterway protection requirements. The proposed building site was about one foot below the level of the 1996 flood and therefore would require mitigation under Title 3.

Watkins reviewed the proposed mitigation plan. He noted the Metro will have to provide 60 cubic yards of replacement water runoff area to compensate for the area lost through the construction of the latex building. Staff originally considered excavating a portion of a berm on the north side of the transfer station site, but concluded that the replacement runoff area could best be provided by excavating an area immediately to the south of the transfer station wetlands area. This site was formerly used as a log dump and the proposed excavation would actually help clean up the site. Watkins indicated that the cost of excavating and disposal of 60 cubic yards of material would add about \$8,000 to the estimated \$540,000 cost of the project. In addition, Watkins noted that the level of the floor of the proposed building would be about 1 to 1.5 feet above the 1996 flood level.

Chair Morissette again expressed concern about the fiscal impact of the Title 3 requirements on construction in areas in or near floodplains. He noted that had such standards been in place when the transfer station was initially built, the cost impacts would have probably forced the station to be built elsewhere. Watkins responded that Metro was lucky that a nearby site was available to be excavated to meet the Title 3 requirements.

Agenda Item Number 8.2

Resolution No. 98-2623A, For the Purpose of Encouraging Governor Kitzhaber to consider the location of a Women's Prison and Intake Center at the proposed alternative site located in an area of Metro's Urban Reserve Area (Rural Industrial Zone).

**Metro Council Meeting
Thursday, March 19, 1998
Council Chamber**

CONSIDERATION OF RESOLUTION NO. 98-2623A FOR THE PURPOSE OF ENCOURAGING GOVERNOR KITZHABER TO CONSIDER THE LOCATION OF A WOMEN'S PRISON AND INTAKE CENTER AT THE PROPOSED ALTERNATE SITE LOCATED IN AN AREA OF METRO'S URBAN RESERVE AREA (RURAL INDUSTRIAL ZONE).

WHEREAS, on January 30, 1998, at the request of the president of the Oregon Senate, the City of Wilsonville presented to the Legislative Emergency Board an alternative to the Dammasch site, which is commonly known as the Wilsonville Industrial Site, located in unincorporated Washington County just outside of the northwest city limits of Wilsonville and bounded on the east by Graham's Ferry Road, on the north by Clay Street, on the west by Burlington Northern Railroad right-of-way, and on the south by Elligsen Way; and

WHEREAS, on January 30, 1998, Oregon Senate President Brady Adams, Oregon Senate Majority Leader Gene Derfler, Oregon Speaker of the House Lynn Lundquist, and Oregon House Majority Leader Lynn Snodgrass officially submitted a letter to Governor Kitzhaber urging him to give careful consideration to the suggestions brought forward by the citizens of the Wilsonville community for alternative siting of the women's prison and intake center; and

WHEREAS, on February 11, 1998, the Superintendent of the West Linn-Wilsonville School District urged Governor Kitzhaber in a letter to reconsider his proposed prison site in Wilsonville, and urged that this is an opportunity for all of us as leaders to move to a higher level of action that sends a strong message about the value of a democratic process; and

WHEREAS, on February 13, 1998, the Clackamas County Commissioners wrote Governor Kitzhaber to support examination of the alternative site proposed by the City of Wilsonville, as a site zoned more appropriate to an institutional use such as a prison; and

WHEREAS, on February 17, 1998, the Wilsonville Chamber of Commerce officially urged Governor Kitzhaber to support the city of Wilsonville's proposal to relocate the prison from the "Dammasch" site to the light industrial site to the northwest of Wilsonville; and

WHEREAS, on March 2, 1998, the city of Wilsonville formally adopted a resolution of interest declaring that the city council of the City of Wilsonville offers no objection to the siting of an inmate intake center and medium security women's prison on the property commonly known as the Wilsonville Industrial Site; and

WHEREAS, on March 2, 1998, the City of Wilsonville formally adopted a resolution of interest opposing the siting and construction of an inmate intake center and medium security women's prison on the Dammasch State Hospital property; and

WHEREAS, the Wilsonville Industrial Site is primarily zoned rural industrial and located inside Metro's Urban Reserve Area; and

WHEREAS, there are few residences in close proximity to the Wilsonville Industrial Site and future development in that area is likely to be industrial in nature; and

WHEREAS, the closest school to the Wilsonville Industrial Site (Tualatin High School) is 1.2 miles by air and 1.8 miles by road; and

WHEREAS, the Wilsonville Industrial Site offers closer and easier access to I-5 than does the Dammasch property; and

WHEREAS, construction of a prison on the Wilsonville Industrial Site would benefit surrounding properties by bringing needed infrastructure to the area, thus facilitating future industrial development; and

WHEREAS, the majority of property owners on the Wilsonville Industrial Site either have their property for sale or have indicated that they are willing sellers; and

WHEREAS, one of the desirable siting criteria states that a proposed site for a facility have "natural buffers from surrounding lands uses such as lakes, rivers or ridges;" and

WHEREAS, one of the desirable siting criteria states that a proposed site for a facility "not be adjacent to a developed single-family or multi-family residential area, unless the parcel is buffered;" and

WHEREAS, one of the desirable siting criteria states that a proposed site for a facility is "perceived as beneficial by local jurisdiction and local community;" and

WHEREAS the 1992 Metro Greenspaces Master Plan identifies a future regional trail that connects the Tualatin River National Wildlife Refuge to the Willamette River near Wilsonville and passes through the Tonquin Geologic Area and the Dammasch State Hospital property before joining the Willamette Greenway Trail; and

WHEREAS, the City of Wilsonville, Metro, Department of Land Conservation and Development, Division of State Lands, Housing and Community Services Division, Department of Administrative Services, Mental Health and Developmental Disabilities Division, and Department of Transportation have been working together to create a transportation efficient land use plan for the Dammasch property; and

WHEREAS, the recommended land use plan for the Dammasch State Hospital property is a residential mixed-use community with a village center that accommodates a concentration of shops, services, employment facilities and civic uses and activities that support the region's growth management policies embodied in the adopted 2040 Growth Concept and the goals expressed in the Memorandum of Understanding signed by the participating entities; and

WHEREAS, this land use plan represents a unique opportunity for the City of Wilsonville to offer housing and jobs in a land use pattern that minimizes auto trips, maximizes the potential for non-auto modes of transportation, meets the community's population and employment targets, and helps to build community and a sense of place as the City of Wilsonville grows; and

WHEREAS, location of the correctional facility on the Dammasch property would function to further isolate the land uses, force local trips onto the regional transportation facility I-5 and require reexamination of how the City of Wilsonville will meet the regional growth management goals; and

WHEREAS, there is little flexibility in where and how the region accommodates new households and jobs. New households and jobs must be accommodated inside of the Urban Growth Boundary (UGB). Metro is working with local governments to improve the efficiency of how land is developed inside the UGB through increases in density and changes in the land use pattern which focuses on centers and corridors; and

WHEREAS, selection of the Dammasch State Hospital property would undermine basic land-use and environmental protection principals which are critical to the quality of life for all Oregonians.

WHEREAS, if the Department of Corrections indeed selects the Wilsonville Industrial Site, the Metro Council will strive to take the necessary steps to allow for use of the Wilsonville Industrial Site as a correctional facility as consistent with Oregon land use law.

NOW, THEREFORE, BE IT RESOLVED

~~The Metro Council opposes and objects to the siting of an inmate intake center, a medium security women's prison, a men's medium security complex or any other correctional facility on the Dammasch State Hospital property.~~

The Metro Council recommends ~~strong~~ careful consideration of the proposed alternative site located in an area in Metro's Urban Reserve Area (Rural Industrial Zone) in Wilsonville.

ADOPTED by the Metro council on this _____ day of _____, 1998.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Staff Report

CONSIDERATION OF RESOLUTION NO. 98-2623A FOR THE PURPOSE OF ENCOURAGING GOVERNOR KITZHABER TO CONSIDER THE LOCATION OF A WOMEN'S PRISON AND INTAKE CENTER AT THE PROPOSED ALTERNATE SITE LOCATED IN AN AREA OF METRO'S URBAN RESERVE AREA (RURAL INDUSTRIAL ZONE).

Date: March 9, 1998

Presented by: Mike Burton

PROPOSED ACTION

Resolution No. 98-2623A requests that the Metro Council recommend strong consideration of the proposed alternative site located in an area in Metro's Urban Reserve Area (Rural Industrial Zone) in Wilsonville.

BACKGROUND AND ANALYSIS

For the reasons set forth in Resolution No. 98-2623A, the Dammasch State Hospital property is not a suitable site for an inmate intake center, a medium security women's prison or any other correctional facility. The proposed Wilsonville Industrial Site is primarily zoned rural industrial and located inside Metro's Urban Reserve Area.

Executive Officer's Recommendation

The Executive Officer recommends passage of Resolution No. 98-2623A.

Benefits of the South/North Light Rail Project

031998c-01

The Portland region is one of the fastest growing metropolitan areas in the United States with more than 500,000 new residents projected over the next 20 years. The South/North Light Rail Project represents one of many improvements to the region's transportation system that are being considered by local and regional jurisdictions to address this growth. Following is a summary of the estimated benefits that would result from the South/North Project.

Transit Benefits

- **Light Rail Ridership.** The South/North Project would carry 68,000 light rail riders on a weekday in 2015.
- **Transit Ridership.** Weekday transit ridership in the corridor (both bus and light rail) would increase by 37,800 rides in 2015 (a 30% increase).
- **Downtown Portland.** Weekday transit ridership into downtown Portland from the corridor would increase by 40% with South/North Light Rail, reducing demand for parking in downtown by over 3,700 spaces.
- **New Radial Trips.** With the South/North Project, 49% of new radial trips in the corridor would be taken by transit, compared to 6% with an all-bus system. (A new radial trip is any trip added from today to 2015 and between the corridor and downtown Portland.)
- **Travel Times.** Transit travel times between key activity centers in the corridor during the rush hour would be over 30% faster with light rail than with an all-bus system. For example a trip from downtown Portland to the Clackamas Town Center would take 28 minutes by light rail rather than 42 minutes by bus, and a trip from downtown Portland to downtown Vancouver would take 27 minutes on light rail compared to 40 minutes by bus.
- **Reliability.** Transit reliability would be significantly improved with South/North Light Rail. Approximately 40 percent of the corridor's transit riders would enjoy the reliability of light rail service separated from congested road and highway traffic.
- **Capacity.** South/North Light Rail would carry over 3,000 rides north from downtown Portland during the evening rush hour, the equivalent of 1.5 freeway lanes. The light rail line would have the capacity to carry an addition 3,000 rush hour rides, bringing the capacity of the line to three freeway lanes leaving downtown Portland in both directions.
- **Light Rail System.** The South/North Project, together with the existing MAX line and the Westside/Hillsboro and airport extensions, would establish a light rail system in the region.

Highway and Roadway Benefits

- **Auto Travel Times.** Rush hour travel times by automobile between key activity centers in the corridor would be 3 to 9 percent faster with the South/North Project.
- **Congestion.** South/North Light Rail would result in 16 fewer lane miles of congested roadway in the region per day in 2015. Commuters in cars would spend 4,500 fewer hours stalled each day in rush hour traffic.

- **Auto Travel.** Automobile travel in the region would be reduced by 213,000 miles per day.
- **Avoid Cost and Impacts of New Highway Capacity.** The South/North Project would reduce the need to add additional freeway and highway capacity in the corridor, and thus would avoid the high cost and impacts that would be associated with a major roadway expansion project. For example, ODOT estimated that it would cost over \$3 billion to expand SE McLoughlin Boulevard to a six-lane freeway with improvements to I-405 and Highway 224, which would expand the person-carrying capacity of SE McLoughlin Boulevard by 3,000 persons per hour, compared to the South/North Project's 6,000 person-carrying capacity.

Growth Management

- **Leverage Public Funds.** The South/North Project would attract local private developments to many of the project's station areas (in accordance with local land use plans), leveraging public funds with private investments and helping to meet regional and local goals of attracting higher-use development in major activity centers while preserving existing single-family neighborhoods. For example, since it opened in 1987, over \$1.3 billion in new development has been constructed adjacent to Eastside MAX stations in major activity centers like the Rose Quarter and the Lloyd District, while established residential neighborhoods have retained their original character.
- **Accommodate Growth.** The South/North Project would provide light rail access to over 430 acres of developable land located within the urban area.
- **Urban Design.** The South/North Project is an important tool that would be used by regional and local governments to better serve high-use travel corridors and major activity centers (e.g. offices, manufacturing and retail) that are vital components of our jobs and housing base.

Air Quality and Energy

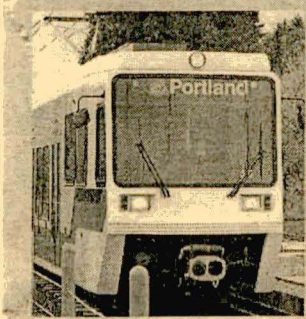
- **Air Quality.** The South/North Project would reduce air pollution by over 1,000 tons per year in 2015, and would reduce carbon dioxide emissions (a greenhouse gas) by over 37,000 tons per year.
- **Energy.** South/North Light Rail would save over 11,000 gallons of gasoline per day in 2015.

Economic Benefits

- **Value of Travel Time Savings.** The South/North Project would result in a 4.5 million hour annual reduction in transit, automobile and truck travel times, a savings valued at \$50 million per year (using Federal standards for the value of travel time).
- **Jobs.** Construction of the South/North Project would create approximately 15,000 person-year jobs to the region.
- **Construction Costs.** The full South/North Project would cost approximately \$2.3 billion in future dollars to construct. The initial construction segment from the Clackamas Regional Center to the Rose Quarter would cost approximately \$1 billion in future dollars to construct.

Note: All benefits are for the Full-Length Alternative, in the year 2015, compared to an all-bus system.

Alternatives to Address Problems



First Screening:

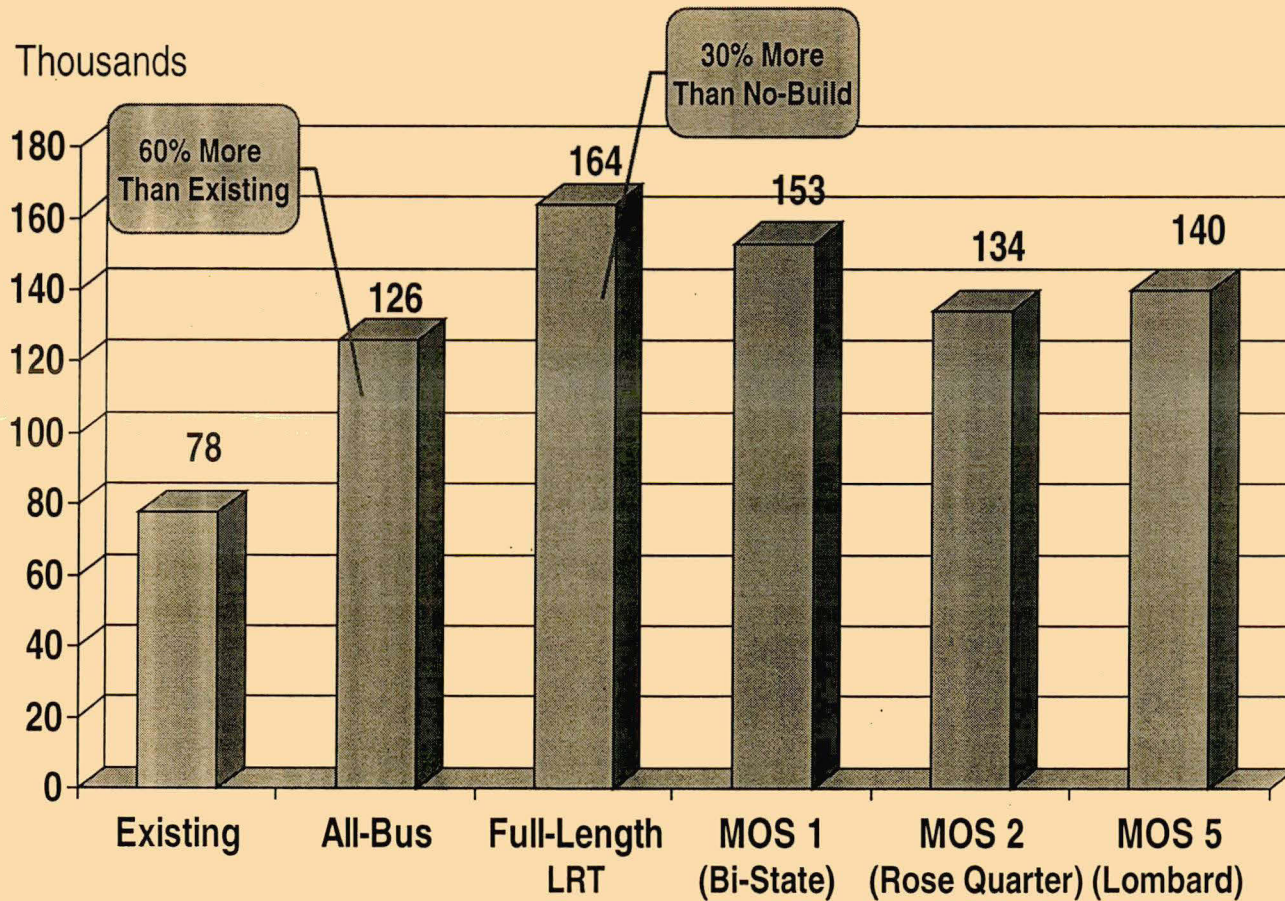
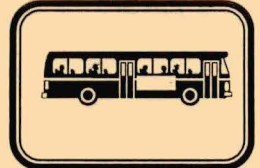
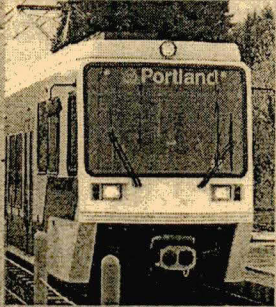
- All-Bus
- Busways
- River Transit
- Commuter Rail
- **Light Rail** - Selected for Further Study

DEIS Analysis:

- All-Bus
- Light Rail and Bus
 - Length of Project
 - Alignments



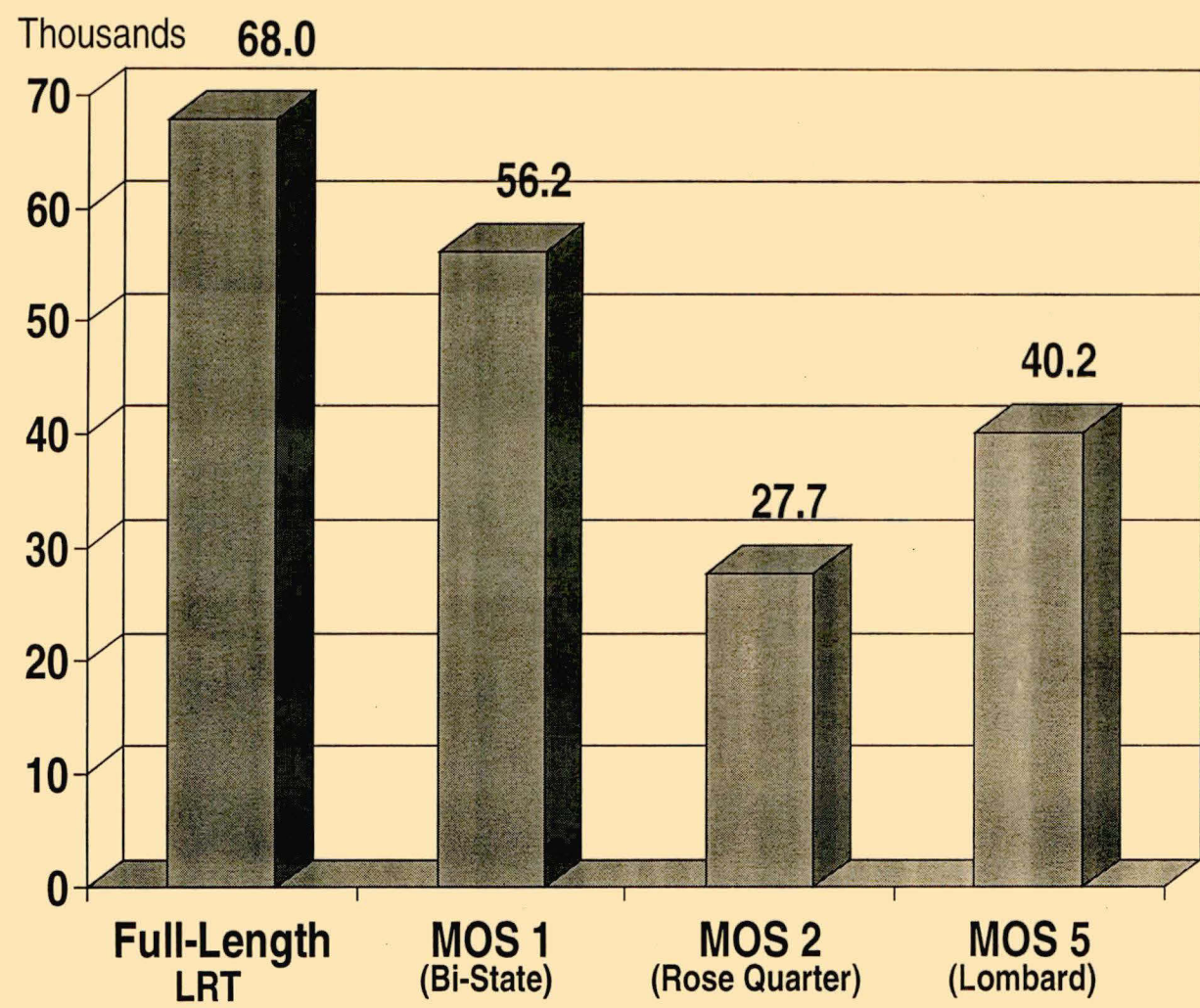
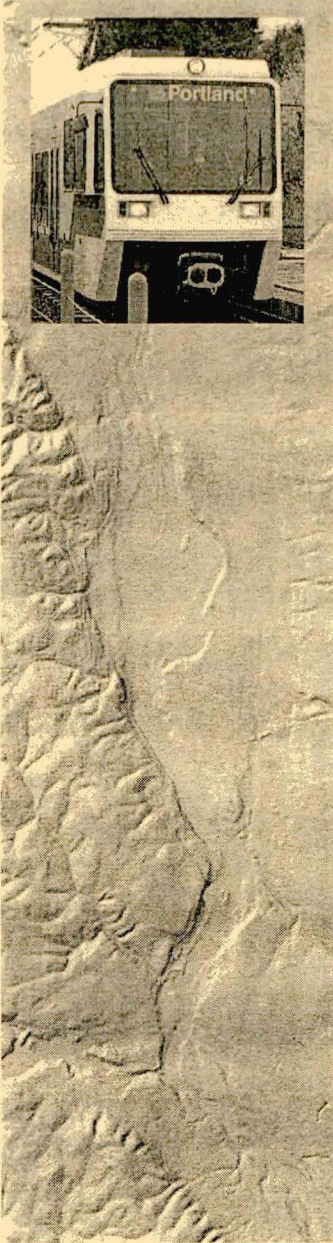
Corridor Transit Ridership Weekday - 2015



Bus and Light Rail

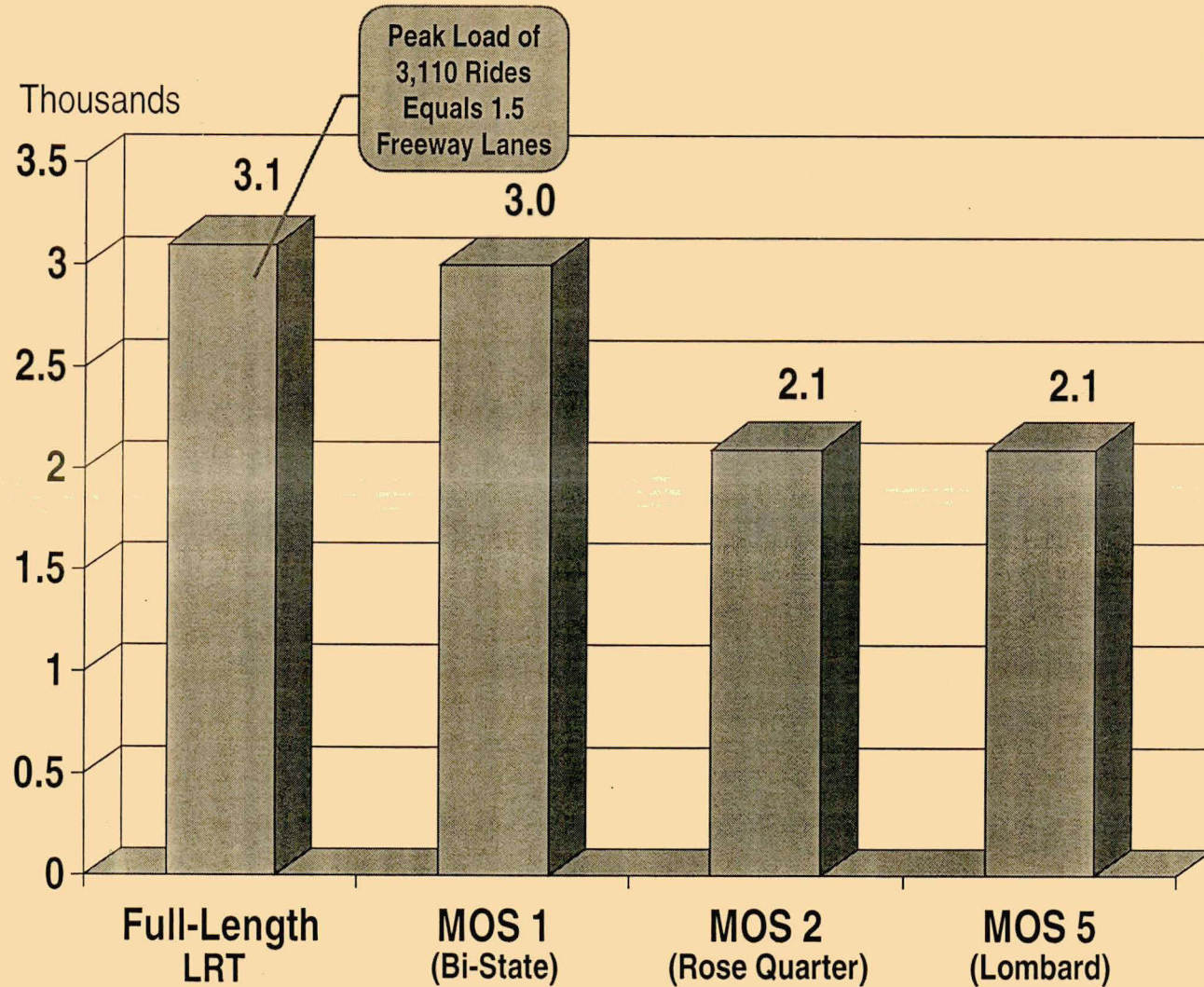
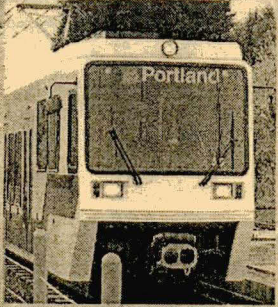


South/North Light Rail Ridership Weekday - 2015

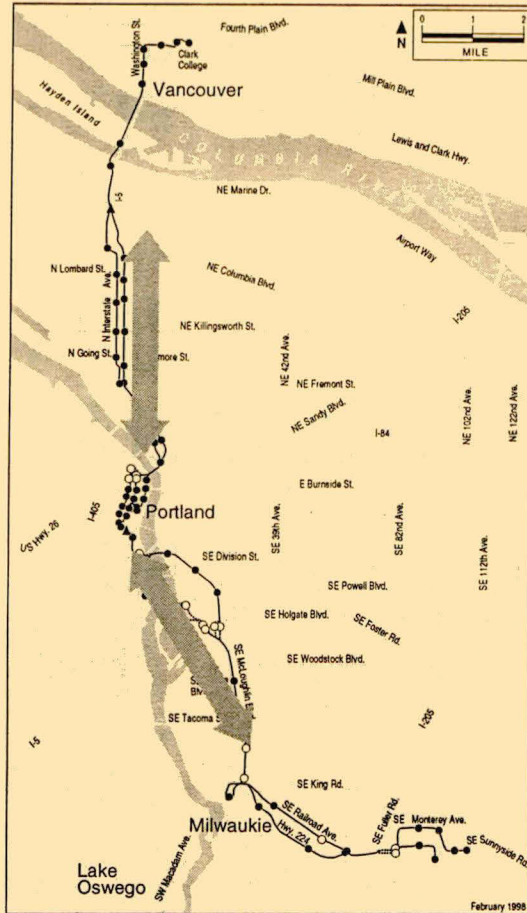
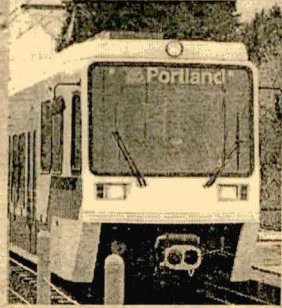


South/North Peak Load Ridership

Peak Hour LRT - 2015



Weekday Rush Hour Radial Trips



New Trips on Transit (1994 to 2015)

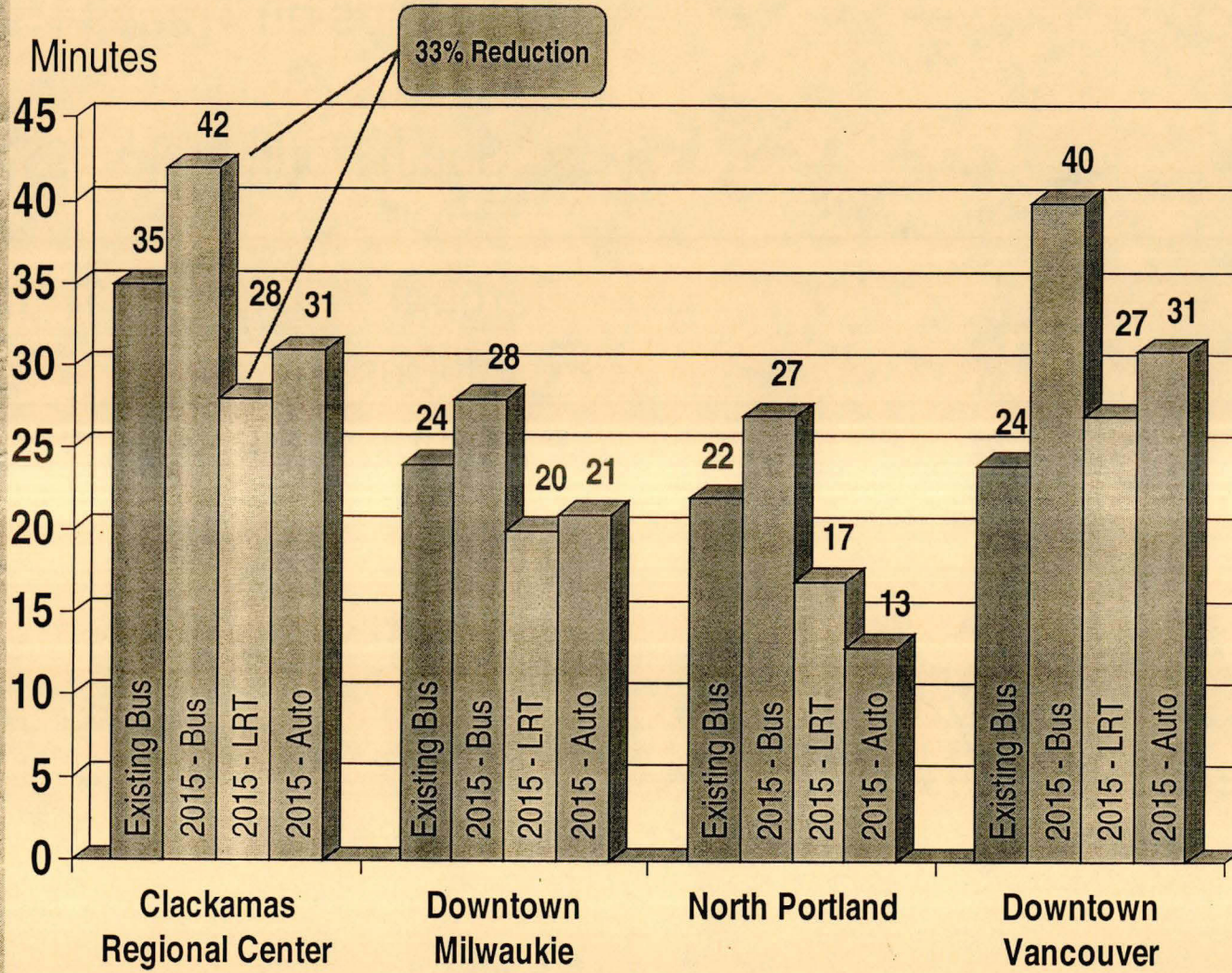
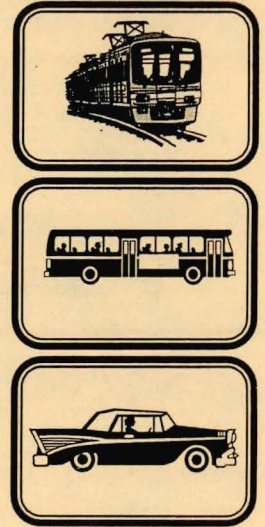
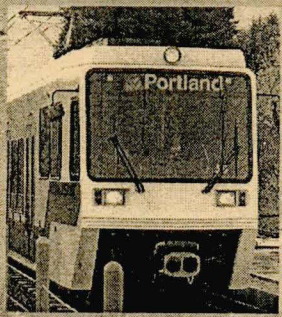
- All-Bus - 6%
- South/North LRT - 49%

Percent of Trips on Transit (2015)

- All-Bus - 25%
- South/North LRT - 38%

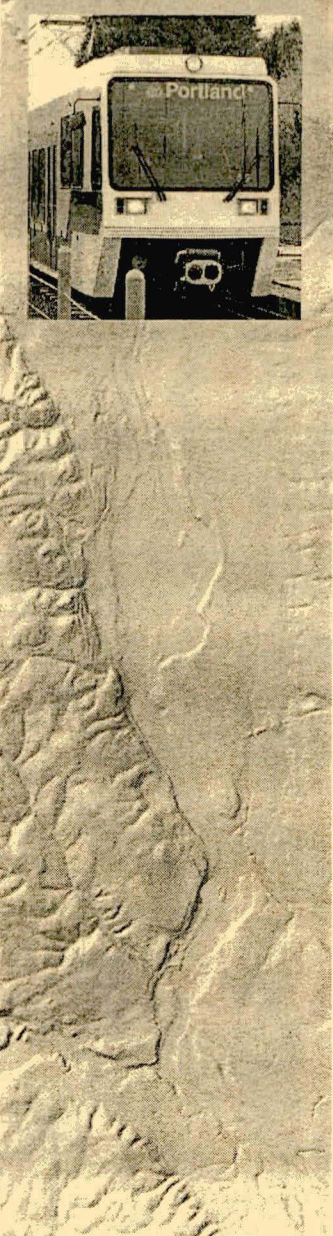
Rush Hour Travel Times

Weekday from Downtown Portland - 2015



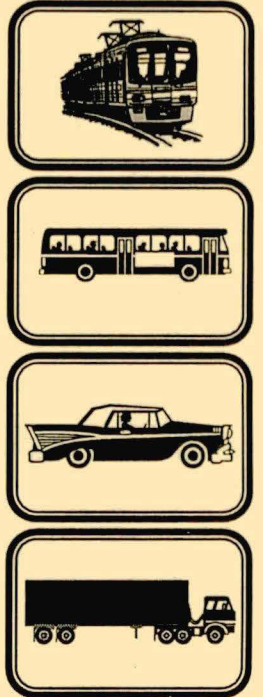
In Vehicle Time In the Peak Direction

Value of Travel Time Savings



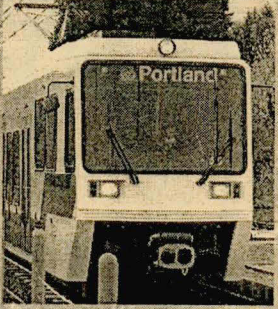
Annual Savings - 2015

**Total Savings for All Trips and Modes:
\$50 Million Per Year**

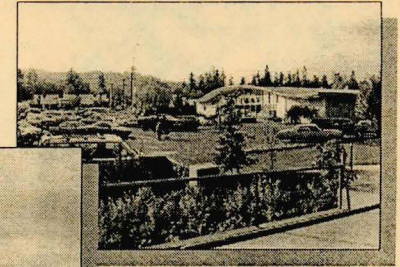


Based on a Federal Transit Administration Formula.
Full-Length LRT compared to All-Bus System.

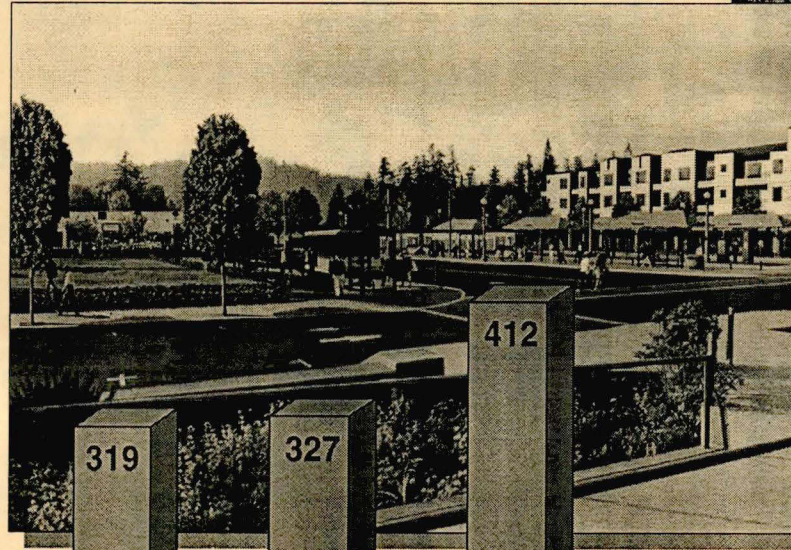
Developable Land with New LRT Access



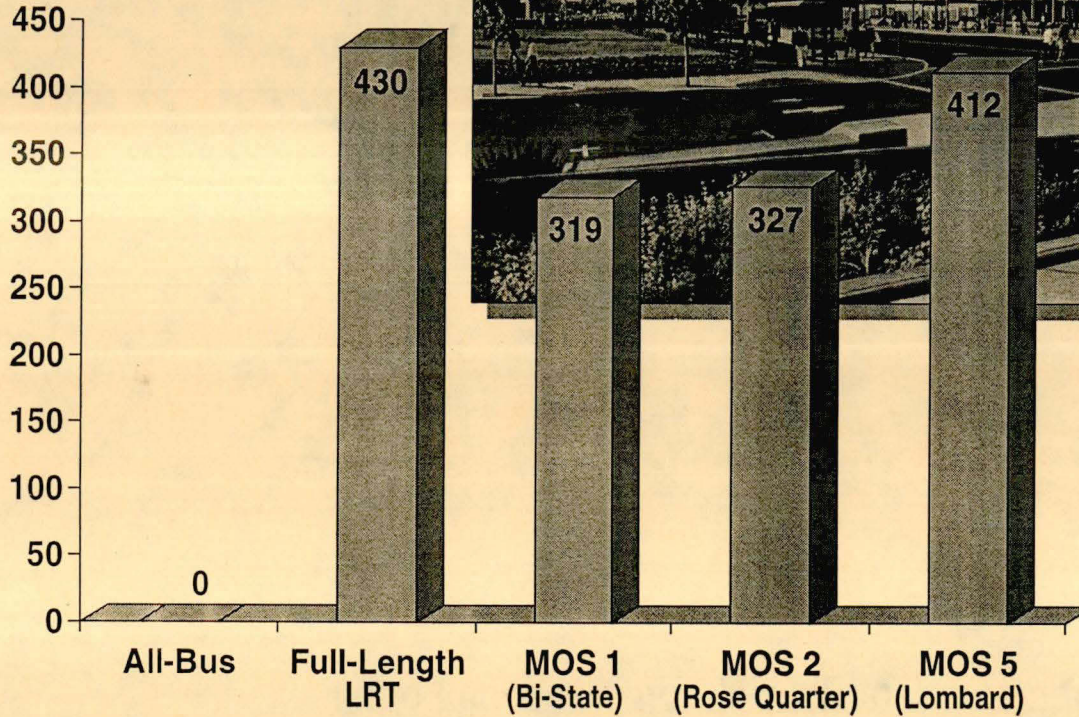
Before



After

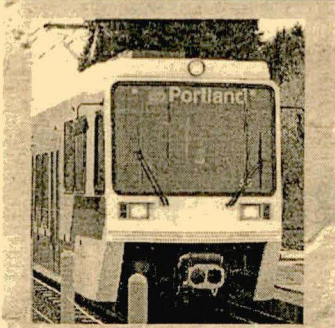


Acres of Land Within
1/4-Mile of New LRT Station

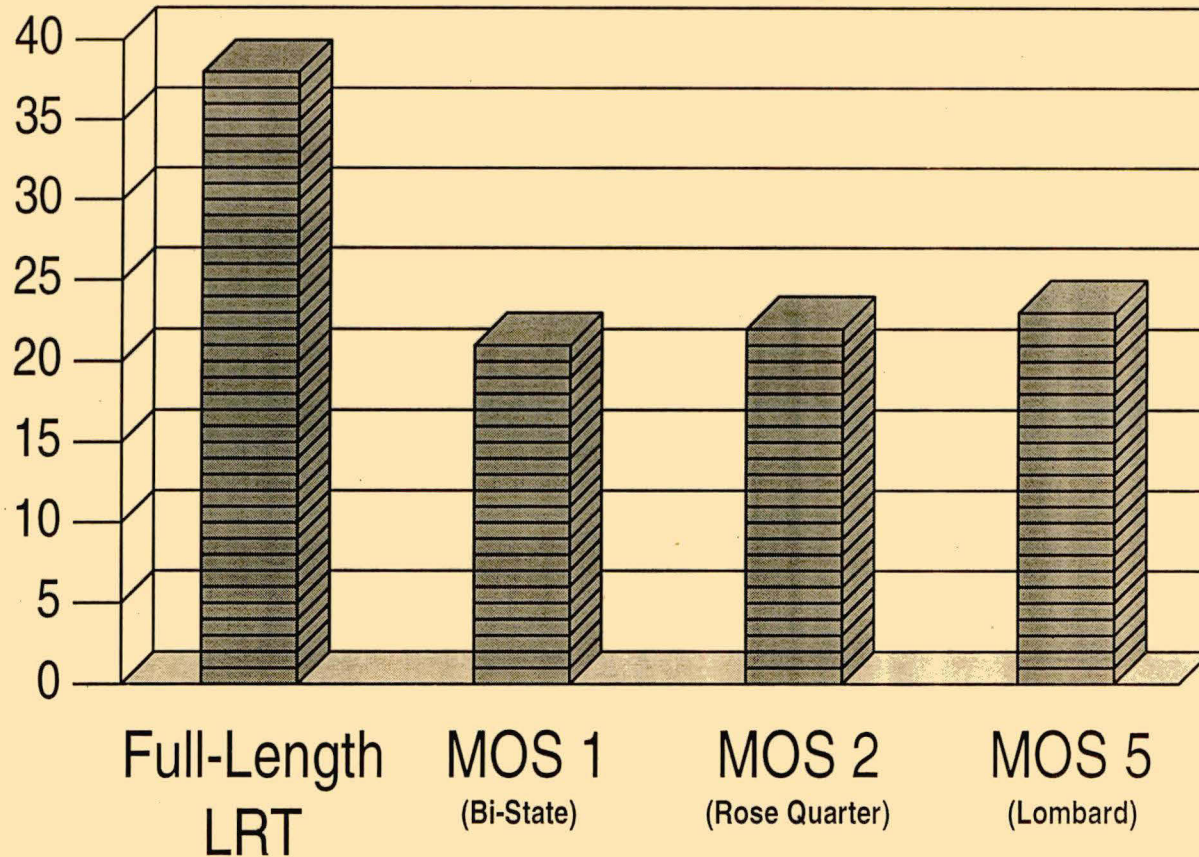



Includes Vacant and Redevelopable Land

Reduction in Demand for Parking in Downtown Portland Weekday - 2015



Levels of Structured Parking Avoided



 =100 Parking Spaces: One Level of Structured Parking

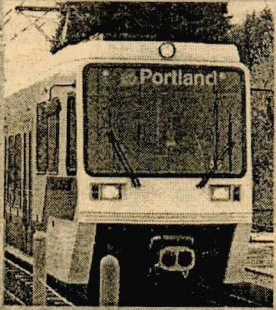
South/North Light Rail Compared to All-Bus



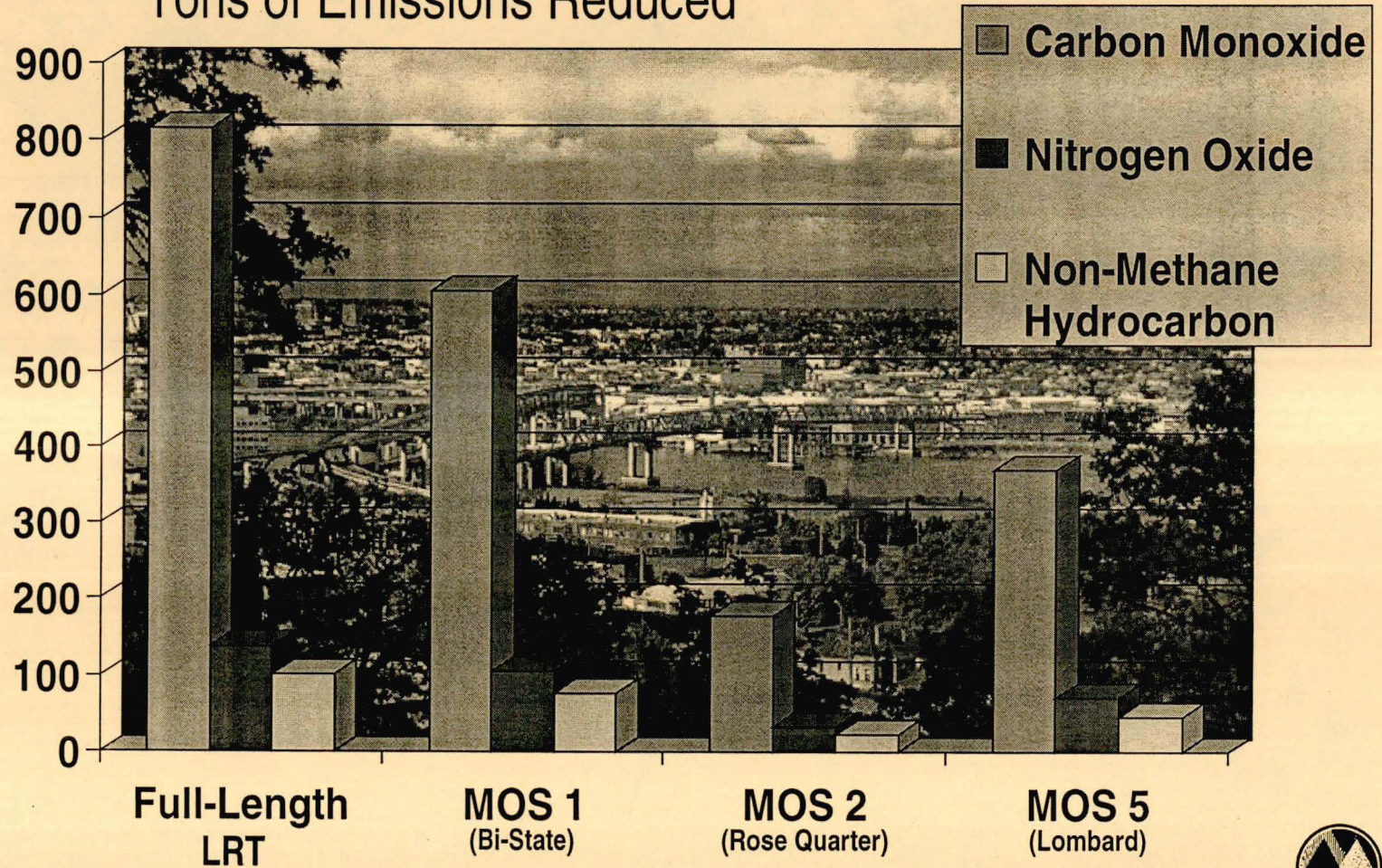
METRO

Air Quality Emissions Reduced

Annual - 2015



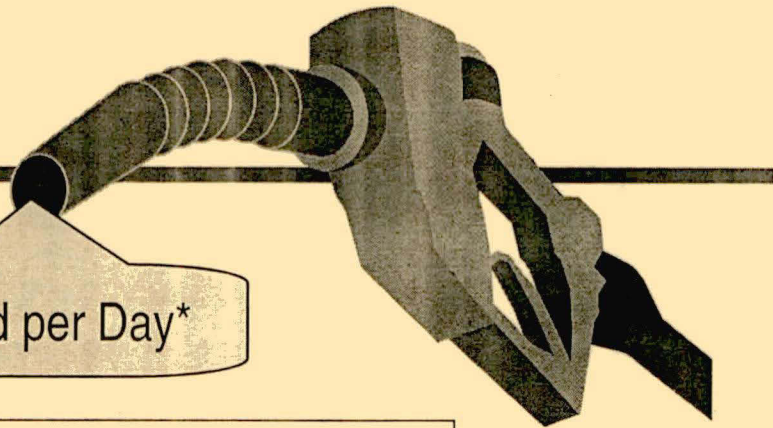
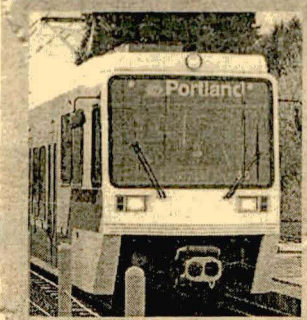
Tons of Emissions Reduced



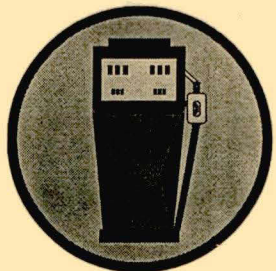
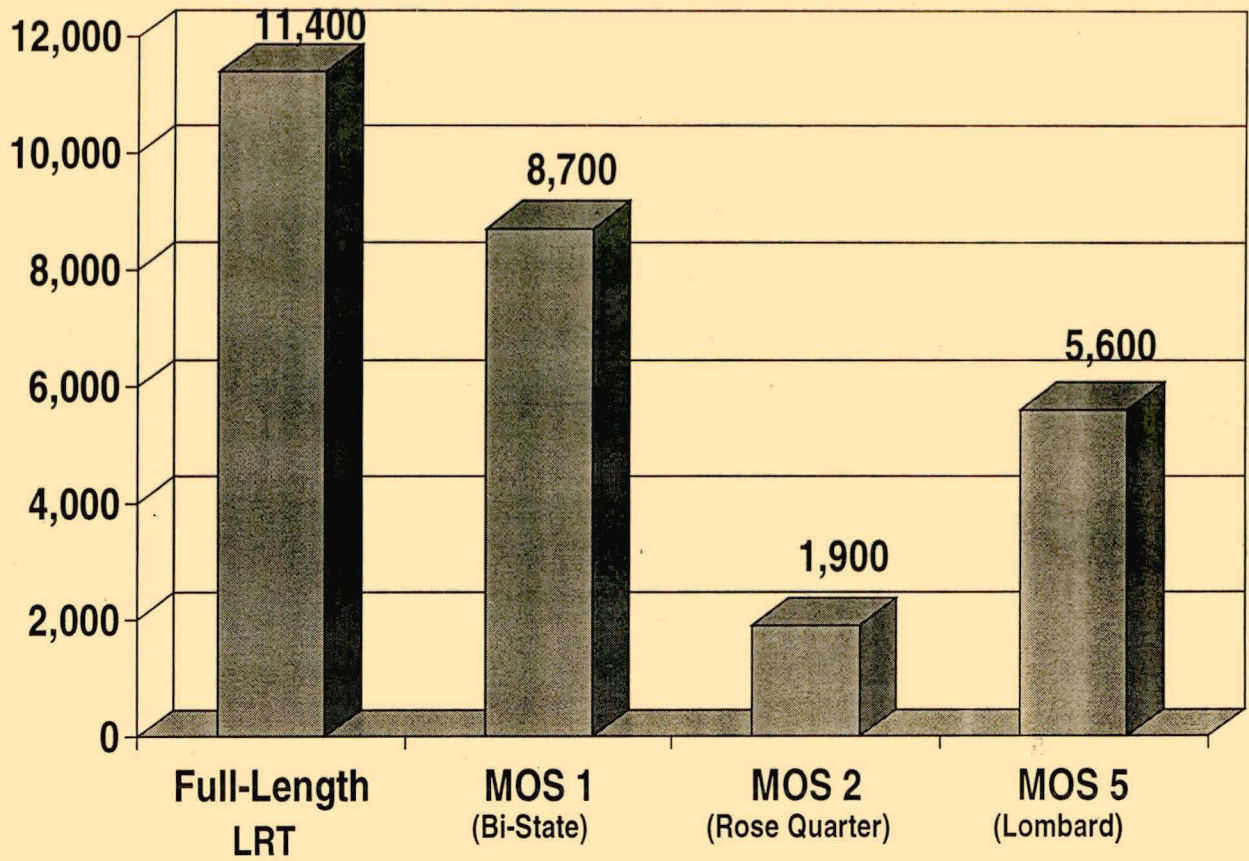
South/North Light Rail Compared to All-Bus

Energy Savings

Average Weekday - 2015



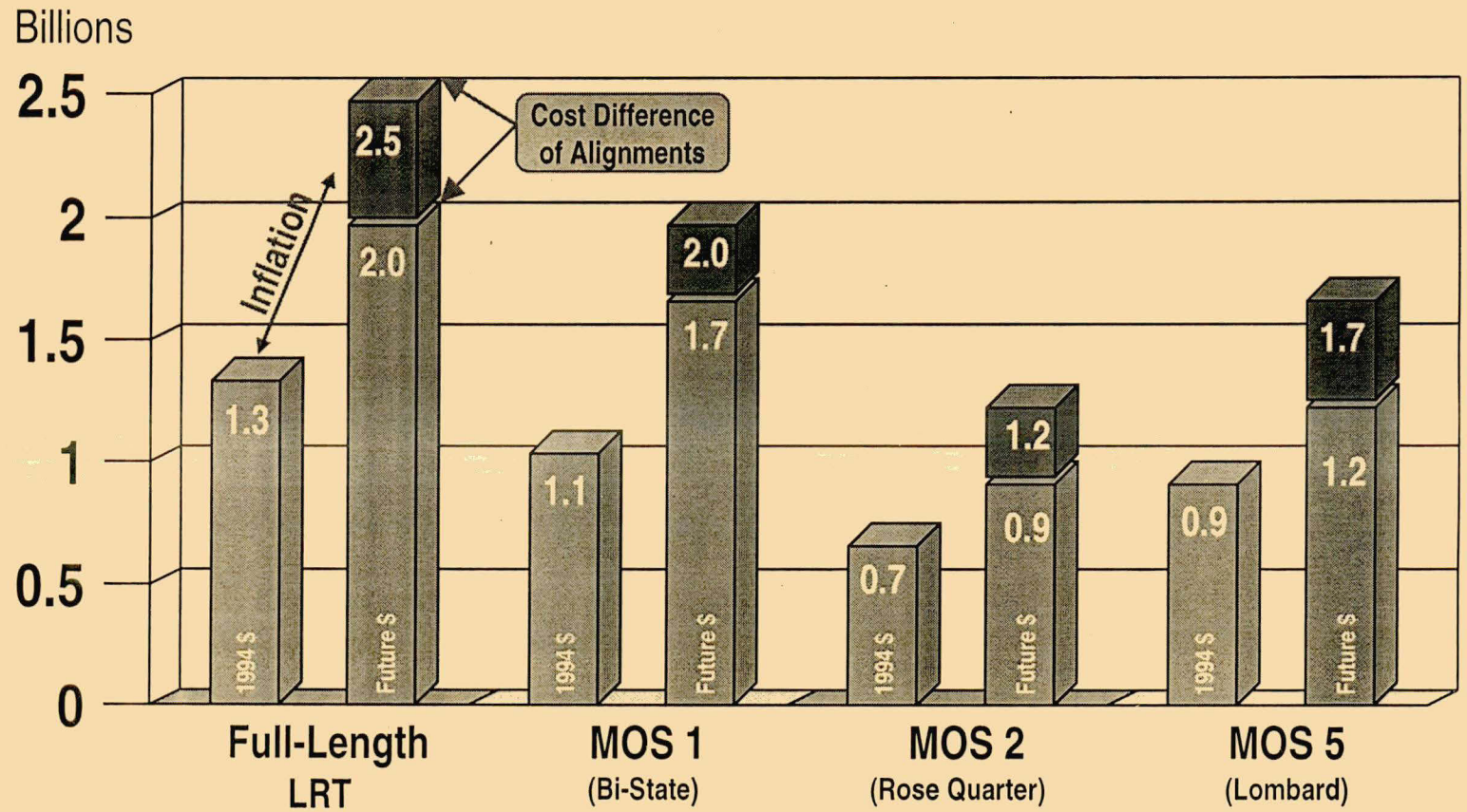
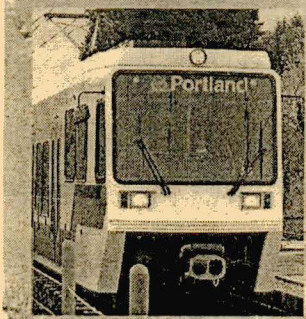
Gallons of Gas Saved per Day*



South/North Light Rail Compared to All-Bus
* Equivalent Energy Savings in Gallons of Gasoline

Light Rail Capital Cost

1994/Future \$

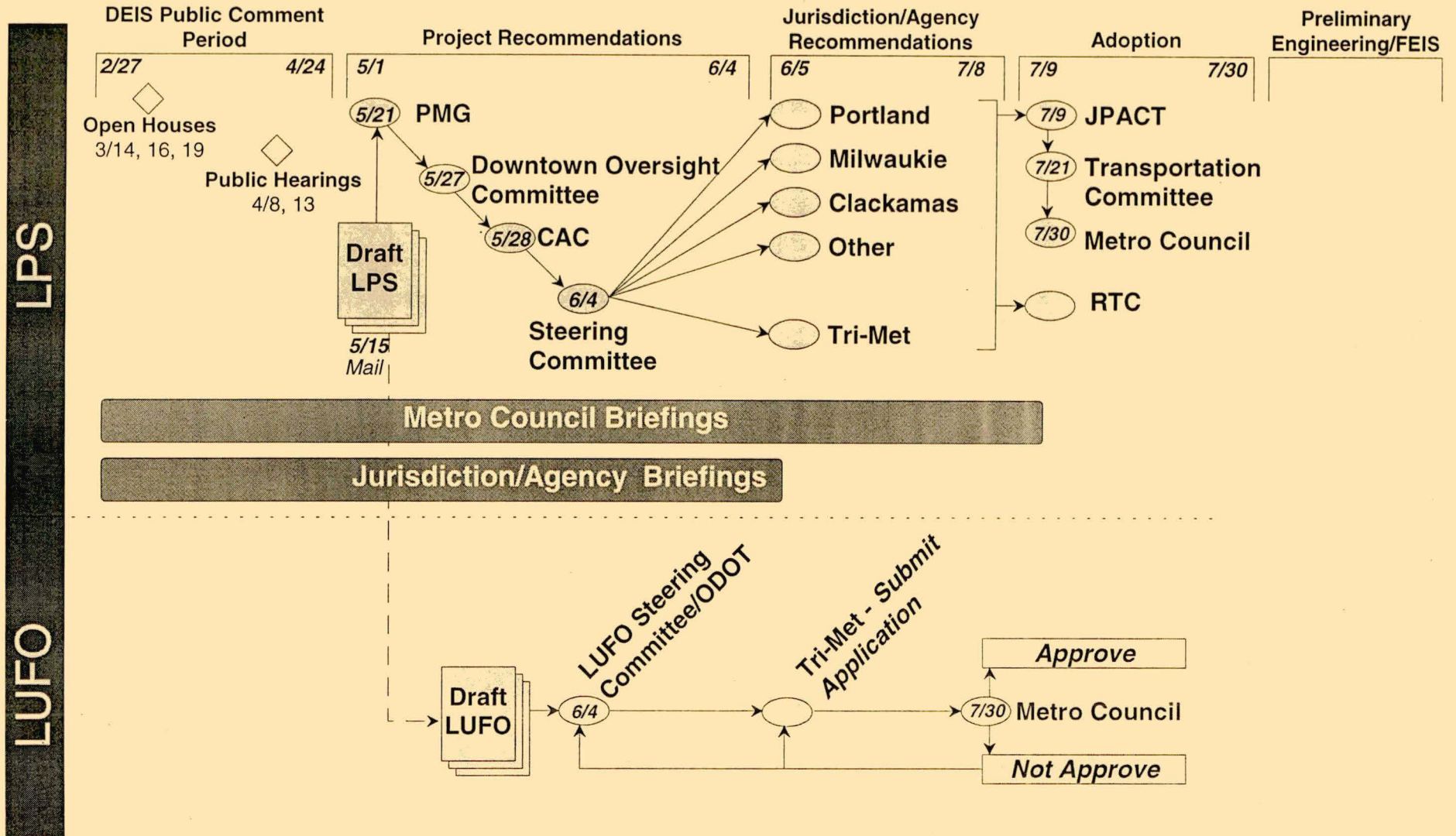


1994 Costs are Based on a Single Set of Alignments



South/North Project

Locally Preferred Strategy (LPS) and Land Use Final Order (LUFO) Adoption Process and Schedule



031998c-02

South/North Corridor Light Rail Project



Metro Council Briefing Book

Portland, Oregon



March 1998

Figure S.3-1 Light Rail Alignment and Length Alternatives

Note: Alignment and station locations are currently under study and may change.

*MOS refers to a segment of the full-length alternative called a Minimum Operable Segment.

█ Extent of Length Alternative

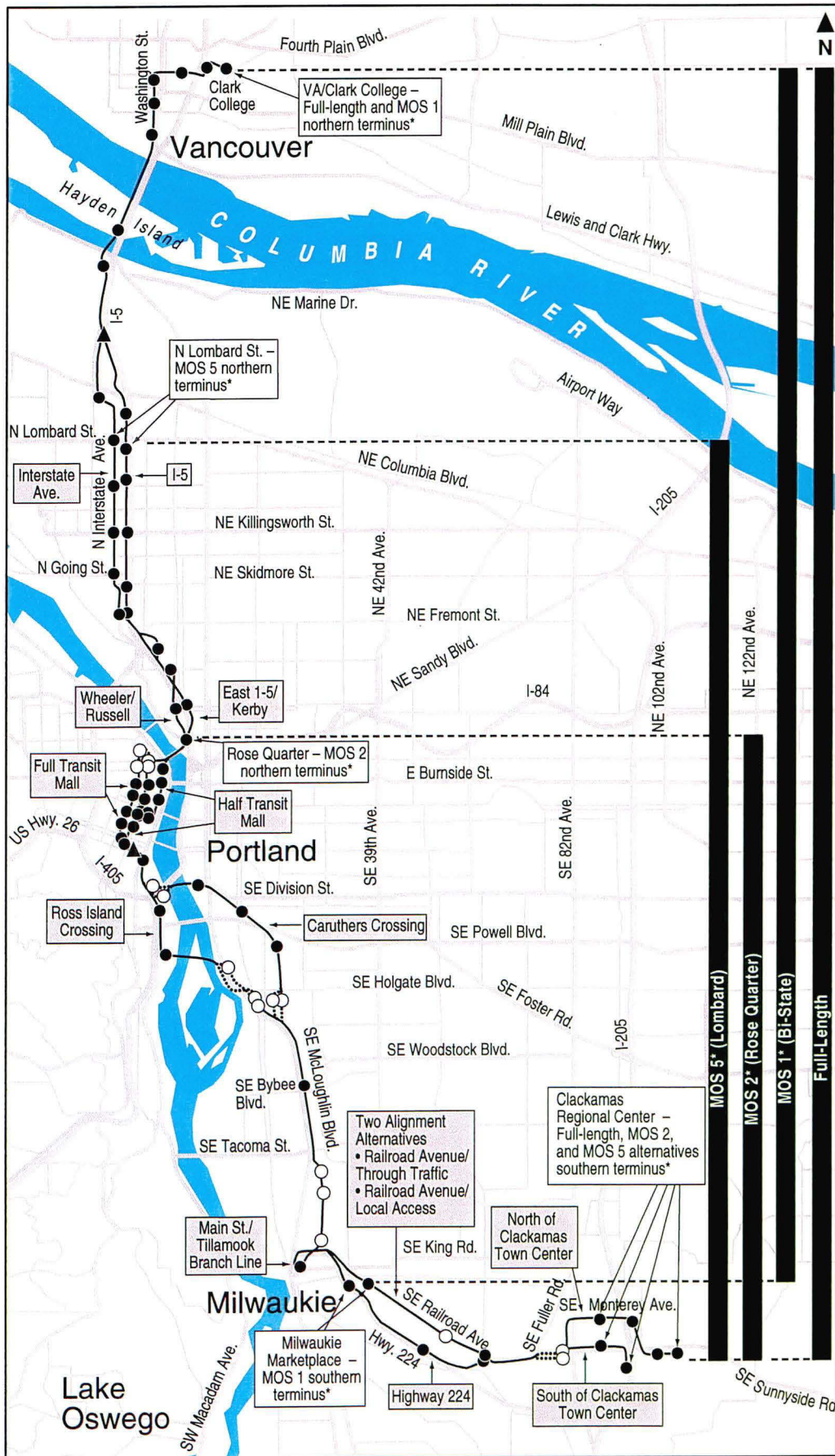
— LRT Alignment Alternative

⋯ LRT Design Option

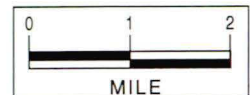
● Station

○ Station Options

▲ Station Access Under Study



February, 1998



South/North Light Rail Project

Highly Rated by Federal Transit Administration

FTA rates each light rail project in the country in its annual New Start Report to Congress. In the 1998 Report, which is about to be released, FTA concludes the South/North Light Rail Project:

- Rates **“High”** for its **integration with surrounding land uses**. Only two projects received this rating.
- Rates **“High”** for stability and reliability of its **capital financing plan**. Only one project received this rating in the 1997 Report.
- Rates **“Medium-High”** for the stability and reliability of its **operating financing plan**. No project received a rating this high in the 1997 Report.
- Produces **33% faster transit travel times** than an expanded bus network.
- Produces **39,100 more daily transit rides** than an expanded bus network.
- Produces **\$50 and \$100 million/year travel time savings** for highway and transit users compared to the TSM and No-Build options, respectively.
- **Reduces air quality emissions** and supports the region’s Air Quality Maintenance Plan.

Benefits of the South/North Light Rail Project

The Portland region is one of the fastest growing metropolitan areas in the United States with more than 500,000 new residents projected over the next 20 years. The South/North Light Rail Project represents one of many improvements to the region's transportation system that are being considered by local and regional jurisdictions to address this growth. Following is a summary of the estimated benefits that would result from the South/North Project.

Transit Benefits

- **Light Rail Ridership.** The South/North Project would carry 68,000 light rail riders on a weekday in 2015.
- **Transit Ridership.** Weekday transit ridership in the corridor (both bus and light rail) would increase by 37,800 rides in 2015 (a 30% increase).
- **Downtown Portland.** Weekday transit ridership into downtown Portland from the corridor would increase by 40% with South/North Light Rail, reducing demand for parking in downtown by over 3,700 spaces.
- **New Radial Trips.** With the South/North Project, 49% of new radial trips in the corridor would be taken by transit, compared to 6% with an all-bus system. (A new radial trip is any trip added from today to 2015 and between the corridor and downtown Portland.)
- **Travel Times.** Transit travel times between key activity centers in the corridor during the rush hour would be over 30% faster with light rail than with an all-bus system. For example a trip from downtown Portland to the Clackamas Town Center would take 28 minutes by light rail rather than 42 minutes by bus, and a trip from downtown Portland to downtown Vancouver would take 27 minutes on light rail compared to 40 minutes by bus.
- **Reliability.** Transit reliability would be significantly improved with South/North Light Rail. Approximately 40 percent of the corridor's transit riders would enjoy the reliability of light rail service separated from congested road and highway traffic.
- **Capacity.** South/North Light Rail would carry over 3,000 rides north from downtown Portland during the evening rush hour, the equivalent of 1.5 freeway lanes. The light rail line would have the capacity to carry an additional 3,000 rush hour rides, bringing the capacity of the line to three freeway lanes leaving downtown Portland in both directions.
- **Light Rail System.** The South/North Project, together with the existing MAX line and the Westside/Hillsboro and airport extensions, would establish a light rail system in the region.

Highway and Roadway Benefits

- **Auto Travel Times.** Rush hour travel times by automobile between key activity centers in the corridor would be 3 to 9 percent faster with the South/North Project.
- **Congestion.** South/North Light Rail would result in 16 fewer lane miles of congested roadway in the region per day in 2015. Commuters in cars would spend 4,500 fewer hours stalled each day in rush hour traffic.

- **Auto Travel.** Automobile travel in the region would be reduced by 213,000 miles per day.
- **Avoid Cost and Impacts of New Highway Capacity.** The South/North Project would reduce the need to add additional freeway and highway capacity in the corridor, and thus would avoid the high cost and impacts that would be associated with a major roadway expansion project. For example, ODOT estimated that it would cost over \$3 billion to expand SE McLoughlin Boulevard to a six-lane freeway with improvements to I-405 and Highway 224, which would expand the person-carrying capacity of SE McLoughlin Boulevard by 3,000 persons per hour, compared to the South/North Project's 6,000 person-carrying capacity.

Growth Management

- **Leverage Public Funds.** The South/North Project would attract local private developments to many of the project's station areas (in accordance with local land use plans), leveraging public funds with private investments and helping to meet regional and local goals of attracting higher-use development in major activity centers while preserving existing single-family neighborhoods. For example, since it opened in 1987, over \$1.3 billion in new development has been constructed adjacent to Eastside MAX stations in major activity centers like the Rose Quarter and the Lloyd District, while established residential neighborhoods have retained their original character.
- **Accommodate Growth.** The South/North Project would provide light rail access to over 430 acres of developable land located within the urban area.
- **Urban Design.** The South/North Project is an important tool that would be used by regional and local governments to better serve high-use travel corridors and major activity centers (e.g. offices, manufacturing and retail) that are vital components of our jobs and housing base.

Air Quality and Energy

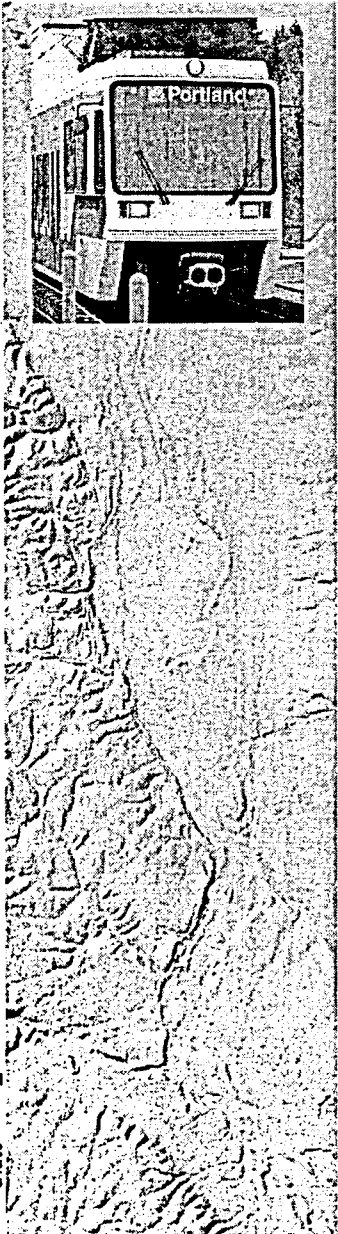
- **Air Quality.** The South/North Project would reduce air pollution by over 1,000 tons per year in 2015, and would reduce carbon dioxide emissions (a greenhouse gas) by over 37,000 tons per year.
- **Energy.** South/North Light Rail would save over 11,000 gallons of gasoline per day in 2015.

Economic Benefits

- **Value of Travel Time Savings.** The South/North Project would result in a 4.5 million hour annual reduction in transit, automobile and truck travel times, a savings valued at \$50 million per year (using Federal standards for the value of travel time).
- **Jobs.** Construction of the South/North Project would create approximately 15,000 person-year jobs to the region.
- **Construction Costs.** The full South/North Project would cost approximately \$2.3 billion in future dollars to construct. The initial construction segment from the Clackamas Regional Center to the Rose Quarter would cost approximately \$1 billion in future dollars to construct.

Note: All benefits are for the Full-Length Alternative, in the year 2015, compared to an all-bus system.

Purpose and Need



- **Past Growth (1975 to 1995)**
 - 45% Increase in Population, 1975 to 1995
 - 48% Increase in Employment, 1975 to 1995 - 40% Higher Than National Average

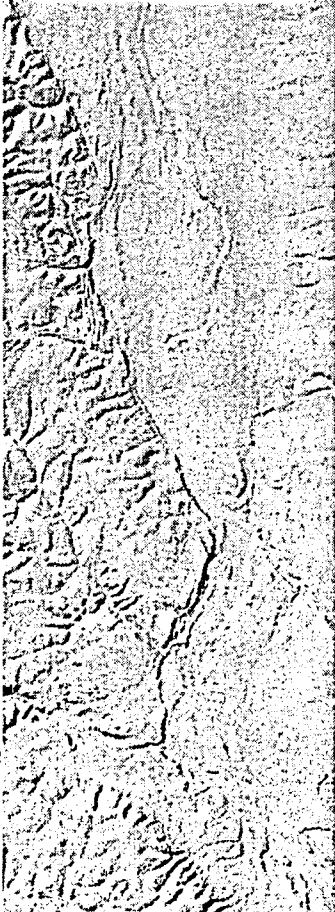
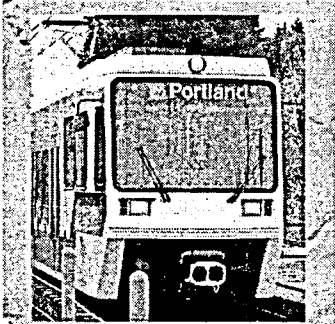
- **Future Growth**
 - 720,000 New Residents by 2040
 - Regional Centers to Absorb Growth

- **Balanced, Efficient Transportation System Needed for Livability and Economy**

- **Highway and Transit Problems Associated with Growth**
 - 64% Increase in Travel by 2015
 - 268% Increase in Congested Road Miles
 - Slower Bus Speeds
 - Higher Operating Costs



Alternatives to Address Problems



First Screening:

- All-Bus
- Busways
- River Transit
- Commuter Rail
- **Light Rail** - Selected for Further Study

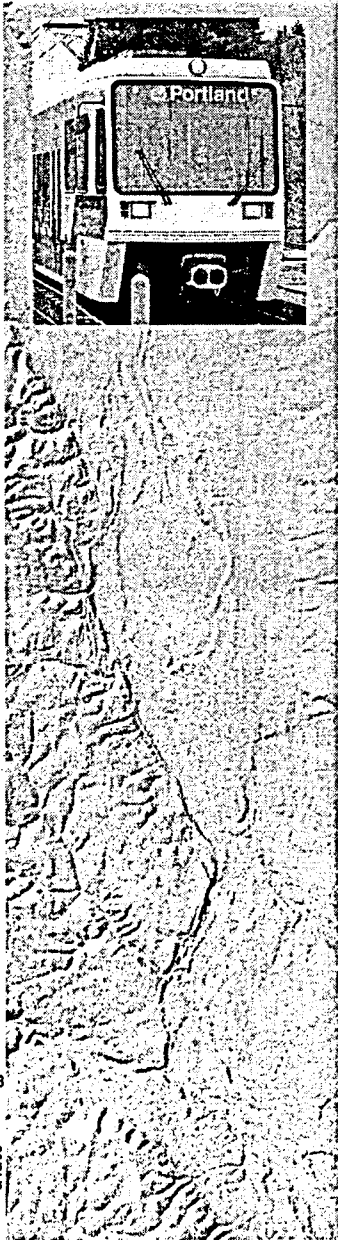
DEIS Analysis:

- All-Bus
- Light Rail and Bus
 - Length of Project
 - Alignments



Transit Benefits

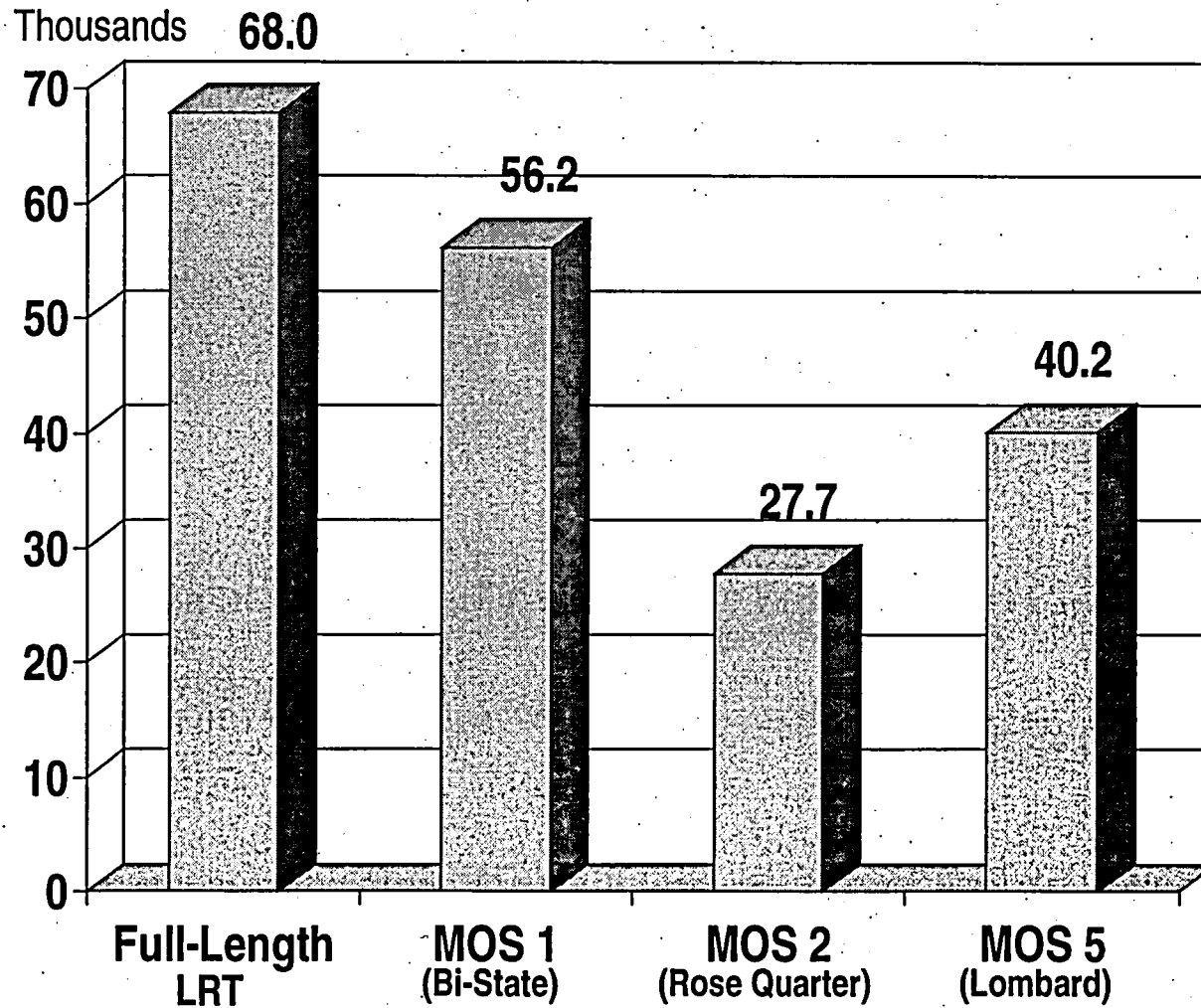
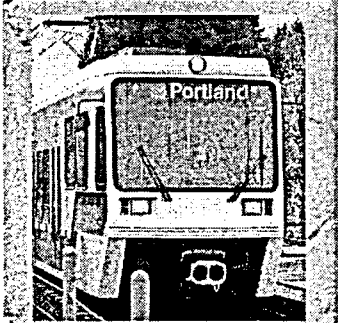
Weekday - 2015



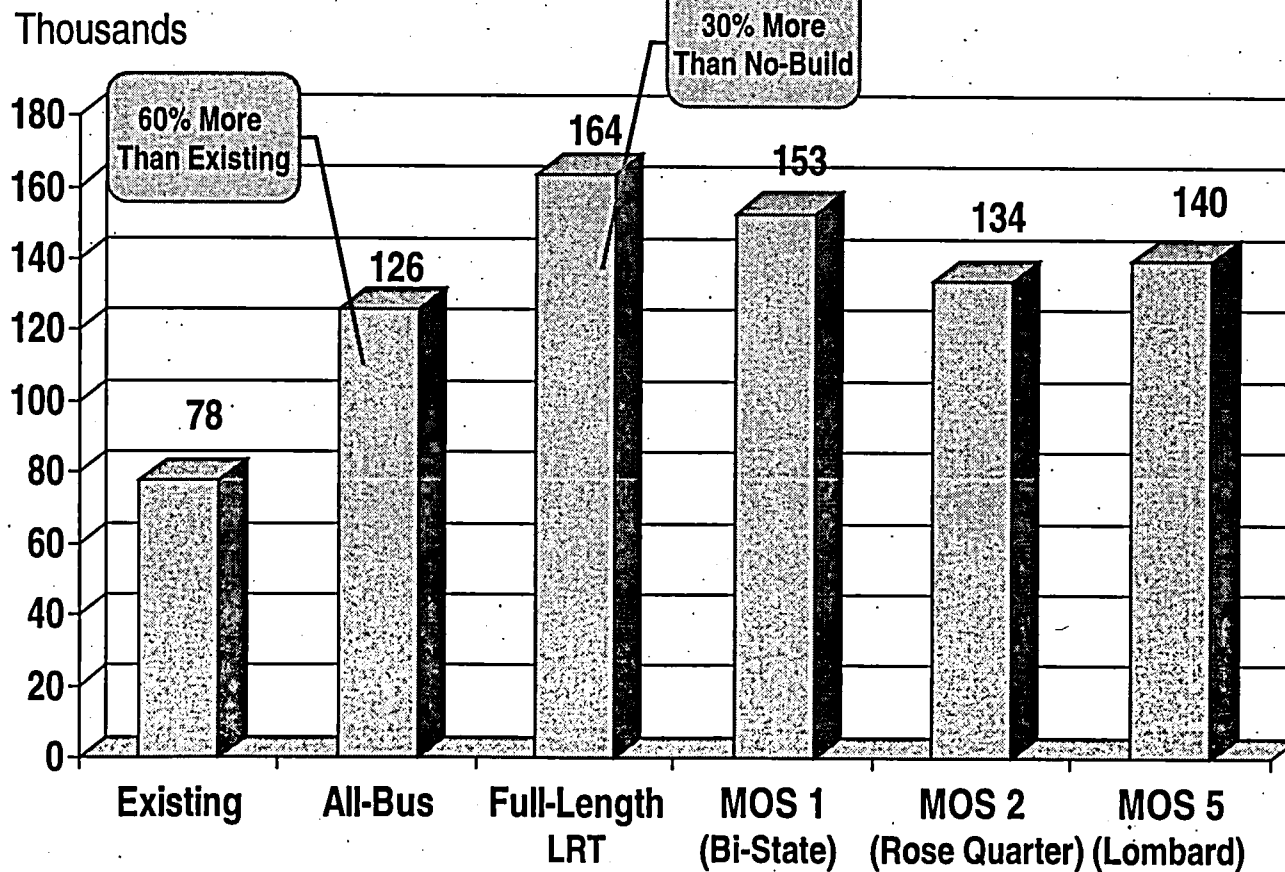
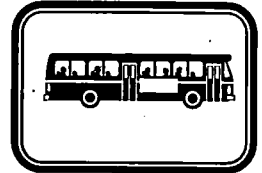
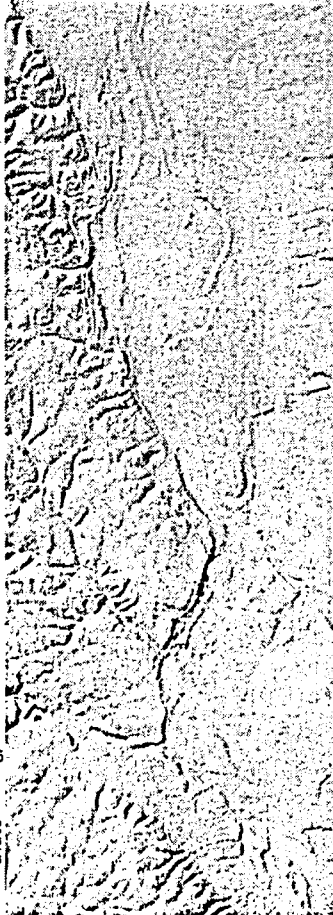
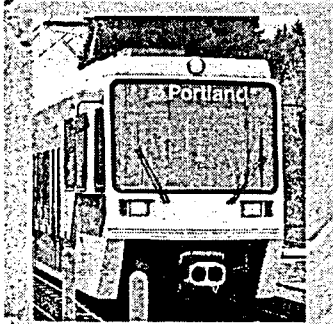
South/North Light Rail Would:

- Carry 68,000 Light Rail Rides Per Day
- Attract 38,000 New Transit Rides Per Day (A 30% Increase)
- Provide Over 30% Faster Travel Times Than Buses
- Carry 3,000 Riders at Peak-Load Point = 1.5 Freeway Lanes with Capacity to Grow to 3 Lanes in Each Direction
- Provide Twice the New Capacity at 1/3 the Cost of Expanding Highway Facilities in the Corridor
- Reduce Gasoline Consumption by 11,000 Gallons Per Day
- Reduce Air Quality Emissions by 1,000 Tons Per Year

South/North Light Rail Ridership Weekday - 2015



Corridor Transit Ridership Weekday - 2015

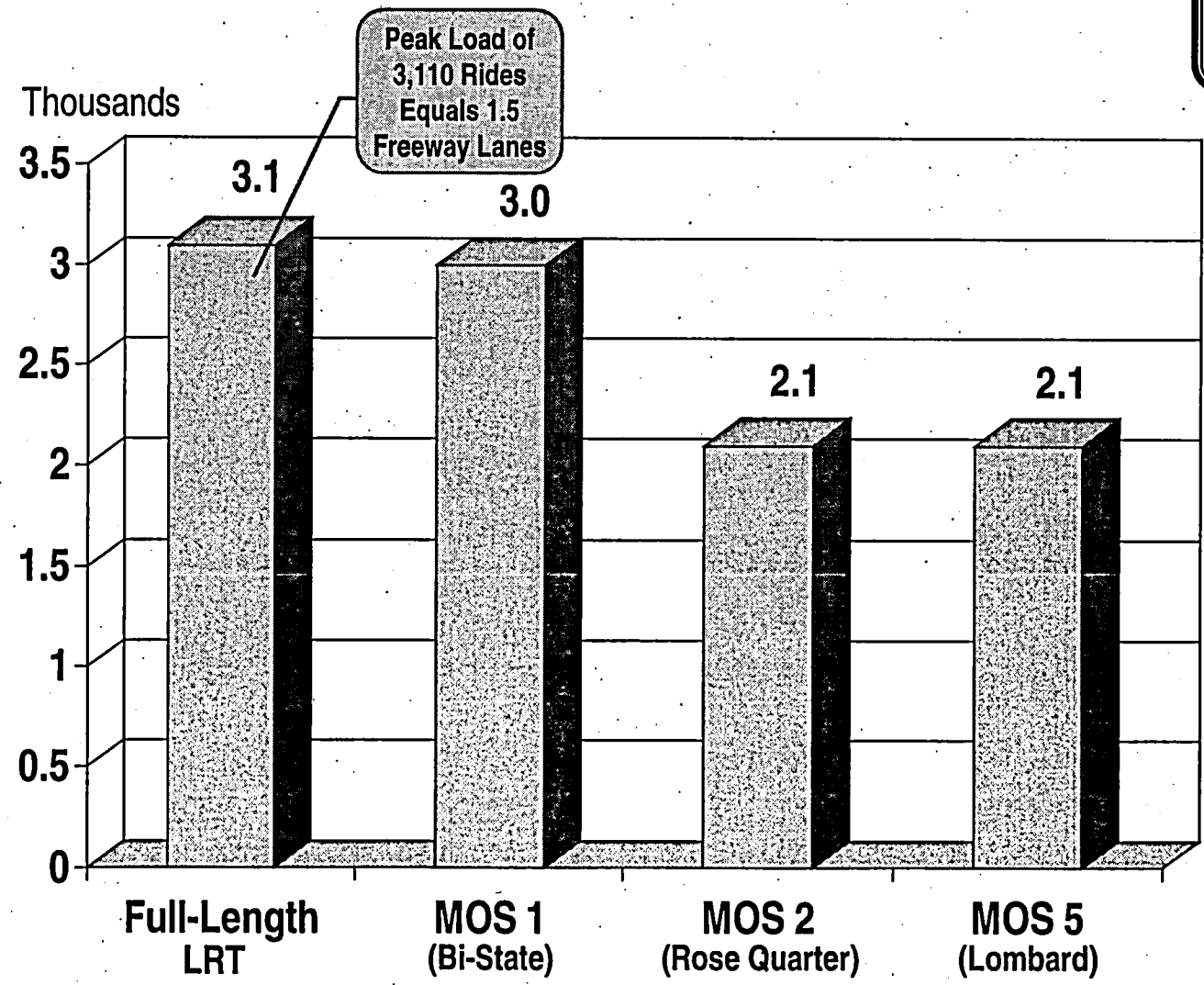
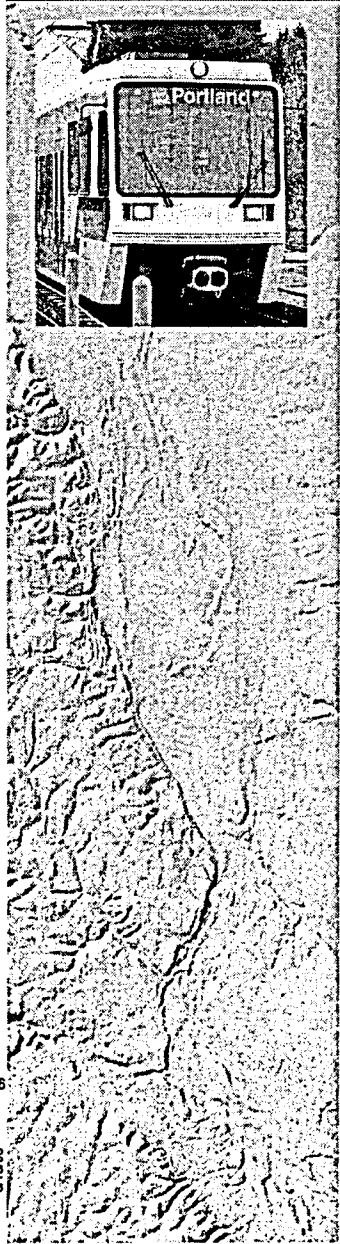


Bus and Light Rail



South/North Peak Load Ridership

Peak Hour LRT - 2015

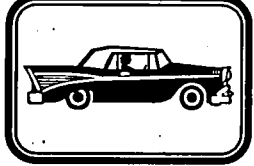
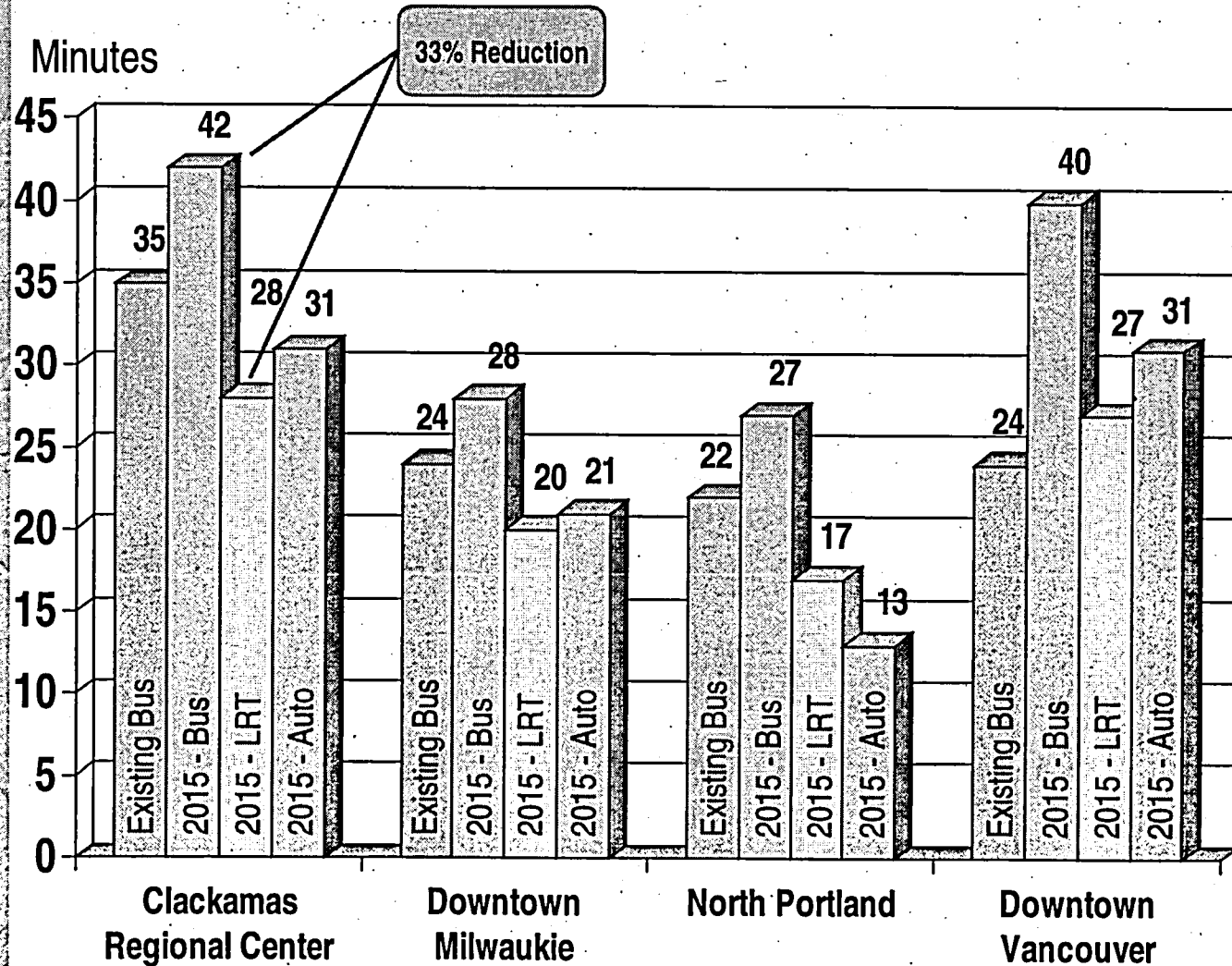


3/18/08



Rush Hour Travel Times

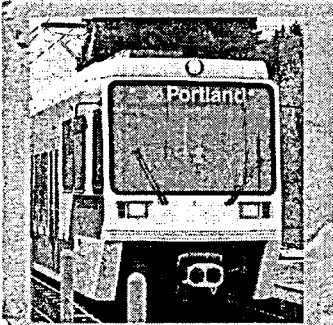
Weekday from Downtown Portland - 2015



In Vehicle Time In the Peak Direction

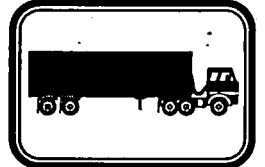
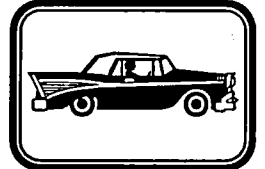
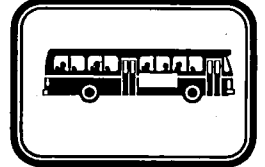


Value of Travel Time Savings



Annual Savings - 2015

**Total Savings for All Trips and Modes:
\$50 Million Per Year**



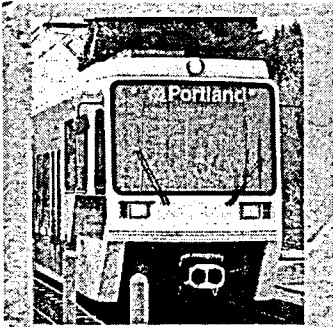
Based on a Federal Transit Administration Formula.
Full-Length LRT compared to All-Bus System.



METRO

Weekday Regional Traffic Relief

Weekday - 2015



A Reduction of:

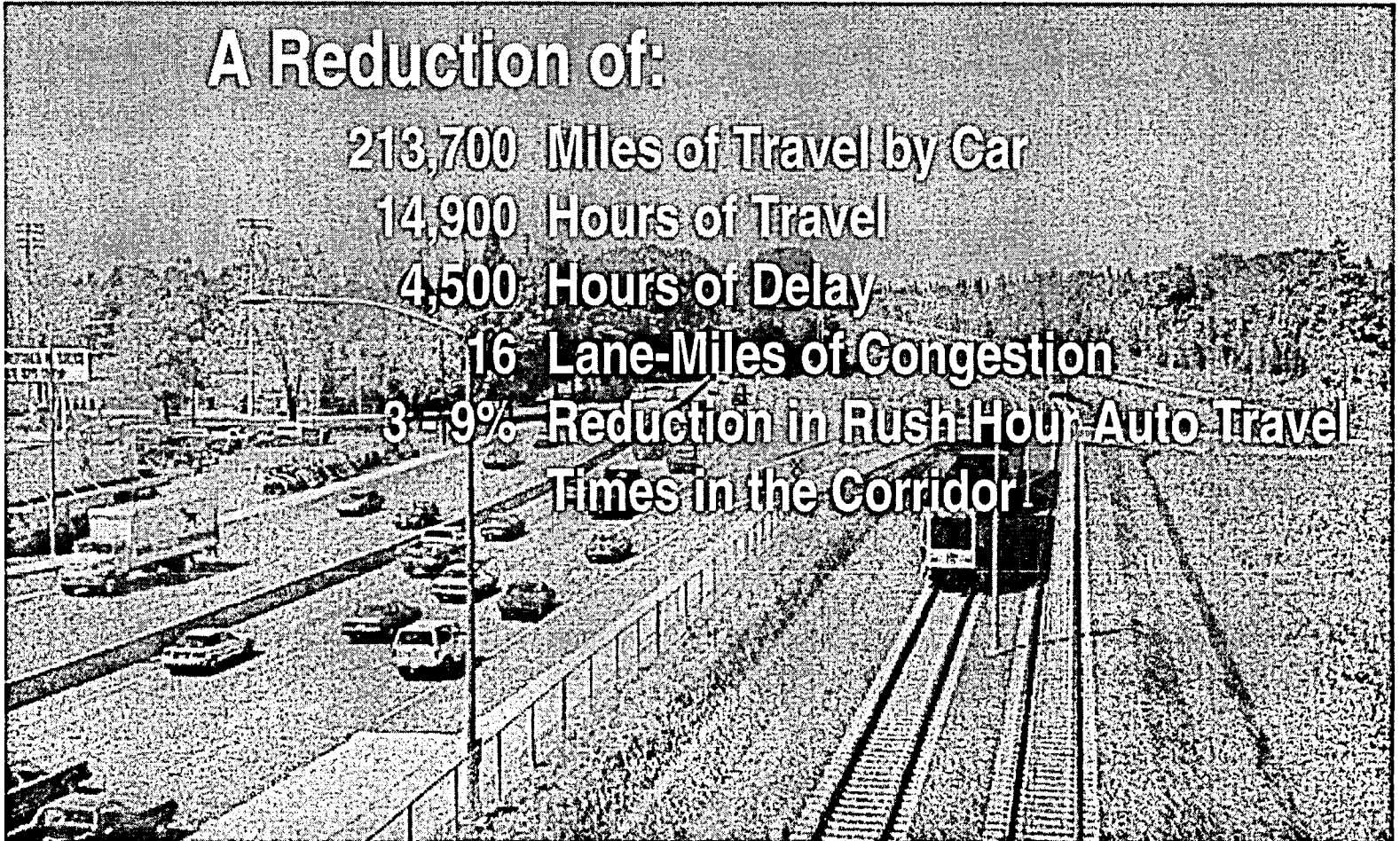
213,700 Miles of Travel by Car

14,900 Hours of Travel

4,500 Hours of Delay

16 Lane-Miles of Congestion

3 - 9% Reduction in Rush Hour Auto Travel
Times in the Corridor

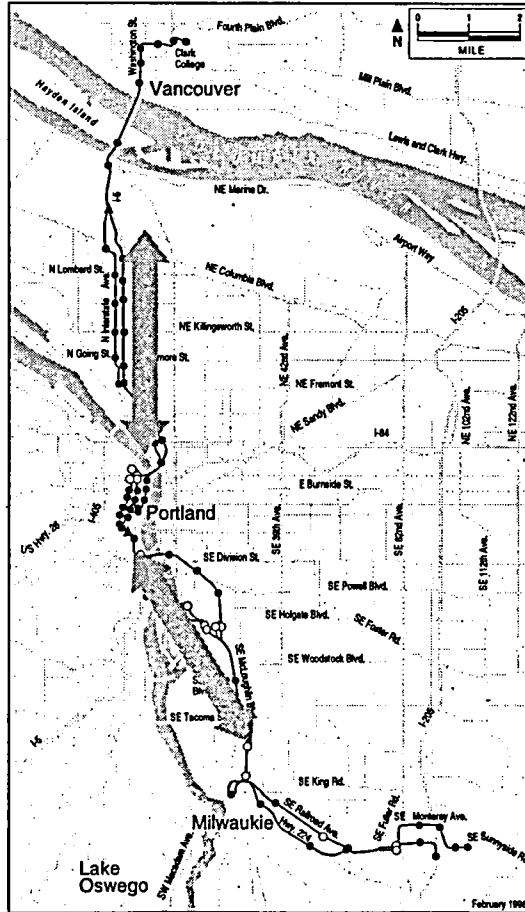
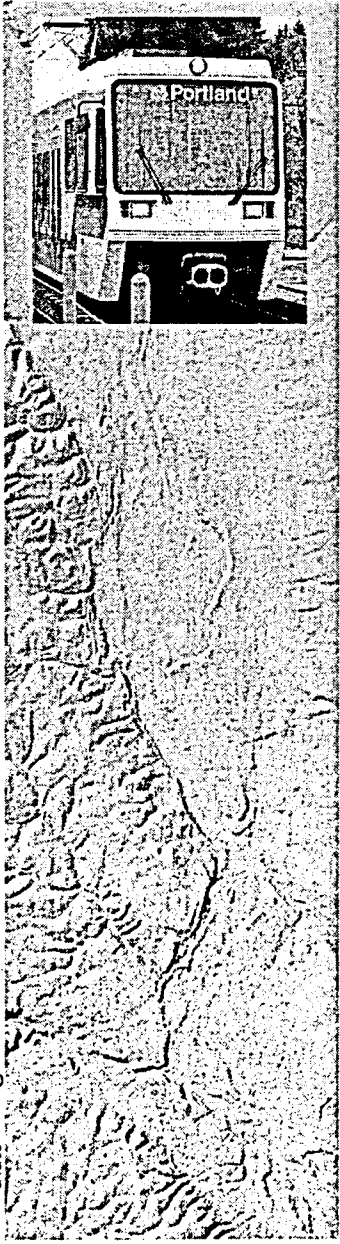


Full-Length LRT Compared to All-Bus



METRO

Weekday Rush Hour Radial Trips



New Trips on Transit (1994 to 2015)

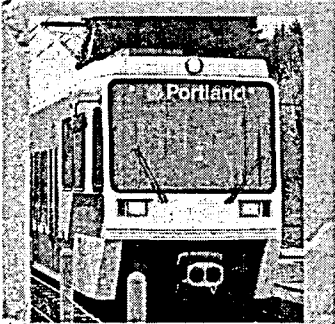
- All-Bus - 6%
- South/North LRT - 49%

Percent of Trips on Transit (2015)

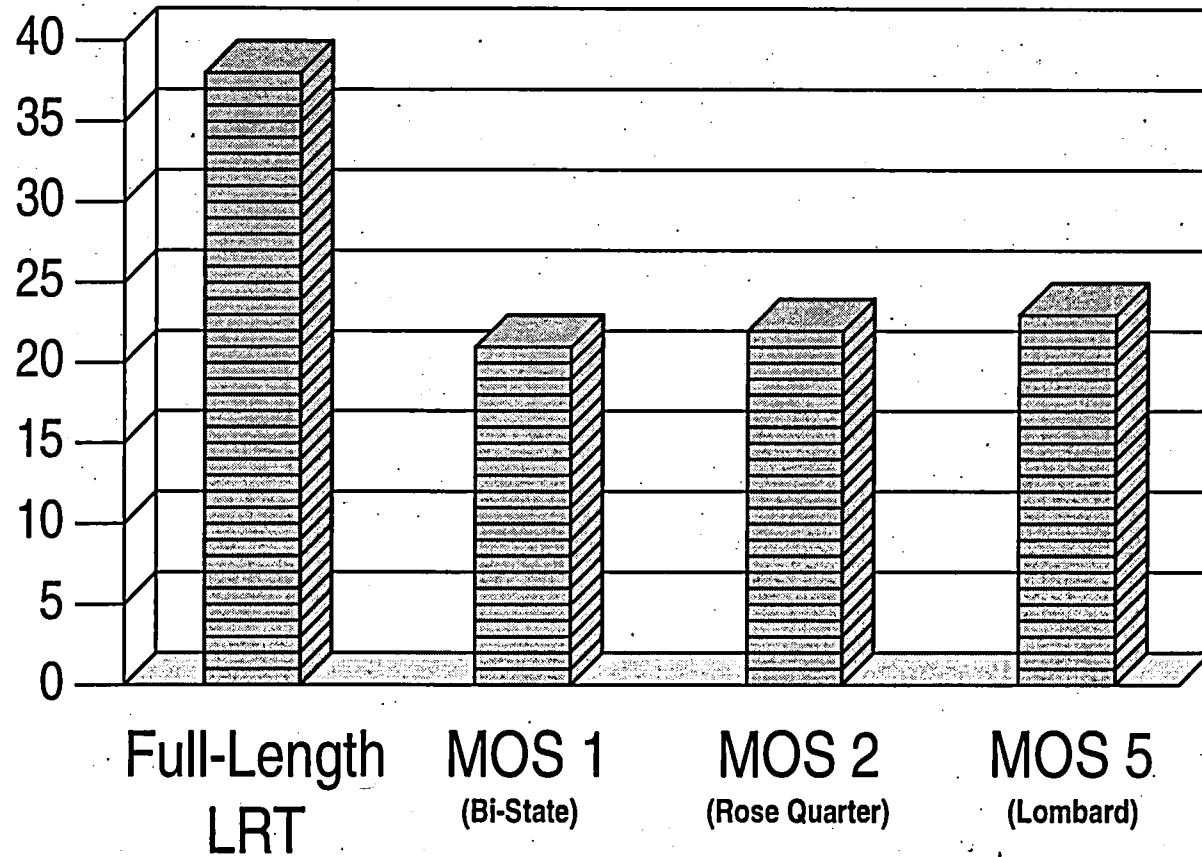
- All-Bus - 25%
- South/North LRT - 38%




Reduction in Demand for Parking in Downtown Portland Weekday - 2015



Levels of Structured Parking Avoided



 = 100 Parking Spaces: One Level of Structured Parking

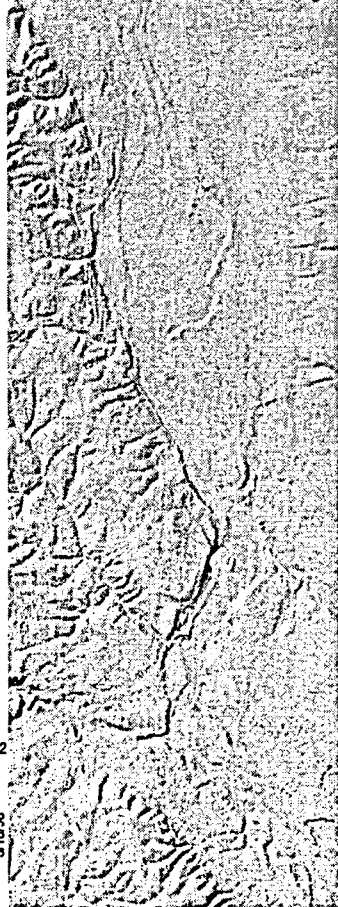
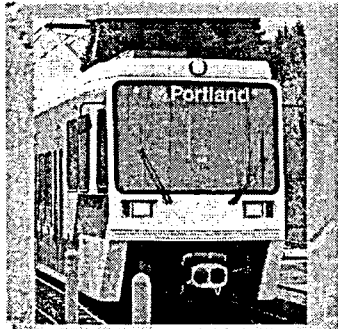
South/North Light Rail Compared to All-Bus



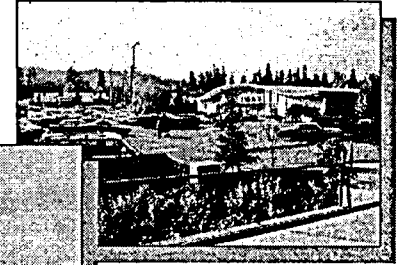
METRO

3/18/08

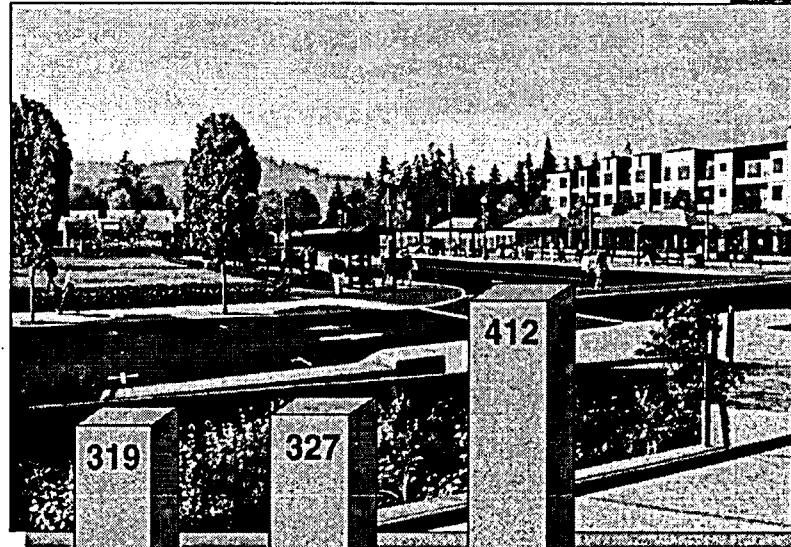
Developable Land with New LRT Access



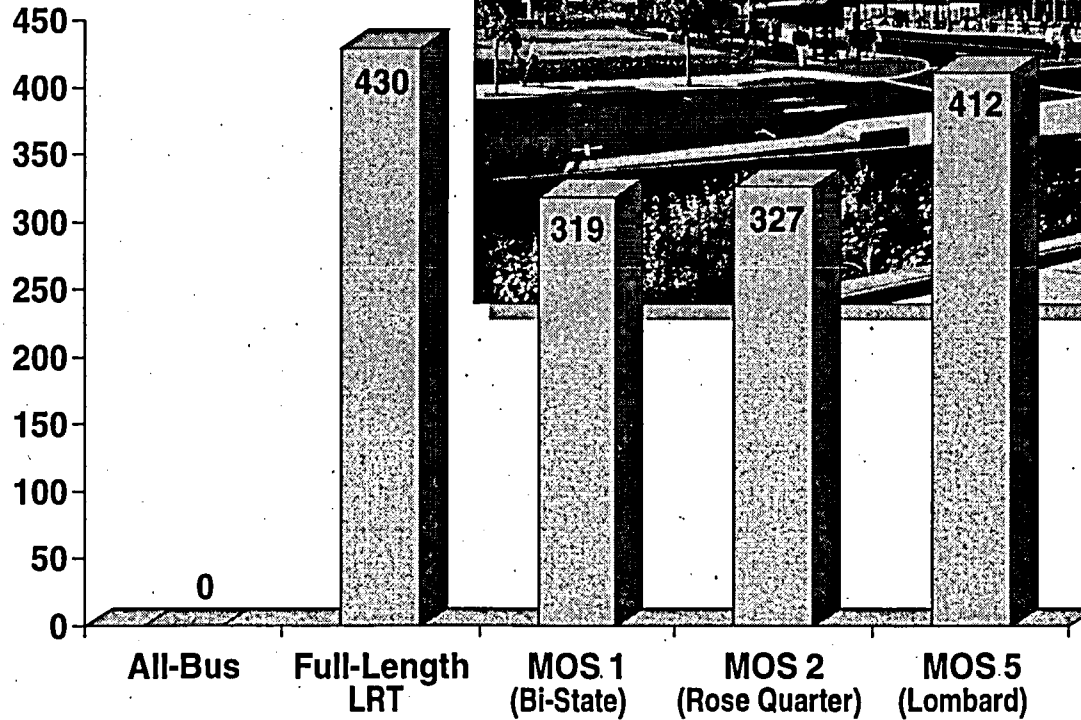
Before



After



Acres of Land Within
1/4-Mile of New LRT Station



Includes Vacant and Redevelopable Land



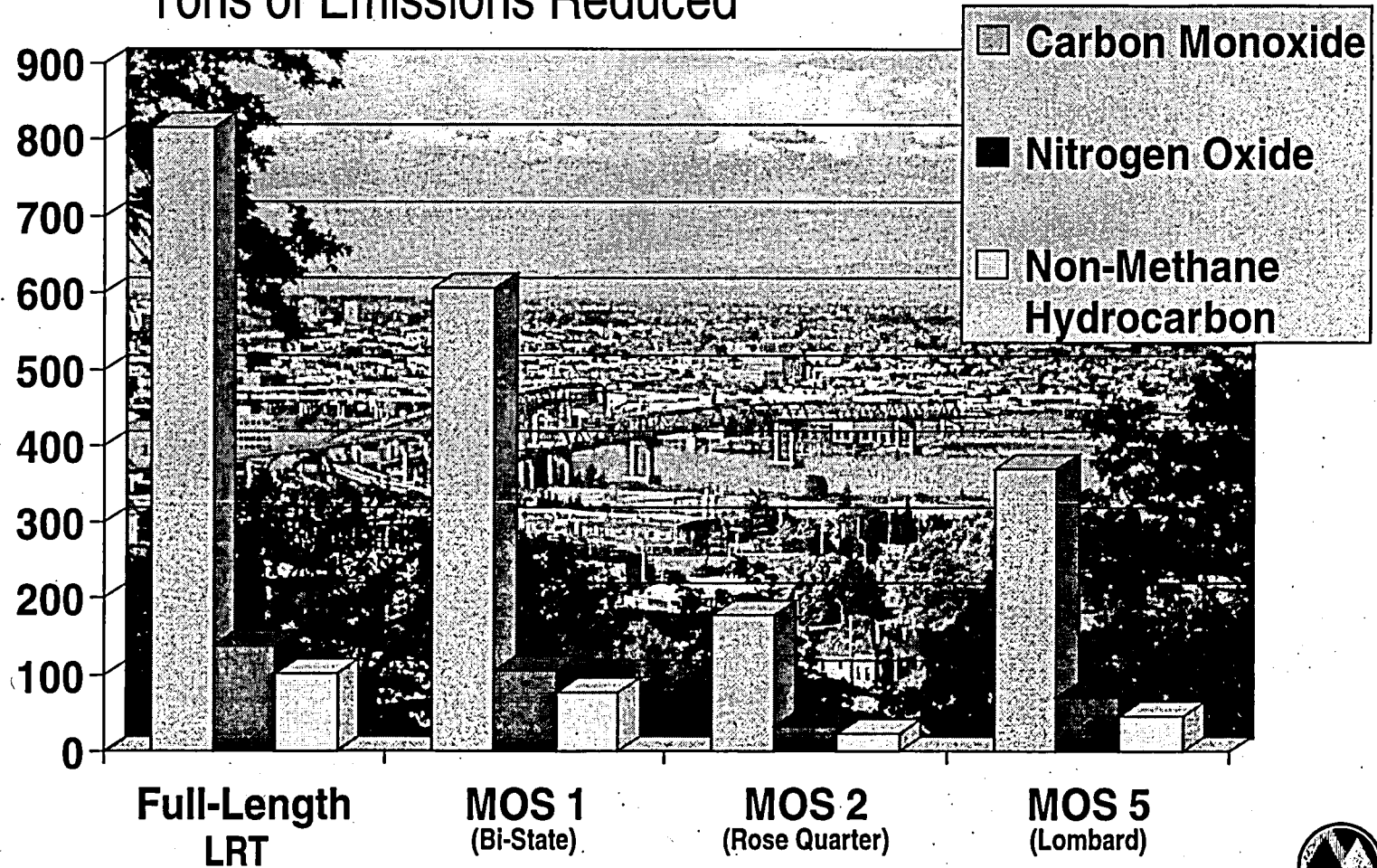
METRO

Air Quality Emissions Reduced

Annual - 2015



Tons of Emissions Reduced



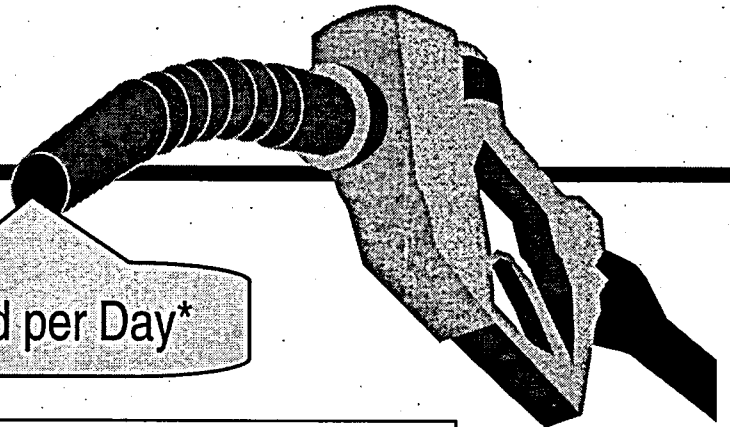
South/North Light Rail Compared to All-Bus



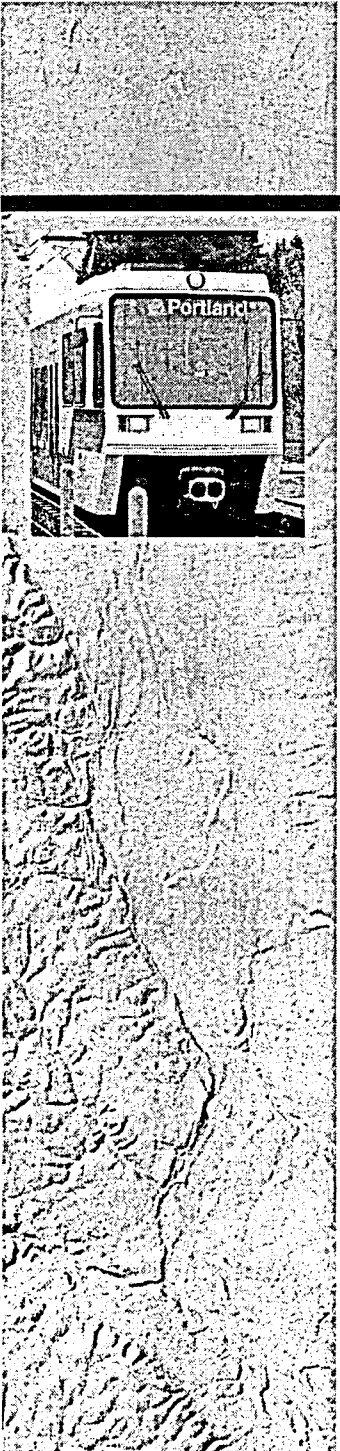
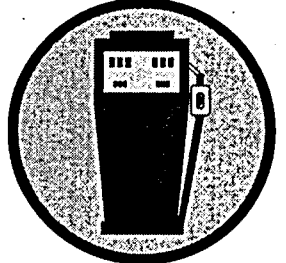
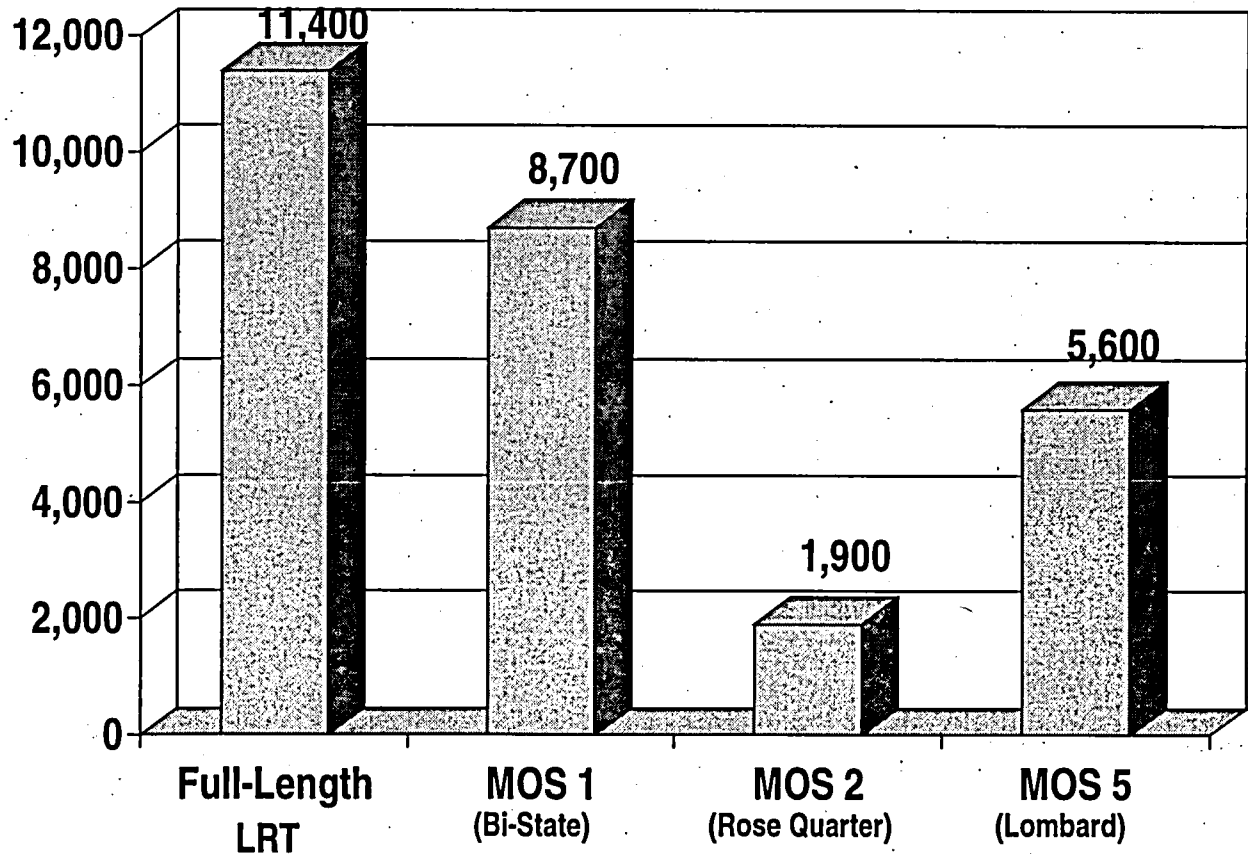
METRO

Energy Savings

Average Weekday - 2015



Gallons of Gas Saved per Day*

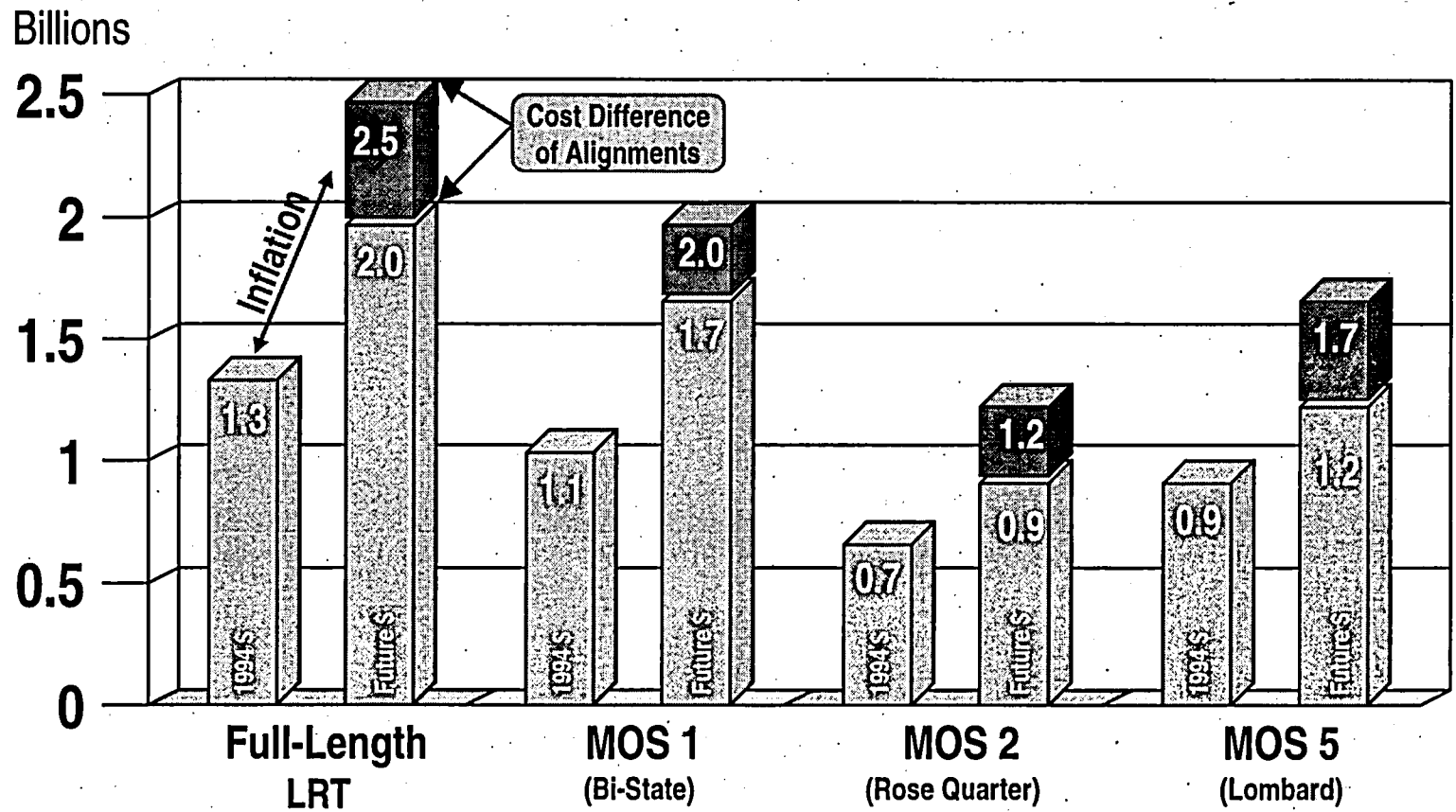
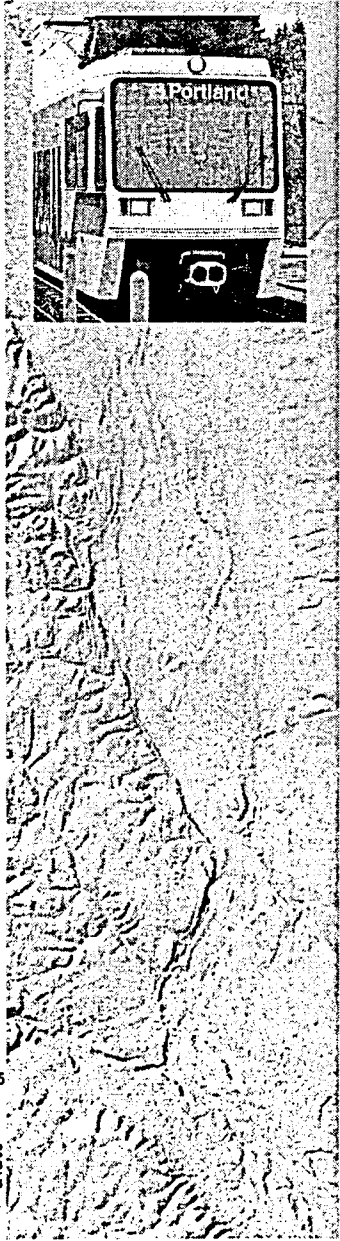


South/North Light Rail Compared to All-Bus
* Equivalent Energy Savings in Gallons of Gasoline



Light Rail Capital Cost

1994/Future \$



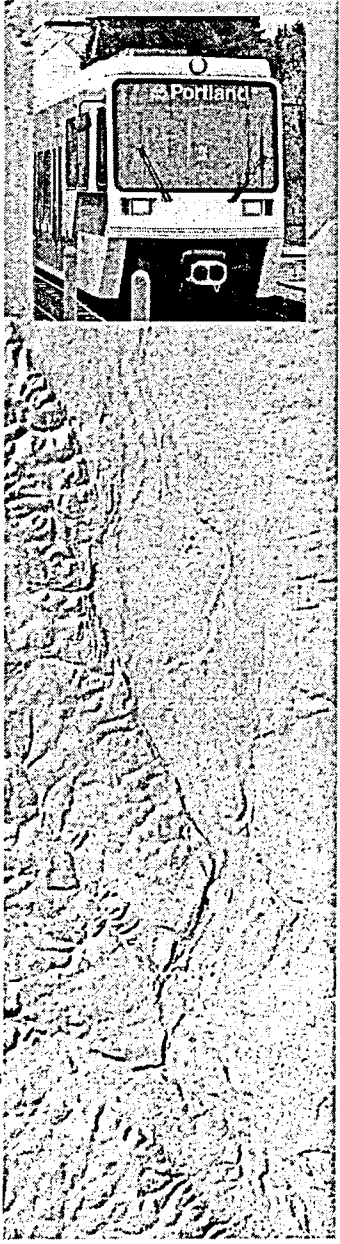
1994 Costs are Based on a Single Set of Alignments



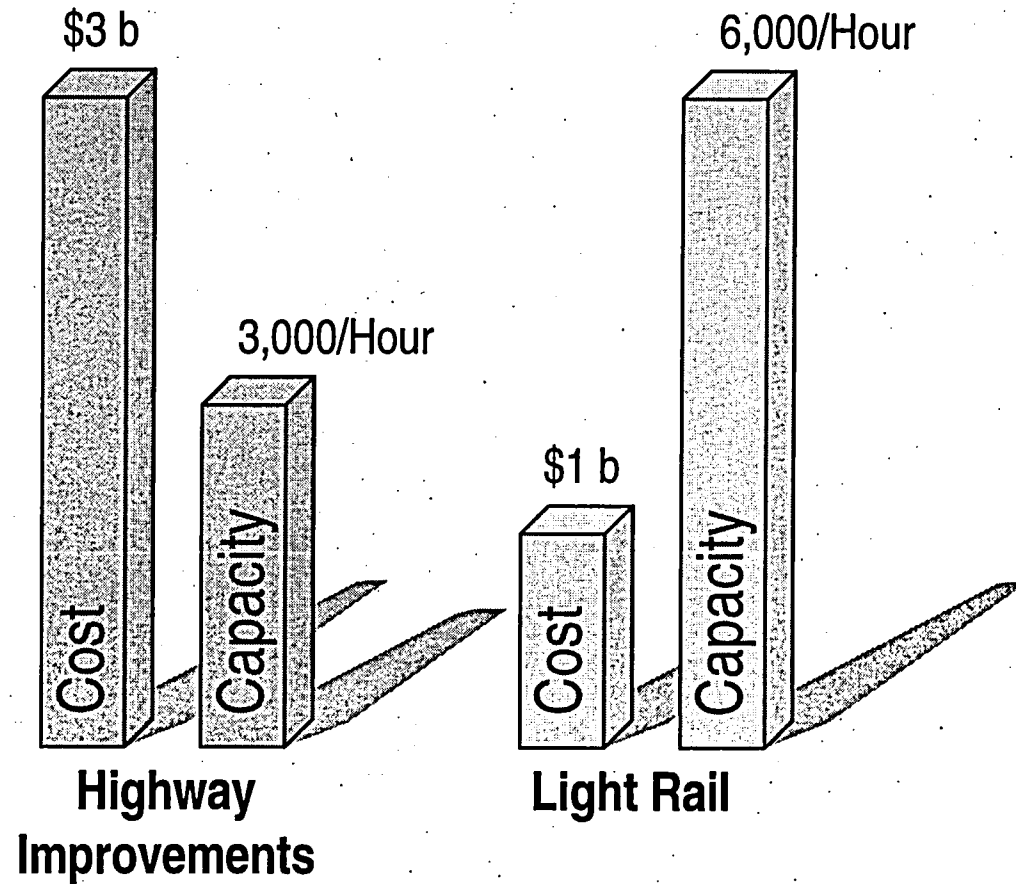
METRO

Cost Avoidance

Increasing Capacity in the South Corridor



Costs in Billions and Future Dollars



Highway Improvements = Add One Lane and Interchanges to SE McLoughlin and Highway 224 and Improvements to I-405





March 3, 1998

Mr. Mike Burton
Executive Officer, Metro
600 NE Grand Avenue
Portland OR 97212

Dear Mr. Burton:

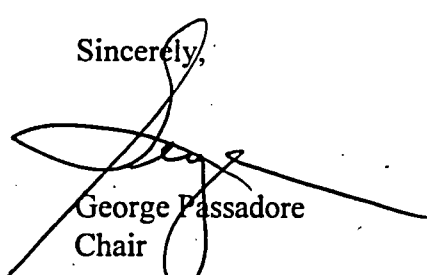
The Association for Portland Progress congratulates Metro for completion of the Draft Environmental Impact Statement for the South/North Light Rail Project.

As you know, APP represents over 80 of downtown Portland's largest employers, which include major financial and commercial institutions, utilities, and retail establishments. We have long advocated for the completion of the region's entire light rail system as the only way to ensure the continued health and economic vitality of downtown Portland and the central city. We frankly see no other way that the City can meet its housing and employment objectives for these critical districts without this project, as it is impossible to provide more access with increased roadway capacity.

We, therefore, offer strong encouragement to you and Tri-Met as you seek federal funding for this essential project. Please let me know if we can help you in any way in moving South/North light rail to construction.

Congratulations again for a job well done!

Sincerely,


George Passadore
Chair

cc Tom Walsh, Tri-Met
Vera Katz, Mayor
Gretchen Kafoury, Commissioner
Charlie Hales, Commissioner
Erik Sten, Commissioner
Jim Francesconi, Commissioner

Officers

George Passadore
Chair

Philip A. Kalberer
Chair-Elect

L. Martin Brantley
Treasurer

Tammy Hickle
Past Chair

Ruth E. Scott
Secretary
President & CEO

Directors-At-Large

Sharon Allen
Dr. Daniel O. Bernstine
Jonathan T. Carder
Matthew W. Chapman
Peggy Fowler
Greg Goodinan
Tim Greve
Stuart A. Hall
Brian L. Keck
Chris Keenan
John G. King
Dr. Peter O. Kohler
Charles Lenard
A.G. "Bud" Lindstrand
Paul Lorenzini
Samuel T. Naito
Robert Packard
Michael Powell
John H. Rickman
Robert L. Ridgley
John W. Russell
Albert W. Solheim
Fred A. Stickel
Homer G. Williams

Committee Chairs

J. Clayton Hering
Julie S. Leuvrey
Gregg S. Kantor
Matt Klein
Eric Parsons
John S. Pihas

Past Board Chairs

W. Charles Armstrong
Solomon D. Menashe
Richard G. Reiten
Patrick R. Prendergast
Robert H. Huntington
Ronald B. Gould
Edmund P. Jensen
R.M. Schafbuch
William S. Naito
Melvin Mark, Jr.



ROSE QUARTER

One Center Court, Suite 200
Portland, Oregon 97227
503.234.9291

March 5, 1998

Mike Burton
Executive Office
Metro
600 N.E. Grand Avenue
Portland, Oregon 97232

Dear Mike;

It was heartening to learn that Metro has completed the Draft Environmental Impact Statement for South/North Light Rail. You and your staff are to be congratulated for driving forward and reaching this milestone.

The Portland Trail Blazers and the Oregon Arena Corporation have made a substantial investment in developing the Rose Quarter into a major destination in the region. Light rail, both the existing East/West line and the planned South/North line, played a key role in our selecting to develop at this location. We made clear choices to limit on-site parking and to rely heavily on bus and light rail access to Rose Quarter events.

The ridership on MAX to many events at the Rose Garden, Memorial Coliseum and Oregon Convention Center has at times been overwhelming. We anticipate that with the addition of South/North Light Rail even more of our patrons can utilize light rail and leave their cars at home. This will serve to further enhance our vision for the Rose Quarter as a lively, pedestrian oriented, entertainment complex located at the junction of the region's two major light rail lines.

We believe that further development of the region's light rail system is critical not only to the Rose Quarter but also to the rest of the region. We will continue to work with Metro, Tri-Met and the City of Portland to bring South/North Light Rail ever closer to a reality.

Sincerely,

J. Isaac
Senior Vice President
Business Affairs

Cc: Tom Walsh, Tri-Met
Vera Katz, Mayor
Jim Francesconi, Commissioner
Charlie Hales, Commissioner
Gretchen Kafoury, Commissioner
Erik Sten, Commissioner

March 3, 1998

Mr. Mike Burton
Executive Officer
METRO
600 NE Grand
Portland, Oregon
97232-2736

RECEIVED

MAR 03 1998

EXECUTIVE OFFICER

Dear Mike:

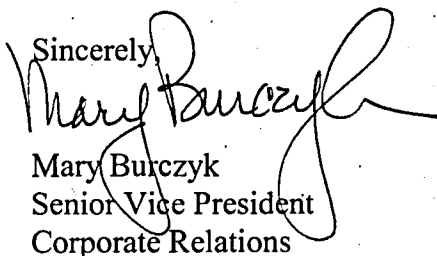
I am writing to express my support for congressional reauthorization of Federal ISTEA funds for the proposed South/North light rail line. As Oregon's largest private employer, one of Fred Meyer's greatest challenges is helping our employees get to the work place in a cost effective, transit efficient manner. In order to respond to the Department of Environmental Quality's (DEQ) federally mandated Clean Air Program, Fred Meyer has developed an Employee Commute Options (ECO) Program. Fred Meyer provides Tri Met monthly passes at half price to all employees to encourage transit ridership. In addition, we're working hard to expand our car and van pool program; more than 200 employees at our main office are now participating. We plan to keep enlarging that number.

As you are aware, we are strong proponents of the Caruthers Crossing Alignment which would place a light rail station at Lafayette and 19th; this is two and one-half blocks from our corporate office. As light rail is a regional mover and with approximately 7000 employees throughout the metro area, we're confident that many of our employees would take advantage of this mode of transit; it will get them to work quickly and with less stress than driving.

As a major food and merchandise retailer, our business depends on an efficient, responsive distribution system to get products to our stores and on the shelves. For us and other businesses, access is a key issue. If the number of vehicles on the road is reduced, faster and more cost efficient distribution will result. We believe light rail is an important component in Oregon's plan for a cohesive, balanced transportation system, one that will benefit the state in cleaner air, create better access to markets, and thus improve our economy

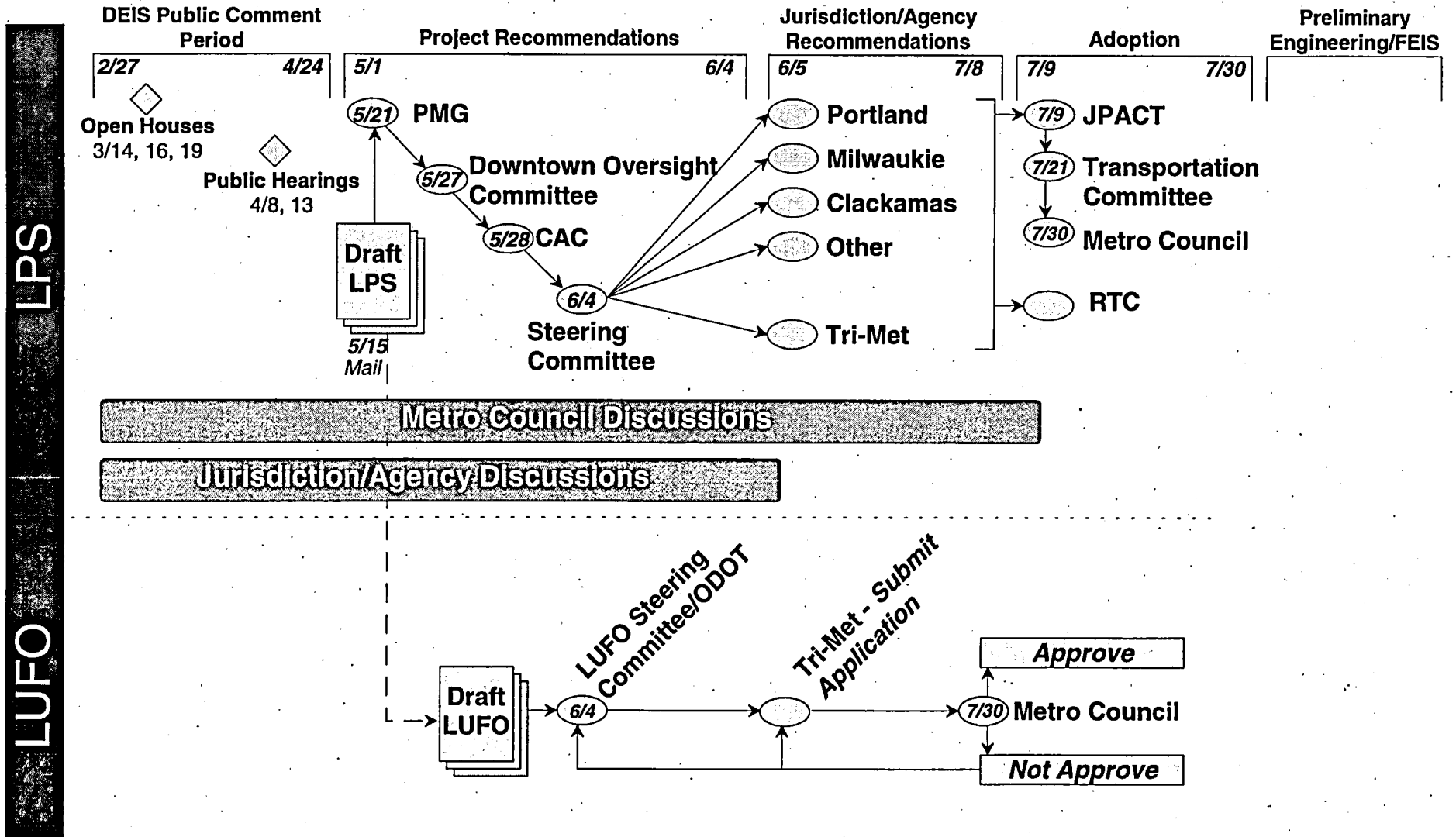
We are very proud of our tradition and role as Oregon's leading retailer and feel fortunate to be located in a part of the country where a proactive approach to planning is taken to ensure both livability and continued economic growth. Fred Meyer strongly supports the South/North Light Rail Project and looks forward to participating in the process as a member of the community.

Sincerely,



Mary Burczyk
Senior Vice President
Corporate Relations

South/North Project Locally Preferred Strategy (LPS) and Land Use Final Order (LUFO) Adoption Process and Schedule





South/North public comment period opens

The South/North Project's Draft Environmental Impact Statement (DEIS) is now available for review and comment. The DEIS provides citizens with a summary of the benefits, costs and impacts of the proposed South/North Light Rail Project and the all-bus (no-build) alternative. The comment period, through April 24, 1998, allows the public time to review and make comments on the environmental study.

To receive publications – The 700-page DEIS document, executive summary or other summary material is available by calling Metro's Transportation Hotline, (503) 797-1900. Or call 797-1756 to speak with a staff member. The DEIS document is available for review at public libraries and at Metro and Tri-Met offices.

To receive information – For more information, call the Transportation Hotline, 797-1900, and leave your name, address, ZIP code and phone number. Or call a staff member at 797-1756. You may also receive information by attending one of the South/North meetings listed below. Visit Metro's web site at www.metro-region.org or call Metro's listing on The Oregonian's Inside Line, 225-5555, option 3058.

Open Houses

Open houses are scheduled for citizens to review materials and ask questions about the project. All meetings are wheelchair accessible. **Free child care is available** at the following three meetings:

Saturday, March 14

11 a.m. to 2 p.m.

Oregon Convention Center

(Room 123 – 124)

777 NE Martin Luther King Jr. Blvd.

Portland, OR

(Tri-Met bus No. 6, 8, 10 or MAX)

Monday, March 16

4 to 8 p.m.

Kaiser Town Hall ballroom

3704 N. Interstate Ave.

Portland, OR

(Tri-Met bus No. 5)

Thursday, March 19

4 to 8 p.m.

New Hope Community Church

11731 SE Stevens Road

Hwy 205 and Sunnyside Road

(Tri-Met bus No. 28, 29, 31, 71, 72, or 79 to Clackamas

Town Center. Take shuttle No. 150, that comes on the

hour and half-hour, and tell driver to let you off at the church.)

Two meetings will present local options as follows:

Monday, March 16

Noon to 1:30 p.m.

Portland Building, Room C
1120 SW Fifth Avenue
Portland, OR

Monday, March 23

5 to 8 p.m.

Public Safety Building
3200 SE Harrison Street
Milwaukie, OR

Public hearings

Three public hearings to take comments on the South/North DEIS are scheduled as follows. Free child care is available and all meetings are wheelchair accessible.

Wednesday, April 8

Starting at 5:30 p.m.

Monarch Hotel and Conference Center
12566 SE 93rd Avenue
Clackamas, OR

(Tri-met shuttle No. 150 leaves from Clackamas Town Center on the hour and half hour. Ask to be let off at the hotel.)

Monday, April 13

Starting at noon

Oregon Convention Center (Rm. 123-124)
777 NE MLK, Jr. Blvd.
(Tri-Met bus No. 6, 8, 10 or MAX)

Monday, April 13

Starting at 5:30 p.m.

Oregon Convention Center (Rm. 123-124)
777 NE MLK, Jr. Blvd.
(Tri-Met bus No. 6, 8, 10 or MAX)

Other ways to make public comments

- mail written comments to Leon Skiles, Metro's Transportation Department, 600 NE Grand Avenue, Portland, OR 97232
- leave a message on the hotline, 797-1900 (option 1)
- fax written comments to (503) 797-1929
- send computer e-mail to southnorth@metro.dst.or.us
- if hearing impaired, call Metro's TDD line, 797-1804

All public comments are due at Metro by April 24, 1998.
Questions – If you have any questions, call Metro at 797-1756.

3/17/98



METRO

South/North Project Schedule

- February 27, 1998 Publish DEIS
- April 24, 1998 Close Public Comment Period
- June 4, 1998 Steering Committee Recommends LPS/LUFO
- July 30, 1998 Metro Council Adopts LPS/LUFO
- January 1999 FEIS Published in *Federal Register* with Adopted Finance Plan
- January 1999 PE Complete
- January 1999 Oregon Delegation Initiates Discussions with Authorizing and Appropriations Committees Concerning the Project's New Start Authorization and FY 2000 Appropriation
- February 1999 FEIS Public Comment Period (30 days)
- March 1999 FTA Issues Record of Decision and LONP
- June 1999 FTA/Tri-Met Execute FFGA

Note: LPS = Locally Preferred Strategy; LUFO = Land Use Final Order; DEIS = Draft Environmental Impact Statement; FEIS = Final Environmental Impact Statement; FTA = Federal Transit Administration; LONP Letter of No Prejudice; FFGA = Full Funding Grant Agreement.



Printed on 100% recycled post-consumer paper.