

## A G E N D A

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



**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
 DATE: May 3, 2001  
 DAY: Thursday  
 TIME: 1:30 PM  
 PLACE: City of Gresham Council Chamber  
 1331 NW Eastman Parkway, Gresham

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. GRESHAM REDEVELOPMENT PROJECTS**

- |   |          |
|---|----------|
| • Presentation by City of Gresham Mayor                 | Becker   |
| • Future of Civic Neighborhoods                         | Bruening |
| • Gresham Downtown Development Association Presentation | Kohler   |

**4. EXECUTIVE OFFICER COMMUNICATIONS**

**5. AUDITOR COMMUNICATIONS**

**6. MPAC COMMUNICATIONS**

**7. LEGISLATIVE UPDATE**

**8. CONSENT AGENDA**

- 8.1 Consideration of Minutes for the April 26, 2001 Metro Council Regular Meeting.

**9. ORDINANCES - SECOND READING**

- |     |  |        |
|-----|--|--------|
| 9.1 | <b>Ordinance No. 01-897</b> , For the Purpose of Amending Metro Code Chapter 5.02 to Extend the Sunset Date for the Regional System Fee Credit Program to June 30, 2002.                                     | Monroe |
| 9.2 | <b>Ordinance No. 01-898</b> , For the Purpose of Amending Metro Code Chapter 5.02 to Replace the Litter Control Surcharge at Metro Transfer Stations with a Surcharge Based on Weight of the Unsecured Load. | McLain |



- 9.3 **Ordinance No. 01-900A**, For the Purpose of Amending Ordinance No. 97-713 to Correct Regional Urban Growth Boundary Map Errors and Adopting the Geographic Information Map of the Regional Urban Growth Boundary. McLain
- 10. RESOLUTION**
- 10.1 **Resolution No. 01-3049**, For the Purpose of Appointing Norm Andreen, Keith Parker and Scott Seibert to the Metro Committee on Citizen Involvement. Burkholder
- 10.2 **Resolution No. 01-3052**, For the Purpose of Confirming the Appointment of Leroy Patton to the Metro Investment Advisory Board. Burkholder
- 10.3 **Resolution No. 01-3062**, For the Purpose of Authorizing Release of RFB#01B-20-REM for Installation of a Cutoff Wall at the St. Johns Landfill. Atherton
- 11. CONTRACT REVIEW BOARD**
- 11.1 **Resolution No. 01-3047**, For the Purpose of Authorizing the Executive Officer to Execute a Multi-year Contract for Advertising Services at the Oregon Zoo. Hosticka
- 12. COUNCILOR COMMUNICATION**

**ADJOURN**

**Cable Schedule for May 3, 2001 Metro Council Meeting**

	Sunday (5/6)	Monday (5/7)	Tuesday (5/8)	Wednesday (5/9)	Thursday (5/3)	Friday (5/4)	Saturday (5/5)
CHANNEL 22 (MCTV)	5:00 P.M.				1:30 P.M. (live meeting)-		
CHANNEL 30			3:30 P.M.				
	Sunday (5/13)	Monday (5/14)	Tuesday (5/15)	Wednesday (5/16)	Thursday (5/10)	Friday (5/11)	Saturday (5/12)
CHANNEL 22							2:00 P.M.
CHANNEL 30		9:30 P.M.				8:30 P.M.	

**PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES. PLEASE CALL THEM OR CHECK THEIR WEB SITES TO CONFIRM SHOWING TIMES.**

<b>Portland Cable Access</b>	<a href="http://www.pcatv.org">www.pcatv.org</a>	<b>(503) 288-1515</b>
<b>Tualatin Valley Cable Access</b>	<a href="http://www.tvca.org">www.tvca.org</a>	<b>(503) 629-8534</b>
<b>West Linn Cable Access</b>	<a href="http://www.ci.west-linn.or.us/wltvsked">www.ci.west-linn.or.us/wltvsked</a>	<b>(503) 722-3424</b>
<b>Milwaukie Cable Access</b>		<b>(503) 654-2266</b>
<b>Mt Hood Cable TV</b>	<a href="http://www.mctv.org">www.mctv.org</a>	

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



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**METRO**

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#### 3. GRESHAM REDEVELOPMENT PROJECTS

- Future of Civic Neighborhoods
- Downtown Gresham Business Association Presentation

Bruening  
Kohler

#### 4. EXECUTIVE OFFICER COMMUNICATIONS

#### 5. AUDITOR COMMUNICATIONS

#### 6. MPAC COMMUNICATIONS

#### 7. LEGISLATIVE UPDATE

#### 8. CONSENT AGENDA

8.1 Consideration of Minutes for the April 26, 2001 Metro Council Regular Meeting.

#### 9. ORDINANCES - SECOND READING

9.1 **Ordinance No. 01-897**, For the Purpose of Amending Metro Code Chapter 5.02 to Extend the Sunset Date for the Regional System Fee Credit Program to June 30, 2002. Monroe

9.2 **Ordinance No. 01-898**, For the Purpose of Amending Metro Code Chapter 5.02 to Replace the Litter Control Surcharge at Metro Transfer Stations with a Surcharge Based on Weight of the Unsecured Load. McLain

9.3 **Ordinance No. 01-900A**, For the Purpose of Amending Ordinance No. 97-713 to Correct Regional Urban Growth Boundary Map Errors and Adopting the Geographic Information Map of the Regional Urban Growth Boundary. McLain



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Consideration of the April 26, 2001 Regular Metro Council Meeting minutes.

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



**Ordinance No. 01-897, For the Purpose of Amending Metro Code Chapter 5.02 to Extend the Sunset Date for the Regional System Fee Credit Program to June 30, 2002.**

***Second Reading***

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING	)	ORDINANCE NO. 01-897
METRO CODE CHAPTER 5.02 TO	)	
EXTEND THE SUNSET DATE FOR	)	Introduced by Mike Burton,
THE REGIONAL SYSTEM FEE CREDIT	)	Executive Officer
PROGRAM TO JUNE 30, 2002.	)	

WHEREAS, Metro Ordinance No. 98-720A established the Regional System Fee Credit program to support material recovery capacity through a performance and incentive-based system; and

WHEREAS, Analysis of the Regional System Fee Credit program indicates the program is meeting program objectives; and

WHEREAS, The Regional Environmental Management Department will complete a strategic plan in calendar year 2001 that will address Metro's role in achieving regional recovery goals; and

WHEREAS, The Regional Environmental Management Department and the Rate Review Committee are presently undertaking a comprehensive evaluation of the solid waste disposal rate and its components pursuant to Metro Code Chapter 2.19; and

WHEREAS, Any change in the Regional System Fee component of the Solid Waste Disposal Rate affects the Metro Region's material recovery capacity; and

WHEREAS, The strategic plan and the comprehensive analysis of the solid waste disposal rate are scheduled for completion after June 30, 2001; and

WHEREAS, The Regional System Fee Credit program is scheduled to expire on June 30, 2001; and

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



THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 5.02.047 is amended to read:

5.02.047 Regional System Fee Credit

(a) A solid waste facility which is certified, licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 shall be allowed a credit against the Regional System Fee otherwise due each month under Section 5.02.045 for disposal of Processing Residuals from the facility. The Recovery Rate shall be calculated for each six-month period before the month in which the credit is claimed. The amount of such credit shall be in accordance with and no greater than as provided on the following table:

System Fee Credit Schedule

Recovery Rate		System Fee Credit of no more than
From Above	Up To & Including	
0%	24.99%	0.00
24.99%	30%	3.00
30%	35%	6.46
35%	40%	8.00
40%	45%	9.82
45%	100%	12.00

(b) The Executive Officer may establish additional administrative procedures regarding the Regional System Fee Credits, including, but not limited to establishing eligibility requirements for such credits and establishing incremental System Fee Credits associated with Recovery Rates which fall between the ranges set forth in paragraph (a) of this section.

(c) The following users of Metro solid waste system facilities shall be allowed a credit in the amount of \$9 per ton against the Regional System Fee otherwise due under Section 5.02.045(a):

- (1) Users of Metro Central and Metro South Transfer Stations;
- (2) Any Person delivering authorized waste:
  - (A) to any landfill or other solid waste facility that is authorized to receive such waste through a Metro license, certificate, franchise or Designated Facility Agreement; or
  - (B) under the authority of a Metro Non-System License.



(d) Any person delivering Cleanup Material Contaminated By Hazardous Substances that is derived from an environmental cleanup of a nonrecurring event, and delivered to any Solid Waste System Facility authorized to accept such substances shall be allowed a credit in the amount of \$10.40 against the Regional System Fee otherwise due under Section 5.02.045(a) of this Chapter.

(e) The provisions of section 5.02.047 (a) and (b) are repealed June 30, ~~2001~~ 2002.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

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**EXECUTIVE SUMMARY**  
**ORDINANCE 01-897**

**REGIONAL SYSTEM FEE CREDIT PROGRAM**  
Sunset Date Extension

**PROPOSED ACTION**

- Extends the Regional System Fee Credit program sunset date to June 30, 2002.

**WHY NECESSARY**

- In a continuing effort to support recovery capacity in the Metro region, the Metro Council adopted, on a temporary basis, the Regional System Fee Credit program, a recovery-based incentive program, in conjunction with the 1998 disposal rate reduction.
- The Regional Environmental Management Department initiated the credit program June 30, 1998. The program, as adopted by the Metro Council, included a one-year sunset provision.
- The requested REM FY 2001-02 budget proposes extension of the Regional System Fee Credit program sunset date until June 30, 2002 in order to allow time for:
  - ⇒ A comprehensive evaluation of the solid waste disposal rate, and
  - ⇒ Completion of the Regional Environmental Management Department Strategic Plan.

**ISSUES/CONCERNS**

- The Metro Council initiated the Regional System Fee Credit program to lessen the impact of the 1998 rate reduction on material recovery capacity in the region. Without the Regional System Fee Credit program, the 1998 rate reduction would have decreased the margin between cost and revenue for material recovery facilities in the region.
- The Metro Council adopted the Regional System Fee Credit program on a temporary basis to provide material recovery facilities with a "soft landing" as they adjusted to the new economies of the solid waste system.
- The Regional Environmental Management Department and the Rate Review Committee are scheduled to complete a comprehensive evaluation of the solid waste disposal rate in Fiscal Year 2001-02. The rate evaluation will include an analysis of the allocation of costs among the components of the rate. This evaluation may result in recommended changes to the that may change the differential between the Metro Tip Fee and the Regional System Fee.
- The Regional Environmental Management Department is scheduled to complete its Strategic Plan in calendar year 2001. The Strategic Plan will address policies relevant to the Regional System Fee Credit program like Metro's role in achieving regional recovery goals.

**BUDGET/FINANCIAL IMPACTS**

- The FY 2001-2002 budget request reflects no proposed changes in funding amount or source for this program from the adopted FY 2000-01 Budget.



## **STAFF REPORT**

IN CONSIDERATION OF ORDINANCE NO. 01-897, FOR THE PURPOSE OF  
AMENDING METRO CODE CHAPTER 5.02 TO EXTEND THE SUNSET DATE  
FOR THE REGIONAL SYSTEM FEE CREDIT PROGRAM TO JUNE 30, 2002.

Date: March 2001

Presented by: Terry Petersen

### **PROPOSED ACTION**

Adopt Ordinance No. 01-897.

The Metro Executive Officer recommends adoption of Ordinance No. 01-897, extending the sunset date of the Regional System Fee Credit program one year to June 30, 2002.

### **FACTUAL BACKGROUND AND ANALYSIS**

In a continuing effort to support recovery capacity in the Metro Region, the Metro Council adopted the Regional System Fee Credit program, a recovery-based incentive program, in conjunction with the 1998 disposal rate reduction. The incentive program replaced a punitive program that charged an enforcement fee to Material Recovery Facilities (MRFs) not meeting a prescribed recovery rate. The Regional System Fee Credit program was introduced on a temporary basis to help MRFs transition to the lower disposal fees, which reduced the margin between MRF revenue and cost. The program was to ensure continuation of post-collection recovery capacity, and not a direct subsidy of recycling efforts.

The Regional Environmental Management Department initiated the Regional System Fee Credit program in June 1998. The Metro Council intended the program to provide a temporary subsidy to allow MRFs time to adjust to the new economics of the solid waste system. The program's one-year sunset provision is consistent with this intent. The requested REM FY 2001-2002 budget proposes extension of the Regional System Fee Credit program until June 30, 2002 at the current funding level of \$900,000 in order to allow time for a comprehensive evaluation of the solid waste disposal rate and completion of the REM Strategic Plan.

### **FISCAL IMPACT**

Continuation of the Regional System Fee Credit program through FY 2001-2002 results in no projected variance from the requested FY 2001-02 budget. The FY 2001-2002 budget request proposes no changes in funding amount or source for this program from the adopted FY 2000-2001 Budget. The Regional System Fee Credit program is funded from the Regional System Fee, the component of the rate that supports region-wide REM programs.

### **EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends approval of Ordinance No. 01-897.



**Ordinance No. 01-898**, For the Purpose of Amending Metro Code Chapter 5.02 to Replace the Litter Control Surcharge at Metro Transfer Stations with a Surcharge Based on Weight of the Unsecured Load.

***Second Reading***

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING )  
METRO CODE CHAPTER 5.02 TO )  
REPLACE THE LITTER CONTROL)  
SURCHARGE AT METRO TRANSFER)  
STATIONS WITH A SURCHARGE)  
BASED ON WEIGHT OF THE)  
UNSECURED LOAD )

ORDINANCE NO. 01-898

Introduced by Mike Burton,  
Executive Officer

WHEREAS, littering is unlawful and undesirable; and

WHEREAS, in order to educate customers who litter and to recover the cost of litter pick up from those customers, Metro transfer stations now impose a surcharge on all customers who arrive with unsecured loads of solid waste; and

WHEREAS, the litter control surcharge varies based on commercial vs. non-commercial customer type; and

WHEREAS, a per-ton surcharge, regardless of commercial or non-commercial status of the hauler, would be viewed as more equitable both by Metro staff and by Metro transfer station customers; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 5.02.035 is amended to read:

5.02.035 Litter Control Surcharge

(a) A surcharge of \$25 per ton, up to a maximum amount of \$100, shall be levied against any customer who disposes of solid waste or a Recoverable Solid Waste at Metro Central Station or at Metro South Station if, when entering the facility, any portion of the customer's waste or Recoverable Solid Waste is unsecured and visible to Metro scalehouse personnel. (b) No surcharge shall be levied under this section if the solid waste or Recoverable Solid Waste is only visible through a secure covering.

(c) Notwithstanding subsection (a) of this section, a surcharge of \$4 per Solid Waste Disposal Transaction shall be levied against any customer who disposes of a single load of solid waste or recoverable solid waste that weighs



320 pounds or less and that is unsecured and visible to Metro scalehouse personnel.

(d) The surcharge provided for in this section shall be collected in the same manner as Metro collects all other disposal fees and charges at the facility.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel



## **EXECUTIVE SUMMARY ORDINANCE 01-898**

### **PROPOSED ACTION**

- Adopt Ordinance 01-898 that converts the transaction-based litter control surcharge at Metro transfer stations to a per-ton surcharge.

### **WHY NECESSARY**

The current transaction-based surcharge is:

- Inequitable
- Poorly known by customers
- Punitive

The new proposed per-ton surcharge would be:

- More equitable
- Simpler to communicate
- Less punitive

### **ISSUES/CONCERNS**

- Currently, self-haul customers are charged a \$25 surcharge when arriving at a Metro transfer station with an unsecured load of solid waste. This is a 150% surcharge for those who are charged the minimum tip fee.
- Self-haul customers commonly pay in cash, and few carry cash adequate to pay the litter control surcharge.
- Many self-haulers are not aware of the surcharge.
- Occasionally, customers become argumentative when confronted with an extra \$25 surcharge, making the enforcement duties of scalehouse employees more difficult.

### **BUDGET/FINANCIAL IMPACT**

None



## STAFF REPORT

Consideration of Ordinance No. 01-898, for the purpose of amending Metro code chapter 5.02 to replace the litter control surcharge at Metro transfer stations with a surcharge based on weight of the unsecured load.

March 2001

Presented by: Terry Petersen

### BRIEF DESCRIPTION OF ORDINANCE

This ordinance would change the way litter control surcharges are imposed at Metro transfer stations, from a per-load surcharge to a per-ton surcharge on unsecured loads. This ordinance would require that a second, higher solid waste rate be posted alongside Metro's established solid waste rate, displaying a higher rate for customers who arrive with unsecured loads. It would not change the established Metro solid waste rate.

### EXISTING LAW

Littering is illegal under Oregon Revised Statutes Chapter 164 Sections 785 and 805. Metro Code Chapter 5.02 imposes a \$25 per load surcharge on non-commercial customers and a \$100 surcharge on commercial customers whose loads arrive untarped or unsecured at Metro transfer stations.

### BACKGROUND

Nearly 100% of commercial customers to Metro transfer stations arrive with covered and secured loads. Occasionally, self-haul (and, rarely, commercial) customers arrive at a Metro transfer station with a load not secured with a tarp.

Existing Metro Code (Chapter 5.02) imposes a \$25.00 per non-commercial vehicle or \$100.00 per commercial load surcharge for unsecured loads arriving at Metro transfer stations. While not intended to be punitive, a litter control surcharge can be an important deterrent and educational tool; however, the current litter control surcharge implementation is inequitable, not well known by customers, and can be punitive.

#### *Equity*

Typically, non-commercial customers dispose of small loads of waste at Metro's transfer stations. Such small loads incur the minimum tip fee of \$15, including transaction fee, commonly paid in cash. In the event of an unsecured load, the \$25 litter control surcharge adds over 150% to the customer's total bill. Few cash-paying non-commercial customers carry this extra cash, and some become angry when asked for it. A commercial customer with a relatively small two-ton load would experience a 75% bill increase due to the existing litter control surcharge; large unsecured loads—of eight tons, for example—see only a 20% increase. Arguably, commercial customers ought to know better and should be penalized at least as severely, if not more, than non-commercial customers.



A per-ton surcharge would ensure that all customers are dealt with on an equal basis (see "*Punitiveness*" section).

#### *Customer Awareness*

Currently, the per-transaction litter control surcharge is posted at Metro transfer stations as a "footnote" to the Metro tip fee. The proposed per-ton surcharge would allow posting two separate tip fees, one for secured loads (\$62.50), one for unsecured loads (\$87.50). Such posting would provide clearer communication to customers and presumably make the enforcement duties of scalehouse employees easier. Additionally, the majority of customers—who arrive with properly secured and covered loads—could easily see the financial "savings" they enjoy for doing the right thing.

#### *Punitiveness*

A 150% surcharge is perceived as punitive by non-commercial haulers; commercial haulers' surcharges, at 20-75%, are less punitive. A \$25 per-ton surcharge would decrease the punitiveness on non-commercial customers. The proposed per-ton surcharge would add only \$4, or 27%, to the minimum tip fee of \$15. Capped at \$100 per transaction, the proposed per-ton surcharge will add \$100, or 31%, to the bill for a typical five-ton commercial load.

A \$25 per-ton surcharge, capped at \$4 minimum and \$100 maximum, will create a fairer, more effective educational tool for discouraging litter among Metro's transfer station customers.

#### **BUDGET IMPACT**

None

#### **OUTSTANDING QUESTIONS**

None

#### **EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends approval of Ordinance 01-898.



*Agenda Item Number 9.3*

**Ordinance No. 01-900A, For the Purpose of Amending Ordinance No. 97-713 to Correct Regional Urban Growth Boundary Map Errors and Adopting the Geographic Information Map of the Regional Urban Growth Boundary.**

***Second Reading***

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING ORDINANCE	)	ORDINANCE NO. 01-900A
NO. 97-713 TO CORRECT REGIONAL URBAN	)	
GROWTH BOUNDARY MAP ERRORS AND	)	
ADOPTING THE GEOGRAPHIC INFORMATION	)	Introduced by the Community
SYSTEM MAP OF THE REGIONAL URBAN	)	Planning Committee
GROWTH BOUNDARY	)	

WHEREAS, Metro has the statutory authority to establish, amend and maintain the regional urban growth boundary ("UGB") under ORS 268.390(3) and the authority to coordinate the comprehensive plans of the 24 cities and 3 counties in the region under ORS 195.025(1); and

WHEREAS, Metro established the regional UGB in Ordinance No. 79-77 using one region wide map attached to that ordinance for the location of the limits to future development of urban land; and

WHEREAS, the limits on the accuracy of the precise location of the UGB has long been recognized by the establishment of a quasi-judicial, small site "locational adjustment" process in 1981 to correct and improve the efficiency of the UGB; and

WHEREAS, Metro has maintained "official" maps of the regional UGB in seven books of tax lot maps at a scale of one inch = 100 feet with typically 1/16 sections per page; and

WHEREAS, site specific review and interpretation of the regional UGB has been based on the "official" lot specific maps of the UGB since 1979 adoption; and

WHEREAS, the "official" maps of the UGB have been digitized for planning work on Metro's geographic information system; and



WHEREAS, revised and restated region wide maps and lot specific maps of the regional UGB, updated through 1996, were adopted as the urban growth boundary for the Metro region in Ordinance No. 97-713; and

WHEREAS, Metro's UGB has been acknowledged by the Land Conservation and Development Commission to comply with applicable Statewide Planning Goals; and

WHEREAS, a number of small mapping inconsistencies of the precise location of the UGB have been identified from the use of different mapping technologies used by city, county and regional staffs to interpret the original map; and

WHEREAS, Metro has been in its second periodic review of the acknowledged regional UGB since April 27, 2000; and

WHEREAS, "Technical Amendments to the Urban Growth Boundary" is a subtask of the periodic review work program approved by LCDRC; and

WHEREAS, ten of the map inconsistencies identified in Metro's review for technical amendments of the regional UGB are corrected in this ordinance; and

WHEREAS, these ten areas total about 8.6 acres in seven cities where city limits extend beyond the mapped UGB inside Metro's jurisdictional boundary; and

WHEREAS, these city limits extend beyond the acknowledged UGB in acknowledged city comprehensive plans due to mapping errors and interpretations of those parts of boundaries which use streets and the 100 year floodplain as the boundary line; and

WHEREAS, cities generally annex the entire street right-of-way to reflect providing urban services in that right-of-way while the original UGB followed the centerline of streets; and



WHEREAS, Washington County 1974 floodplain maps were used for the original boundary around Forest Grove instead of the current 1992 FEMA floodplain maps; and

WHEREAS, Geographic Information System ("GIS") technology has enabled development of more accurate electronic maps of the region for planning uses that are registered to a more accurate tax lot configuration; and

WHEREAS, the electronic map of the regional UGB has been created as a data layer in Metro's Regional Land Information Systems ("RLIS"); and

WHEREAS, copies of these electronic maps will continue to be maintained in map books as the "official" UGB; and

WHEREAS, no change in the land available for development inside the regional UGB is included in this ordinance; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The maps of the regional UGB are hereby adjusted to be coordinated with the acknowledged boundaries in seven cities in ten areas where the acknowledged mapped city limits extend beyond the mapped UGB but inside Metro's jurisdiction, as shown in Exhibit "A" of this ordinance.

2. Ordinance No. 97-713 is hereby amended to replace the 1996 region wide and lot specific maps of the regional urban growth boundary with the electronic map of the regional UGB, updated to April 1, 2001, which is hereby adopted as the urban growth boundary for the Metro region.

///

///

///



3. This ordinance shall be transmitted to the Land Conservation and Development Commission for acknowledgment of compliance with applicable statewide goals as part of LCDC's periodic review work program.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_ 2001.

\_\_\_\_\_  
David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

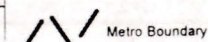
\_\_\_\_\_  
Daniel B. Cooper, General Counsel



## Map 7

## Exhibit A

Forest Grove city boundary as defined by the floodplain



Metro Boundary



Urban Growth Boundary



City Boundary

Where the UGB is defined by the floodplain boundary, the location of the UGB is determined by the 1992 FEMA 100-year floodplain or a more recent delineation of the floodplain completed by a Professional Engineer registered by the State of Oregon and filed with Metro

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

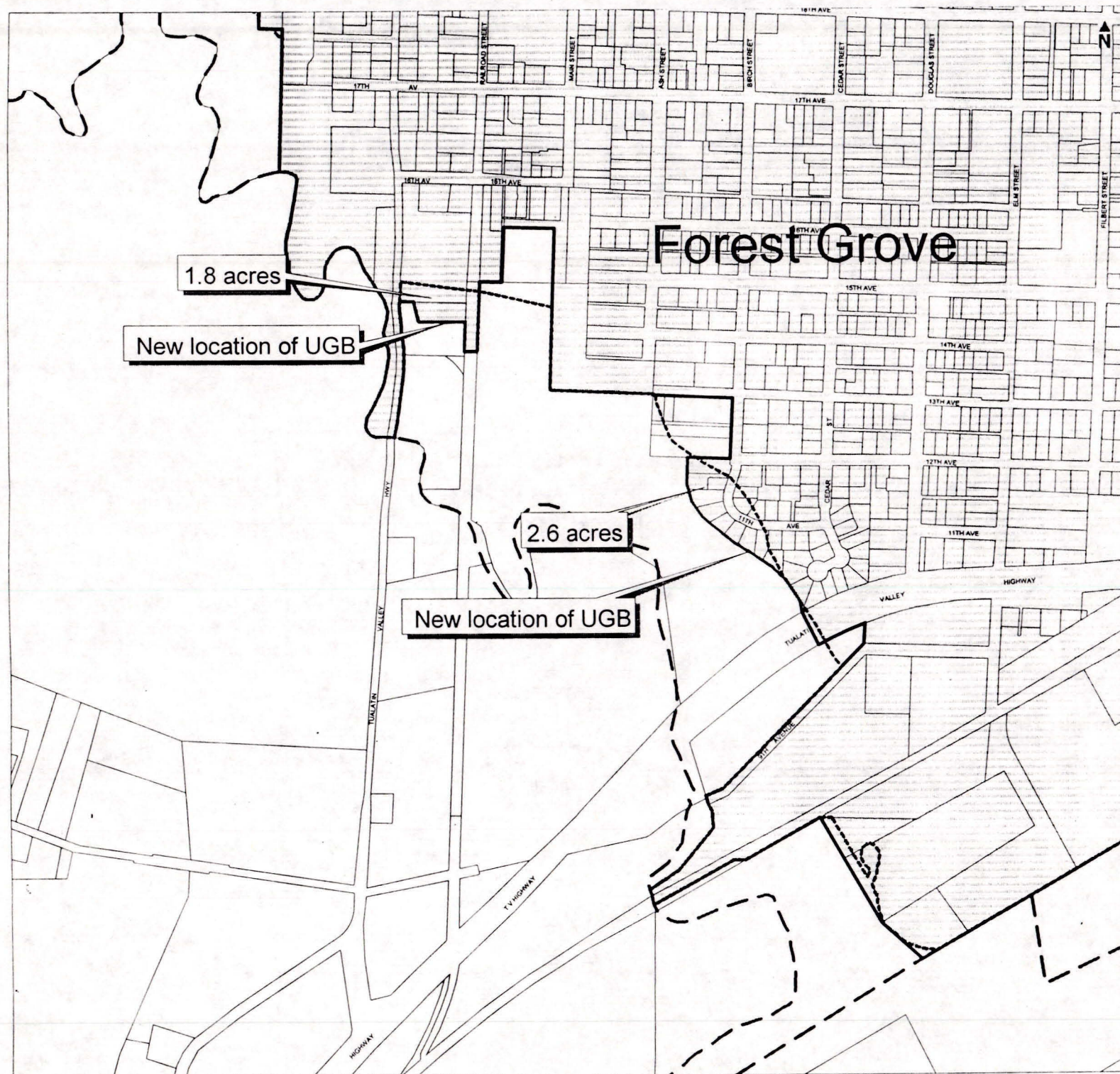
0 400 800 Feet

1" = 711 feet



METRO

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







## Map 8

Exhibit A  
Forest Grove city boundary as  
defined by the floodplain

 Metro Boundary

 Urban Growth Boundary

 City Boundary

Where the UGB is defined by the floodplain boundary, the location of the UGB is determined by the 1992 FEMA 100-year floodplain or a more recent delineation of the floodplain completed by a Professional Engineer registered by the State of Oregon and filed with Metro

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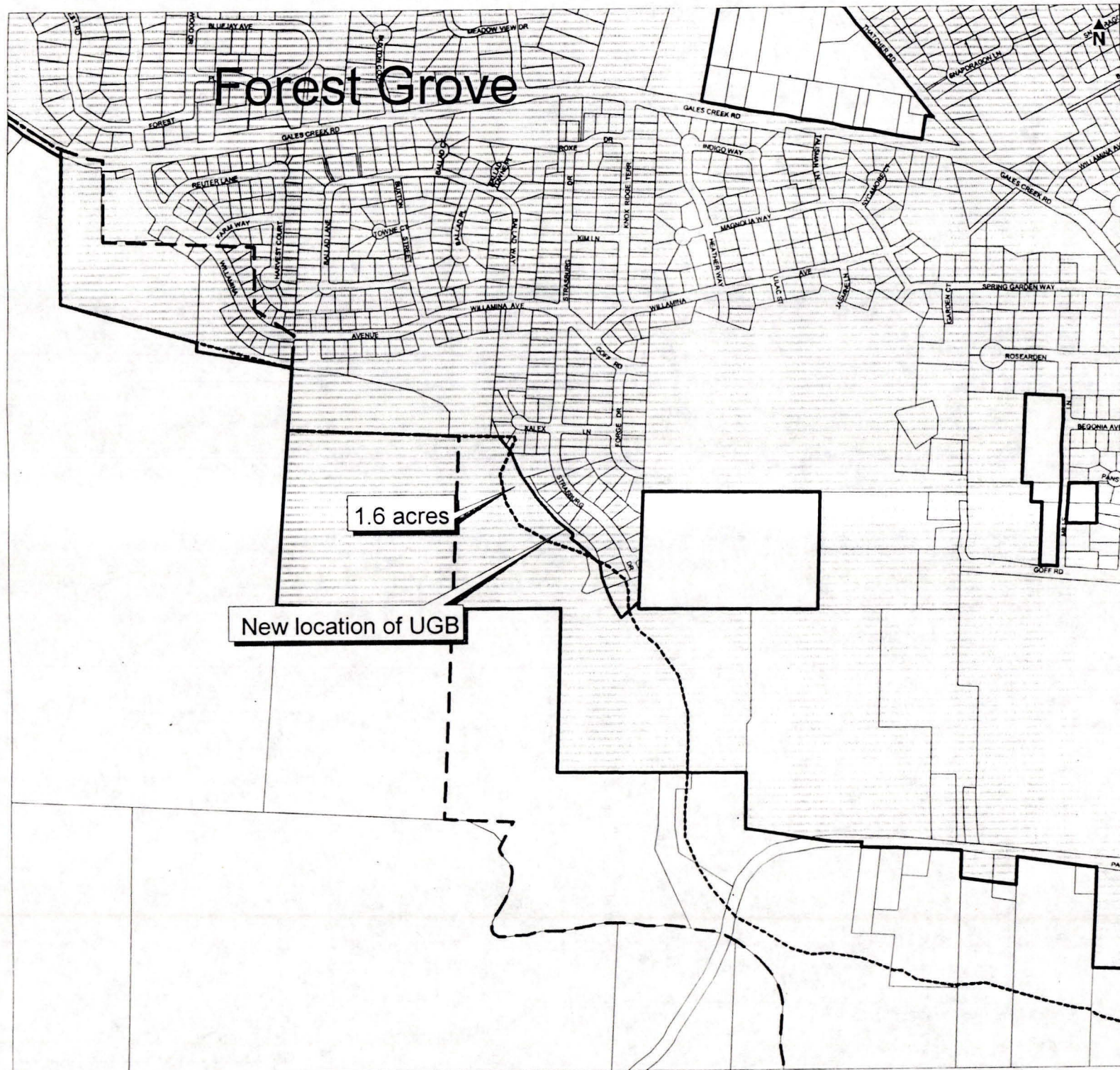
0 400 800 Feet

1" = 535 feet



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Email: [drc@metro.dst.or.us](mailto:drc@metro.dst.or.us)





## **STAFF REPORT**

*FOR THE PURPOSE OF AMENDING ORDINANCE NO.  
97-713 TO CORRECT REGIONAL URBAN GROWTH  
BOUNDARY MAP ERRORS AND ADOPTING THE  
GEOGRAPHIC INFORMATION SYSTEM MAP OF THE  
REGIONAL URBAN GROWTH BOUNDARY*

**Date: March 23, 2001**

**Presented by: Mary Weber  
Prepared by: Tim O'Brien**

### **PROPOSED ACTION**

Adoption of Ordinance No. 01-900A to amend the Metro Urban Growth Boundary and adopt the Geographic Information System (GIS) Map as the Official Metro Urban Growth Boundary Map.

### **EXISTING LAW**

Authority to amend the Metro Urban Growth Boundary comes from Oregon Revised Statutes (ORS) 268.390(3) and ORS 197.005-197.430.

### **BACKGROUND**

Metro code and State land use statutes require that the Metro Council review the estimated capacity of the Metro Urban Growth Boundary (UGB) at least every 5 years for each new 20-year period. The Land Conservation and Development Commission (LCDC), at its meeting of April 27, 2000, placed Metro in periodic review. The purpose of periodic review is to ensure that Metro's regulations and policies on the UGB remain in compliance with statewide planning goals.

LCDC approved Metro's three-phase work program to meet the requirements of periodic review. Subtask 5, *Technical Amendments to the Urban Growth Boundary*, is intended to correct inconsistencies that are a result of mapping errors and interpretations of the boundaries.

Metro staff has identified a number of locations throughout the region where inconsistencies exist between the UGB and city limits. Ordinance No. 01-900A addresses these map adjustments where the city limits extend beyond the UGB in specific relationship to street right-of-way and floodplain boundaries that define the UGB.

#### **City Limits beyond the Urban Growth Boundary**

City limits extend beyond the UGB as a result of mapping errors and interpretation of boundaries when streets and the 100-year floodplain define the UGB as described below.

Cities generally annex the entire street right-of-way for ease in providing urban services including sanitary sewer, storm sewer, and water, as well as police and fire services. The UGB generally follows the centerline of the street, resulting in areas where the city limits extend beyond the UGB. Extending the UGB to coincide with city limits that



encompass the entire street right-of-way will allow for the ease of maintenance and expansion of urban services as need requires. The cities of Beaverton, Gresham, Hillsboro, Troutdale, Tualatin and Sherwood are affected by these proposed adjustments to the UGB.

Washington County's 1974 floodplain maps were used to define the original UGB in several locations around the City of Forest Grove. Since the adoption of the original UGB, FEMA maps have come to be the standard used by local governments for defining flood elevation. FEMA maps were last updated in 1992. Forest Grove has approved development projects and annexations based on FEMA floodplain information rather than the 1974 Washington County floodplain maps. This results in land that is within a city limit but outside of the UGB. The City of Forest Grove submitted to Metro information on the location of the floodplain line based on delineated floodplain lines required by recent development projects.

### **GIS Map as Official UGB Map**

At this time, the "official" UGB map is kept on reproducible sepia copies of the Clackamas, Multnomah and Washington county Assessment & Taxation maps. These maps are hand-drawn and vary in scale and amount of area displayed. The UGB and Metro Boundary is kept current however, the tax lot configuration is representative of the 1978 time frame when the UGB was first drawn. Copies of the hand-drawn originals are kept in seven map books housed in the Data Resource Center. Microfilm and digitally scanned backup copies of the original maps are housed off site. As changes are made to the UGB, the original is edited, the revision date is noted on the map, and an updated copy is put in the map books for staff and the public to utilize. The old copies that are removed from the map books are retained for historical reference.

In 1988 Metro acquired Geographic Information System (GIS) capability and began developing an electronic map of the region to be utilized by staff on a daily basis. The UGB and Metro Boundary are registered to a tax lot configuration that is updated quarterly.

Staff proposes that the GIS version of the UGB and Metro Boundary map becomes the "official" UGB and Metro Boundary map and that the Data Resource Center discontinue maintaining the hand-drawn version of the UGB, which is an inefficient method for updating the map. If the UGB is amended by ordinance, the change will be made on the GIS version and a hardcopy plot of the UGB changes will be maintained in a map book. This map book will be the "official" UGB and Metro Boundary map, with any revision dates noted on the individual maps. In addition, each hardcopy plot of a revision will be microfilmed for the State archives. Furthermore, the following actions will also occur:

- The UGB/Metro Boundary map will be viewable online through the Metro website.
- The old sepias and map books will be stored and will be used as a reference along with the GIS map when settling boundary disputes.

Currently, the digital UGB and Metro Boundary files are protected by system-level security on Metro's computer system. GIS files are protected by passwords that are available only to the six members of the Data Resource Center technical group, the same people who have permission to revise the current "official" paper maps. In addition, only certain computer terminals have access to this database. This security system has been in place since 1988, protecting the entire Regional Land Information



System database without experiencing any problems. It will continue to protect the new "official" UGB and Metro Boundary map book that is based on the digital UGB and Metro Boundary files.

The map adjustments addressed in Ordinance No. 01-900A to correct inconsistencies and adopt the GIS version as the official Metro UGB map follow the Legislative Amendment Procedures as outlined in Metro Code Section 3.01.015. As the periodic review work program continues, staff anticipates additional amendments that will address the remaining inconsistencies to come forward as part of phase two of the work program. Additionally, proposed Metro Code amendments are anticipated to ensure that future inconsistencies do not occur between the UGB and city limits.

All of the map amendments addressed in Ordinance No. 01-900A are subject to Council approval. Staff has determined that the amendments to the UGB either correct mapping inaccuracies or are refinements to the map resulting from Metro's on-going effort to maintain the most accurate up-to-date UGB map as possible. A more detailed discussion of the corrections required resolving the map inconsistencies in response to the work staff has completed follows.

### **PROPOSED URBAN GROWTH BOUNDARY MAP ADJUSTMENTS**

Staff has identified a total of ten areas where the city limits extend beyond the UGB. The 10 areas total 8.6 acres and are located in seven different local jurisdictions: Beaverton, Forest Grove, Gresham, Hillsboro, Sherwood, Troutdale, and Tualatin. Maps detailing the points of inconsistency between the UGB and city limits are included in Exhibit A to Ordinance No. 01-900A.

#### **Street Right-of Way**

As noted above, these inconsistencies occur when a local jurisdiction annexes the entire street right-of-way and the UGB is located at the centerline of the street. Each of the street right-of-way areas where the inconsistencies occur was reviewed with the Metro Transportation Department to ensure that no future road project would inadvertently result in the addition of buildable land to the UGB. The total number of acres being brought into the UGB through the adjustment of the UGB in relation to street right-of-way is 6 acres. This land is considered unbuildable as it is in public ownership and currently exists as public street right-of-way.

#### **City of Beaverton**

**Map 1** This area is located on the western edge of the City of Beaverton where SW Weir Road and SW Mt. Adams Road intersect. The city limits of Beaverton include the entirety of SW Weir Road but the UGB runs down the center of SW Weir Road.

#### **City of Gresham**

**Map 2** This area is located on the southern edge of the City of Gresham along SE Regner Road. The city limits of Gresham include the entire right-of-way of the road but the UGB runs down the centerline of SE Regner Road.

#### **City of Hillsboro**

**Map 3** This area is located on the northern boundary of the City of Hillsboro along NW Jacobson Road near NW Helvetia Road. The city limits of Hillsboro include the entire right-of-way of the road but the UGB runs down the center of NW Jacobson Road.



### **City of Sherwood**

**Map 4** This area is located on the western edge of Sherwood along SW Edy Road. The city limits of Sherwood includes the entire right-of-way of SW Edy Road but UGB runs down the center of SW Edy Road.

### **City of Troutdale**

**Map 5** This area is located on the eastern edge of Troutdale. The city limits include a portion of the entire right-of-way of East Woodard Road, but the UGB does not include this portion of East Woodward Road, essentially outlining the road.

### **City of Tualatin & Sherwood**

**Map 6** This area is located in both Tualatin and Sherwood along the Tualatin Sherwood Highway between SW 120<sup>th</sup> Ave. and SW Wildrose Place. The city limits of both Tualatin and Sherwood include the entire right-of-way of the Tualatin Sherwood Highway but UGB runs down the middle of the highway.

### **Floodplain Line**

Utilizing delineation's of the 100-year floodplain line that were based on the 1992 FEMA floodplain maps, staff is able to provide an up to date location of where the UGB should be located when it is to be defined by the 100-year floodplain line.

The City of Forest Grove provided information as to the location of the 100-year floodplain line from recent development projects and annexations that were required to delineate the floodplain location. This information is located in Attachment 1 to the Staff Report and includes a portion of a plat map for the Knox Ridge development, Boundary Commission final order for the annexation of the Fairmont development, and Boundary Commission final order and maps for portions of a third piece of property that was annexed to the City in 1984 and 1991.

The total number of acres being brought in to the UGB through the adjustment of the UGB in relation to the delineated floodplain line is 2.6 acres. This land is already within the city limits of Forest Grove and developed therefore, the floodplain line adjustments do not increase the amount of buildable land included in the UGB.

### **City of Forest Grove**

**Map 7** The first area is located on the southern edge of the City of Forest Grove just west of Birch Street and north of Highway 8 in the Fairmont subdivision. There are roughly 9 single-family dwellings in this location. This area is 2.4 acres in size. The second area is also located near the southern edge of the city east of B Street. This site is currently being used as a parking/storage lot for an industrial use. This area is 1.8 acres in size resulting in a total acreage of 4.2 acres to be included in the UGB from these two adjustments.

**Map 8** This area is located on the western edge of the City of Forest Grove, northwest of SW Richey Road and south of Willamina Avenue, adjacent to the Knox Ridge subdivision. As indicated in Map 1 of Attachment 1, the western edge of the Knox Ridge subdivision is the delineated 100-year floodplain line that was required during the development process. Map 8 in Exhibit A to Ordinance No. 01-900A indicates the current UGB/floodplain line to be located further west of the subdivision edge. Thus, in this location a total acreage of 1.6 acres is being removed from the UGB.



### **Floodplain Delineation Line Note**

Currently the paper copy of the "official" UGB maps for Washington County display the following text:

"Where the UGB is defined by floodplain boundaries as shown on the Washington County 1974 floodplain maps, the precise location of the UGB shall be determined by field survey based upon elevations in 1974 defined by the Washington County Director of Public works, following the procedures provided in Section 135-1.1 of the Washington County Zoning Article."

Based on the information noted previously that FEMA maps are the standard used by local governments for determining flood elevation, staff proposes the following note be placed on the "official" GIS UGB map:

"Where the UGB is defined by the floodplain boundary, the location of the UGB is determined by the 1992 FEMA 100-year floodplain or a more recent delineation of the floodplain completed by a Professional Engineer registered by the State of Oregon and filed with Metro".

Staff is aware of completed development projects in areas of Washington County where the floodplain was delineated utilizing the 1992 FEMA 100-year floodplain line. The addition of this note on the "official" GIS UGB map will allow staff to adjust the location of the UGB in these areas where the UGB is defined by the floodplain based on survey data from completed development projects.

### **BUDGET IMPACT**

Adoption of this ordinance has no budget impact.

### **EXECUTIVE OFFICER'S RECOMMENDATION**

That the recommended adjustments to the Metro Urban Growth Boundary map described above be adopted and that the GIS version of the Metro Urban Growth Boundary map be the "official" Metro Urban Growth Boundary map replacing the hand-drawn Metro Urban Growth Boundary map.



## **REGIONAL FACILITIES AND OPERATIONS COMMITTEE REPORT**

CONSIDERATION OF **RESOLUTION NO. 01-3049**, FOR THE PURPOSE OF APPOINTING NORM ANDREEN, KEITH PARKER, AND SCOTT SEIBERT TO THE METRO COMMITTEE ON CITIZEN INVOLVEMENT (MCCI)

---

Date: April 12, 2001

Presented by: Councilor Burkholder

**Committee Recommendation:** At its April 12, 2001, meeting, the Regional Facilities & Operations Committee voted 3-0 to recommend Council adoption of Resolution No. 01-3049. Voting in favor: Councilors Park, Hosticka, and Burkholder. Voting against: none. Absent: none.

**Background:** Karen Withrow, Staff to the Committee for Citizen Involvement, presented the staff report. explained that, according to Metro Code Chapter 2.12 and Ordinance 00-860, the Metro Committee for Citizen Involvement (MCCI) is responsible for nominating appointees to vacancies, with final approval to be given by Council.

Nominee Norm Andreen represents Clackamas County outside Metro. Nominee Keith Parker represents Council District 3. Nominee Scott Seibert represents Council District 4.

**Committee Issues/Discussion:** Councilor Park asked if the nomination from Councilor Atherton's (Norm Andreen) had been reviewed with him? Ms. Withrow replied that the nominee is actually outside of Councilor Atherton's district, in Clackamas County. She further stated that MCCI had no concerns or negative impressions. Councilor Park asked if MCCI had had positive impressions. Ms. Withrow replied that the committee felt the nominee would be able to provide a positive influence for change, while understanding the political process.

**Key Public Testimony:** none.



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING NORM ANDREEN,  
KEITH PARKER AND SCOTT SEIBERT TO THE METRO  
COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI)

)  
)  
)

RESOLUTION No. 01-3049

INTRODUCED BY EXECUTIVE OFFICER BURTON

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

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

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

WHEREAS, there are vacancies in MCCI membership and one appointment correction to be made; and

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

Norm Andreen	15331 S. Tioga Road, Oregon City, 97045	Clackamas outside Metro, Position 22
Keith Parker	12615 SW Tiger Lilly Ln, Beaverton, 97008	District 3, Position 8
Scott Seibert	8150 SW Barnes Road, Portland, 97225	District 4, Position 12

BE IT RESOLVED that the Metro Council appoints Norm Andreen, Keith Parker and Scott Seibert as members of the Metro Committee for Citizen Involvement (MCCI).

ADOPTED BY THE METRO COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001.

\_\_\_\_\_  
Presiding Officer David Bragdon

Approved as to Form

\_\_\_\_\_  
Office of General Counsel



*Agenda Item Number 10.1*

**Resolution No. 01-3049, For the Purpose of Appointing Norm Andreen, Keith Parker and Scott Seibert to the Metro Committee on Citizen Involvement.**

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



## STAFF REPORT

### FOR THE PURPOSE OF APPOINTING NORM ANDREEN, KEITH PARKER AND SCOTT SEIBERT TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI)

---

MARCH 8, 2001

KAREN WITHROW (x1539)

---

#### BRIEF DESCRIPTION OF RESOLUTION

This resolution is intended to appoint three new members to the Metro Committee for Citizen Involvement (MCCI).

#### EXISTING LAW

Metro Code Chapter 2.12 and Ordinance 00-860 are the relevant legal documents related to this appointment. Both currently state that MCCI will nominate appointees to vacant positions and the Metro Council will give final approval.

#### BACKGROUND

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

From District 4, Scott Seibert has been in Oregon for many years but just moved to the Portland area in the last three or four. He has varied citizen involvement experience from his time in Eugene where he chaired several board and committees.

From District 3, Keith Parker is vice-chair of his neighborhood association and a member of the City of Beaverton budget committee. He has also participated in other citizen committee processes. He is generally aware of Metro and the work we do with other governments but wants to learn more and be a conduit back to his neighborhood.

Norm Andreen lives in the area of Clackamas County outside of the Metro boundary. He has been very involved in citizen participation with Clackamas County having influenced the formation of the "Complete Communities" process there. He believes that government that listen early will come to better decisions that are more easily implemented.

#### BUDGET IMPACT

None

#### OUTSTANDING QUESTIONS

None

The MCCI Nominating Committee sends forward these nominations and we thank the Council for their consideration of this Resolution.



2001 D

METRO ADVISORY COMMITTEES  
APPLICATION FOR CITIZEN INVOLVEMENT

**Name:** Keith E. Parker

**Council District:** 3

**Address:** 12615 SW Tiger Lilly Ln., Beaverton

**State/ZIP:** OR/97008

**Phone: Home:** (503) 574-3331 **Work:** (503) 796-2496 **Fax:** (503) 796-2900 **e-mail:** kparker@Schwabe.com

**Occupation/place of employment:** Attorney, Schwabe, Williamson & Wyatt, P.C.

**Education, Work or volunteer experience:**

**Education:** B.A., University of the Pacific; MBA, Syracuse University; JD, Southern Methodist University.

**Work:** 1999-Present: Schwabe, Williamson & Wyatt

1988-1996: Nike, Inc.

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

- 1) Member, City of Beaverton Budget Committee
- 2) Member, Washington County Transportation Plan Update Citizen Advisory Committee
- 3) Vice-Chair, Highland Neighborhood Association Committee

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

I am interested in the Metro Committee for Citizen Involvement. This is a very critical time in the development of the Metro area. There are many worthy projects and issues, but not enough capital to accomplish all that needs to be done. That is why I feel it is very important to create and implement programs that allow citizens a meaningful opportunity to be involved in areas that are going to have a major impact on their quality of life. MCCI is an excellent opportunity to get these people involved, many of whom have ideas and knowledge that otherwise may not be heard. In addition, I believe my district is under-represented on MCCI and thus it is possible that MCCI may not be hearing the views and concerns of the district.

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

I believe my experience in the community activities mentioned above have been a great learning experience that has prepared me for a position on MCCI. Through these activities, I have learned a great deal about the interrelation of State, Metro, County and Local interests and goals. I also have learned that after allocating time for work and family, for most citizens, the time available for volunteering is very limited. That is why it is important to develop programs that are efficient and organized in order to maximize the effectiveness of the time citizens are devoting to being involved in the process.

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

Bob Tenner- Beaverton CCI

Marv Doty- Highland Neighborhood Association

Optional: Attach resume

Most Metro Advisory Committees require meeting at least once a month. Meeting hours depending on the committee. Many committees also require some investment in time ou Will your commit to the time required to fulfill your duties if appointed to an advisory c

☐ No

Keith Parker D.3  
12615 SW Tiger Lilly Ln  
Beaverton 97008  
ph. 503-796-2496  
email: kparker@schwabe.com  
2-13-01 emailed job desc/appl.



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

Signature: Keith E. Parker

Date 02/13/01

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

Please return to:  
Metro Office of Citizen Involvement  
600 NE Grand Avenue  
Portland, OR 97232  
797-1539 (phone) 797-1799 (fax)  
e-mail: [MCCI@metro.dst.or.us](mailto:MCCI@metro.dst.or.us) web site: [www.metro-region.org](http://www.metro-region.org)

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





## Application for Citizen Involvement

Name Norman F. Andreen Council district/County Clackamas County outside Metro boundary  
 Address 15331 S. Tioga Rd. Oregon City State/ZIP OR. 97045  
 Phone: Home 503-632-4330 Work Same FAX Same e-mail NAndreen@aol.com  
 Occupation/place of employment Co-Owner of Subtle Surfaces for eight years

Education, work or volunteer experience B.A. from San Diego State Univ. in Public Administration, 25 years of management ~~for~~ in Banking the last 10 as an AVP. The last two years Co-President of the Beaver Creek CPO. I have been a small business owner for the past eight years.

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

Member of the Steering Committee for Clackamas County (Complete Communities), Board member for Beaver Creek Committee for Community Planning, Co-President of the Beaver Creek CPO for the last two years. Co-President of the Association of Clackamas County CPO's and Neighborhood Associations. All of these organizations deal with community planning and citizen involvement.

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

I am interested in joining the Metro Committee for Citizen Involvement. I believe that governmental bodies can get into trouble sometimes by not involving the citizens they serve, especially early in the process. Too many times the policy and decisions are made without enough citizen input. ~~These issues~~ This can cause citizen to feel disenfranchised. I have worked with the Clackamas County Commissioners to solve this problem in our county. We are starting to make some real strides in this area. I believe I can help Metro reach those goals also.



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

I am a good communicator. Having been a president of several planning organizations and working with the County of Clackamas, I believe I understand how the governmental process works and I have some ideas on how to make it work better. I also believe that the knowledge I received in college in getting my degree in Public Administration will help me in this cause.

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

Michael Jordan (Clackamas County Commissioner) and George Abbott (Phone work 503-829-9727 - home 503-824-3825)

Optional: Attach resume

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

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

Signature

*Thomas Andrew*

Date

2/5/01

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600 NE Grand Avenue  
Portland, OR 97232

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

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



## Application for Citizen Involvement 10-31-00

Name SLOTT SEIBERT Council district/County 4  
 HOME 8150 S.W. Barnes Rd D-306 MAILING PO BOX 3571  
 Address PDX 97225 State/ZIP ADDRESS PDX 97208  
 Phone: Home <sup>503.</sup>422-9739 Work <sup>503.</sup>296-0033 FAX \_\_\_\_\_ e-mail SSeibert@peaceheal  
 Occupation/place of employment PeaceHealth OR

### Education, work or volunteer experience

Current - Analyst, PeaceHealth Corporate  
 Graduate - George Fox, Human Resources Mgmt.  
 Volunteer - 20 years doing everything from  
setting up chairs and stuffing  
envelopes to chairing  
statutory hearings for local  
government.

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

Current - State of Oregon Civil Rights & Affirmative Action Commission  
 Past - Chair, City of Eugene Citizen Involvement Commission  
Chair, City of Eugene Human Rights Commission  
Steering Committee, No on 9 (last time!)  
Steering Committee, MPowerment Project  
Community College Rep, State Board of Education  
About 15 other Boards, Commissions or Non-Profit  
Agency Committees

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

the METRO COMMITTEE for CITIZEN INVOLVEMENT

- 1- Adequate and appropriate citizen involvement in  
key community issues is the first step to  
positive community change.
- 2- Citizen Involvement should facilitate empowerment  
of the affected communities, not divide them.



METRO



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

Extensive involvement in state/regional organizations  
Read, Watch and Evaluate local News  
Vote!!

Extensive community involvement/mediation  
and high level of "team" skills.

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

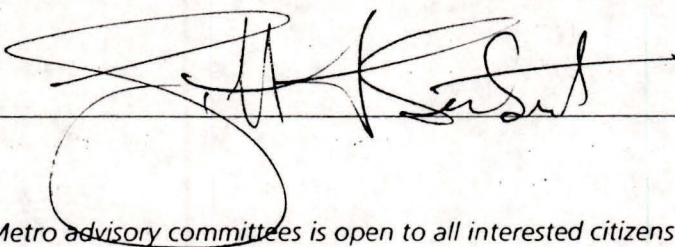
Greg Kikhoff City of Eugene Staff 541 682 5177  
Bob Ball 248-2255

#### Optional: Attach resume

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

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

Signature



Date

1 Nov 2000

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or Metro teletype 797-1804



*Agenda Item Number 10.2*

**Resolution No. 01-3052, For the Purpose of Confirming the Appointment of Leroy Patton to the Metro Investment Advisory Board.**

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE ) RESOLUTION NO. 01-3052  
APPOINTMENT OF LEROY PATTON TO THE )  
INVESTMENT ADVISORY BOARD ) Introduced by  
 ) Executive Officer  
 )

WHEREAS, The Metro Code, Section 2.06.030, provides that the Council confirms members to the Investment Advisory Board; and,

WHEREAS, LeRoy Patton comes recommended by his background and experience; and is qualified to perform these duties, now, therefore,

BE IT RESOLVED,

That LeRoy Patton is confirmed as a member of the Investment Advisory Board for the term ending October 31, 2002.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
David Bragdon, Presiding Officer

Approved as to form:

\_\_\_\_\_  
Daniel B. Cooper, General Counsel



## **BUDGET AND FINANCE COMMITTEE REPORT**

CONSIDERATION OF **RESOLUTION NO. 01-3052**, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF LEROY PATTON TO THE INVESTMENT ADVISORY BOARD

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Date: April 11, 2001

Presented by: Councilor Burkholder

**Committee Recommendation:** At its April 11, 2001, meeting, the Budget and Finance Committee voted 5-0 to recommend Council adoption of Resolution No. 01-3052. Voting in favor: Burkholder, Bragdon, McLain, Hosticka, Monroe. Voting against: None. Absent: Park, Atherton.

**Background:** Brian Williams, Investment Manager, presented the staff report. He explained that, according to Metro Code 2.06.030, which creates the Investment Advisory Board, nominees for membership on the Board are referred by Metro's Investment Officer to Council for confirmation. The Investment Advisory Board advises Metro on investment policies and reviews Metro's compliance with legal regulations and existing policies

**Committee Issues/Discussion:** There was none

**Key Public Testimony:** There was none



## **STAFF REPORT**

CONSIDERATION OF RESOLUTION NO. 01-3052 FOR THE PURPOSE OF  
CONFIRMING THE APPOINTMENT OF LEROY PATTON TO THE INVESTMENT  
ADVISORY BOARD.

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Date: March 20, 2001

Presented by: Brian Williams

### **DESCRIPTION**

This resolution would confirm the appointment of Leroy Patton to the Metro Investment Advisory Board.

### **EXISTING LAW**

Metro Code, Section 2.06.030, includes the creation of the Investment Advisory Board. One provision of this Code requires the Investment Officer to recommend to the Council for confirmation those persons who shall serve on the Board to discuss and advise on investment strategies, banking relationships, the legality and probity of investment activities, and the establishment of written procedures for the investment operation.

### **BACKGROUND**

LeRoy Patton is a retired administrator of Portland Public Schools and an active participant in Portland civic affairs.

Currently, LeRoy is Vice President of Multnomah County's Poverty Advisory Commission and is President of the Fair Housing Council of Oregon. In addition, LeRoy is a board member of both the American Cancer Society, and the Community Music Center which is administered by the City of Portland's Park Bureau.

Prior to his retirement LeRoy was the Vice Principal for Portland Public School's Vocational Village alternative school. His assignment prior to that position was as the administrative assistant to the Superintendent of Schools for Portland Public Schools.

LeRoy Patton is known to Brian Williams, Cash and Investment Analyst, as an energetic person who brings with him a history of community involvement.

### **BUDGET IMPACT**

There is no new out-of-pocket expense created by the confirmation of LeRoy Patton to the volunteer position of the Investment Advisory Board.

### **OUTSTANDING QUESTIONS**

There are none.

### **EXECUTIVE OFFICER'S RECOMMENDATION:**

The Executive Officer recommends approval of Resolution No. 01-3052.



*Agenda Item Number 10.3*

**Resolution No. 01-3062, For the Purpose of Authorizing Release of RFB#01B-20-REM for Installation of a Cutoff Wall at the St. Johns Landfill.**

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



**BEFORE THE METRO COUNCIL**

**FOR THE PURPOSE OF AUTHORIZING )  
RELEASE OF RFB #01B-20-REM FOR )  
CONSTRUCTION OF A CEMENT- )  
BENTONITE SLURRY TRENCH CUTOFF )  
WALL AT THE ST. JOHNS LANDFILL )**

**RESOLUTION NO. 01-3062**

Introduced by Mike Burton,  
Executive Officer

WHEREAS, an area of the perimeter dike of the St. Johns landfill is in need of the installation of a low-permeable cutoff wall as described in the accompanying staff report; and

WHEREAS, staff has prepared the request for bids attached as Exhibit "A"; and

WHEREAS, the project was identified in Metro's Adopted Capital Improvement Plan and the proposed FY 2001-2002 budget; and

WHEREAS, this 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 #01B-20-REMB
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 most responsive, responsible bidder.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
David Bragdon, Presiding Officer

Approved as to Form:

\_\_\_\_\_  
Daniel B. Cooper, General Counsel



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PLEASE CONTACT REM  
DEPARTMENT FOR COPY

**REQUEST FOR BID'S**  
**FOR THE**  
**ST. JOHNS LANDFILL**  
**CEMENT/BENTONITE SLURRY**  
**CUTOFF WALL**

**MARCH 2001**

**RFB #01B-20-REM**

Metro  
Regional Environmental Management Department  
600 N.E. Grand Avenue  
Portland, OR 97232-2736  
[www.metro.dst.or.us](http://www.metro.dst.or.us)



**EXECUTIVE SUMMARY  
RESOLUTION 01-3062  
INSTALLATION OF A CEMENT/BENTONITE  
SLURRY TRENCH CUTOFF WALL**

**PROPOSED ACTION**

- Adopt Resolution No. 01-3062, which authorizes release of RFB #01B-20-REM, and authorizes the Executive Officer to execute a contract for the installation of a cement/bentonite slurry trench cutoff wall at the St. Johns Landfill.

**WHY NECESSARY**

- The perimeter dike of St. Johns Landfill serves as a filter and barrier between the solid waste in St. Johns Landfill and surrounding surface water.
- Metro has located approximately 1,025 feet of the perimeter dike that is contaminated with solid waste.
- Repair will confer long-term stability and reduce the possibility of contaminant migration by improving the barrier between the waste and surface water in North Slough.
- This is the second phase of the dike stabilization project that was approved by the Council in 2000, and is required to complete that work.
- Metro's analysis indicates that the cement/bentonite wall provides the most cost-effective and technically sound solution to the problem.

**ISSUES/CONCERNS**

- It is necessary to select an experienced contractor without delay in order to perform the slurry design requirements and allow construction of the wall prior to slough water levels dropping in late summer.

**BUDGET/FINANCIAL IMPACTS**

- The cement/bentonite cutoff wall is included in the CIP and is budgeted in FY2001-2002 at \$459,360. Payments will be made from the St. Johns Landfill Closure Account.



## **STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 01-3062 FOR THE  
PURPOSE OF AUTHORIZING RELEASE OF RFB #01B-20-REM  
FOR THE INSTALLATION OF A CEMENT/BENTONITE SLURRY  
TRENCH CUTOFF WALL AT THE ST JOHNS LANDFILL

Date: March 29, 2001

Presented by: Terry Petersen

## **PROPOSED ACTION**

Adopt Resolution No. 01-3062 that authorizes release of RFB #01B-20-REM and authorizes the Executive Officer to execute a contract with the most responsive, responsible bidder.

## **EXISTING LAW**

This contract is identified as having significant impact on Metro in the FY 2001-2002 budget. In accordance with Metro Code 2.04.026 contracts with significant impact require Council approval.

## **FACTUAL BACKGROUND AND ANALYSIS**

From 1940 to 1991 about 12 to 15 million tons of solid waste were buried in St. Johns Landfill. Some of it may be hazardous waste including pesticide-manufacturing residues. This source of contamination is separated from the surrounding surface water by a perimeter dike, both natural and engineered, consisting mostly of low-permeability silt. This soil retards or stops the movement of most contaminants from the waste, especially the more toxic contaminants. Surface water is eating away at this filter and barrier.

Metro assumed operational responsibility for the St. Johns Landfill from the City of Portland in 1980 and purchased the landfill in 1990. From 1992 to 1996 Metro constructed a 225 acre, membrane based, cover system over the landfill in order to control the impact of the landfill on the surrounding wetland environment. Metro is now concentrating its attention of the perimeter dike and has identified critical sections needing immediate attention.

Metro has identified a 1,025-foot section of the north perimeter dike that is partially constructed of waste contaminated soil. The refuse buried in the dike could increase the permeability of the dike and create a preferential pathway for leachate to enter the North Slough.

To reduce the possibility of contaminant migration, Metro has developed a design for a cement/bentonite cutoff wall based on conditions specific to St. Johns Landfill. Metro retained a consulting engineer to design a means of improving the integrity of the dike in this area. The cement/bentonite wall was selected as the most cost effective and technically sound solution to the problem. A 2½-foot wide trench will be cut in the perimeter road and filled with a cement/bentonite slurry mixture. When solidified, the trench will form a barrier that will reduce



or stop the migration of contaminated liquids. The adjacent bank was protected and stabilized in summer 2000 in preparation for the installation of the cement/bentonite cutoff wall.

Metro has received authorizations from the City of Portland and is submitting the contract documents to DEQ for its review.

### **BUDGET IMPACT**

Construction of the cement/bentonite slurry trench cutoff wall is in the proposed budget in the St. Johns Landfill Closure Account for FY 2001-2002 at \$459,360. The engineers estimate for the CB wall is \$452,000.

### **EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends approval of Resolution No. 01-3062.



*Agenda Item Number 11.1*

**Resolution No. 01-3047, For the Purpose of Authorizing the Executive Officer to Execute a Multi-year contract for Advertising Services at the Oregon Zoo.**

***Contract Review Board***

Metro Council Meeting  
Thursday, May 3, 2001  
Gresham Council Chamber



BEFORE THE METRO CONTRACT REVIEW BOARD

CONSIDERATION OF RESOLUTION NO. 01-3047	)	RESOLUTION NO. 01-3047
FOR THE PURPOSE OF AUTHORIZING THE	)	
EXECUTIVE OFFICER TO EXECUTE A MULTI-	)	Introduced by Mike Burton
YEAR CONTRACT FOR ADVERTISING SERVICES	)	Executive Officer
AT THE OREGON ZOO.	)	

WHEREAS, The Zoo intends to contract for an advertising agency for pro bono services, with the Zoo paying out-of-pocket expenses; and

WHEREAS, The Zoo mailed RFPs , reviewed proposals, conducted interviews, and chose an advertising agency; and

WHEREAS, The contract amount goes directly for the production and purchase of advertising, and not to the contractor for any design work;

WHEREAS, This contract is designated to have significant impact on Metro,

BE IT RESOLVED:

That the Metro Council authorizes the Executive Officer to execute the zoo's contract for advertising services.

ADOPTED by the Metro Contract Review Board this \_\_\_\_ day of \_\_\_\_\_, 2001.

---

David Bragdon, Presiding Officer

Approved as to form:

---

Daniel B. Cooper, General Counsel



Attachment A

Project: Advertising agency  
Contract No. 922838

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between Metro, a metropolitan service district organized under the laws of the state of Oregon and the 1992 Metro Charter, located at 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and COLE AND WEBER, 115 NW First Avenue, Suite 400, Portland, Oregon 97209.

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

1. Duration. This personal services agreement shall be effective March 26, 2001, and shall remain in effect until and including March 25, 2006, unless terminated or extended as provided in this Agreement.
2. Scope of Work. Contractor shall provide all services and materials specified in the attached "Exhibit A -- Scope of Work," which is incorporated into this Agreement by reference. All services and materials shall be provided by Contractor in accordance with the Scope of Work, in a competent and professional manner. To the extent that the Scope of Work contains additional contract provisions or waives any provision in the body of this Agreement, the Scope of Work shall control.
3. Payment. Metro shall pay Contractor for services performed and materials delivered in the amount(s), manner and at the time(s) specified in the Scope of Work for a maximum sum not to exceed One million three hundred fifty-nine thousand, three hundred six dollars and no/100ths (\$1,359,306.00).
4. Insurance.
  - a. Contractor shall purchase and maintain at the Contractor's expense, the following types of insurance, covering the Contractor, its employees, and agents:
    - (1) Broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and
    - (2) Automobile bodily injury and property damage liability insurance.
  - b. Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
  - c. Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS. Notice of any material change or policy cancellation shall be provided to Metro 30 days prior to the change or cancellation.
  - d. Contractor, its subcontractors, if any, and all employers working under this Agreement that are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Contractor shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If Contractor has no employees and will perform the work without the



assistance of others, a certificate to that effect may be attached, as Exhibit B, in lieu of the certificate showing current Workers' Compensation.

e. If required by the Scope of Work, Contractor shall maintain for the duration of this Agreement professional liability insurance covering personal injury and property damage arising from errors, omissions, or malpractice. Coverage shall be in the minimum amount of \$500,000. Contractor shall provide to Metro a certificate of this insurance, and 30 days' advance notice of material change or cancellation.

f. Contractor shall provide Metro with a certificate of insurance complying with this article and naming Metro as an additional insured within fifteen (15) days of execution of this Contract or twenty-four (24) hours before services under this Contract commence, whichever date is earlier.

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

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

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

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

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

10. Right to Withhold Payments. Metro shall have the right to withhold from payments due to Contractor such sums as necessary, in Metro's sole opinion, to protect Metro against any loss, damage, or



claim which may result from Contractor's performance or failure to perform under this Agreement or the failure of Contractor to make proper payment to any suppliers or subcontractors.

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

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

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

14. Termination. This Agreement may be terminated by mutual consent of the parties. In addition, Metro may terminate this Agreement by giving Contractor seven days prior written notice of intent to terminate, without waiving any claims or remedies it may have against Contractor. Termination shall not excuse payment for expenses properly incurred prior to notice of termination, but neither party shall be liable for indirect or consequential damages arising from termination under this section.

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

16. Modification. Notwithstanding and succeeding any and all prior agreement(s) or practice(s), this Agreement constitutes the entire Agreement between the parties, and may only be expressly modified in writing(s), signed by both parties.

COLE AND WEBER

METRO

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



### **SCOPE OF WORK/TERMS OF PAYMENT**

This is a one year contract renewable for four additional years by agreement of both parties. Cole & Weber will provide the following services to the Oregon Zoo:

1. Create Spring, Summer and Fall advertising campaigns aimed at the local market and potential visitors within a day's drive of the Oregon Zoo.
2. Produce up to 6 ads per year on new animals or programs.
3. Oversee production of advertising.
4. Recommend and place media buys.
5. Help develop strategies for the reaching the tourist market, recommend media buys for this market, and create and produce up to 4 ads per year.
6. Meet with the Zoo Marketing Manager for up to 20 hours per year to provide consultation on marketing and advertising strategies.

The Zoo Marketing Manager must approve all materials written or produced by the Contractor in concept development, draft, pre-production and final phases.

The Zoo has the right to pre-approve all personnel that are working on this contract.



## TERMS OF PAYMENT

1. The maximum sum payable for the period of April 15, 2001 through June 30, 2001 will not exceed \$80,000. The maximum sum payable for the period of July 1, 2001 through June 30, 2002 will not exceed \$246,000. The maximum sum payable for the period of July 1, 2002 through June 30, 2003 will not exceed \$258,300. The maximum sum payable for the period of July 1, 2003 through June 30, 2004 will not exceed \$271,215. The maximum sum payable for the period of July 1, 2004 through June 30, 2005 will not exceed \$284,776. The maximum sum payable for the period of July 1, 2005 through April 14, 2006 will not exceed \$299,015. This includes all services outlined in the Scope of Work as well as all production and media bills.
2. The agency may bill the zoo for services of subcontractors such as graphic designers, videographers, photographers, printers, etc. incurred in carrying out the work outlined in Attachment A, Scope of Work. All production expenses must be approved in advance by the Zoo Marketing Manager.
3. The agency will place and bill the zoo for actual cost of advertising in various media. All media buys must be approved in advance by the Zoo Marketing Manager.
4. Contractor shall provide to Metro Accounts Payable, 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, an original, fully itemized monthly invoice detailing all goods and services provided and received.  
  
To expedite processing, an additional copy clearly marked "Duplicate" should be mailed to the Marketing Division, Oregon Zoo, 4001 S.W. Canyon Road, Portland, Oregon 97221-2799.
5. All invoices must be approved in writing by the Marketing Manager and/or Assistant Zoo Director, prior to payment by Metro.
6. Metro shall pay Contractor for approved invoices within thirty days after receipt of same from Contractor.



**Attachment B**  
**REQUEST FOR PROPOSALS**

**Advertising Services for Oregon Zoo**

**DO THE ZOO!**

The Oregon Zoo's ad agency contract is up, and we've decided it's time to spread the fun around a little.

The catch is that we are looking for an agency that wants to take us on pro bono. This means you would donate your agency's services, but we would pay for out-of-pocket production expenses and placement of ads. We would like you to promise us one year, with the option of having a longer term relationship.

**WHY DO THE ZOO PRO BONO?**

Let me count the ways:

1. We offer you the greatest subject matter you'll have on any account. Wait 'til you see our files of gorgeous photos.
2. At the zoo we have a program we call "animal enrichment" in which we think up fun ways to keep the animals stimulated physically, emotionally and intellectually. Think of this project as "employee enrichment." Try it. Just send out an e-mail that says "who wants to work for the zoo????"
3. You get to come to the zoo and hang out with the animals. This job is enrichment for bosses as well as employees!
4. Zoo ads always win awards. Somehow those big-eyed animals always catch a judge's eye.
5. You'll be in good company. Businesses all over Portland are helping the zoo in one way or another.
6. We'll look great on your client list.
7. It will make you feel good inside. We're here to "inspire our community to build a better future for wildlife." You get to help us do so.

We have \$246,000 to spend on ads over the next year. Much of this is earmarked for TV ads, so we will be looking for an agency that produces brilliant TV, but we also do billboards, bus benches, print ads and sometimes a little radio. We also run in several print tourist publications.

Event ads, such as those for concerts, ZooLights, Packy's Birthday, etc. are handled in house and will not be part of this arrangement. Those ads are not included in the budget.

**PROPOSED SCOPE OF WORK**

- ◆ Create Spring, Summer and Fall advertising campaigns aimed at the local market and potential visitors within a day's drive.
- ◆ Produce up to 6 ads per year on new animals or programs.



- ◆ Oversee production of advertising.
- ◆ Recommend and place media.
- ◆ Help develop strategies, recommend media buys, create and produce up to 4 ads for the tourist market.
- ◆ Meet with the Zoo Marketing Manager for up to 20 hours per year to provide consultation on marketing and advertising strategies.

## **WHAT TO INCLUDE IN YOUR PROPOSAL**

- ◆ Information about your agency
- ◆ Information about the people who would specifically be working on this account, including their role on the work described in the scope of work, the percent of their time on the project, and any special qualifications they have for this work. Include resumes of these individuals as well as a list of subcontractors who will work on this project and their qualifications.
- ◆ History of previous work similar to the services required here. Identify persons on the proposed project team who worked on each of the other projects listed, and their respective roles.
- ◆ A few ads, including a TV ad or two, you've done for other clients that would make us realize how great you'd be on a zoo campaign.
- ◆ An assurance that the zoo would be a priority account, in spite of the fact that it is pro bono.
- ◆ A budget showing how you would allocate our ad budget (we are particularly interested in your allocation of costs to production vs. placement of ads.) List any cost-savings advantages your agency could offer (bonus points for an agency who can sweet talk the media discounting our ads).
- ◆ Hourly fees for any work requested by the zoo that is outside the scope of work
- ◆ Any other information you would like to include to convince us you're the right agency for this job.

## **REVIEW OF PROPOSALS**

The proposals will be reviewed by a team including the zoo marketing manager, deputy director, and director of the Oregon Zoo Foundation. Finalists will be invited to make a presentation to the selection committee.

## **CRITERIA FOR SELECTION**

- ◆ Creativity
- ◆ Qualifications of people who would be working on the account.
- ◆ Relevant experience
- ◆ Allocation of budget



## **TIMELINE**

March 14	Proposals are due
March 16	Decision on finalists
March 19-23	Presentations from finalists
March 26	Award of contract

## **SEND PROPOSALS TO:**

Jane Hartline  
Oregon Zoo  
4001 SW Canyon Road  
Portland, OR 97221

**Proposals will not be considered if received after 3 p.m., Wednesday, March 14, 2000**

**Bureaucratic wording that has to be included in this RFP...  
....and is IMPORTANT for you to read!**

### **RFP as Basis for Proposal**

This Request for Proposals represents the most definitive statement Metro will make concerning the information upon which Proposals are to be based. Any verbal information which is not addressed in this RFP will not be considered by Metro in evaluating the Proposal. All questions relating to this RFP should be addressed to Jane Hartline at (503) 220-2447. Any questions, which in the opinion of Metro, warrant a written reply or RFP amendment will be furnished to all parties receiving this RFP. Metro will not respond to questions received after March 9, 2001.

### **Staffing/Project Manager Designation:**

Metro intends to award this contract to a single firm to provide the services required. Proposals must identify a single person as project manager to work with Metro. The consultant must assure responsibility for any subconsultant work and shall be responsible for the day-to-day direction and internal management of the consultant effort.

### **Information Release**

All proposers are hereby advised that Metro may solicit and secure background information based upon the information, including references, provided in response to this RFP. By submission of a proposal all proposers agree to such activity and release Metro from all claims arising from such activity.

### **Minority and Women-Owned Business Program**

In the event that any subcontracts are to be utilized in the performance of this agreement, the proposer's attention is directed to Metro Code provisions 2.04.100 & 200. Copies of that document are available from the Risk and Contracts Management Division of Administrative Services, Metro, 600 NE Grand Avenue, Portland, OR 97232 or call (503) 797-1717.

### **Exceptions and Comments**

To facilitate evaluation of proposals, all responding firms will adhere to the format outlined within this RFP. Firms wishing to take exception to, or comment on, any specified criteria within this RFP are encouraged to document their concerns in this part of their proposal. Exceptions or comments should be succinct, thorough and organized.



## **GENERAL PROPOSAL/CONTRACT CONDITIONS**

### **Limitation and Award**

This RFP does not commit Metro to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to waive minor irregularities, accept or reject any or all proposals received as the result of this request, negotiate with all qualified sources, or to cancel all or part of this RFP.

### **Billing Procedures**

Proposers are informed that the billing procedures of the selected firm are subject to the review and prior approval of Metro before reimbursement of services can occur. Contractor's invoices shall include an itemized statement of the work done during the billing period, and will not be submitted more frequently than once a month. Metro shall pay Contractor within 30 days of receipt of an approved invoice.

### **Validity Period and Authority**

The proposal shall be considered valid for a period of at least ninety (90) days and shall contain a statement to that effect. The proposal shall contain the name, title, address, and telephone number of an individual or individuals with authority to bind any company contacted during the period in which Metro is evaluating the proposal.

### **Conflict of Interest.**

A Proposer filing a proposal thereby certifies that no officer, agent, or employee of Metro or Metro has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of Metro; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Proposer for the same call for proposals; the Proposer is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm.

## **NOTICE TO ALL PROPOSERS -- STANDARD AGREEMENT**

The attached personal services agreement is a standard agreement approved for use by the Metro Office of General Counsel. This is the contract the successful proposer will enter into with Metro; it is included for your review prior to submitting a proposal.



## REGIONAL FACILITIES AND OPERATIONS COMMITTEE REPORT

CONSIDERATION OF **RESOLUTION NO. 01-3047**, FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A MULTI-YEAR CONTRACT FOR ADVERTISING SERVICES AT THE OREGON ZOO

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Date: 12 April 2001

Presented by: Councilor Hosticka

**Committee Recommendation:** At its April 12, 2001, meeting, the Regional Facilities & Operations Committee voted 3-0 to recommend Council adoption of Resolution No. 01-3047. Voting in favor: Councilors Park, Hosticka, and Burkholder. Voting against: none. Absent: none.

**Background:** Kathy Kiaunis, Assistant Zoo Director, presented the staff report. She stated that the Zoo sent out a Request for Proposal (RFP), interviewed six firms, and selected Cole and Weber to award a multi-year contract for advertising services at the Zoo before realizing that the project was designated "Significant Impact" (SI) and required to go through Council approval. She noted that the Zoo is taking a different approach toward the renewal of an advertising contract: the RFP specified that the work would be pro bono, not paid, with the Zoo paying only out-of-pocket expenses.

**Committee Issues/Discussion:** Councilor Park asked what the approximately \$1.4 million in the contract was for, if the work was supposed to be pro bono. Ms. Kiaunis replied that it is for purchasing advertising, which would be done by Cole and Weber. Councilor Park then asked why a firm would be interested in bidding on pro bono work? Ms. Kiaunis said that the benefit for the firm would be a lot of exposure, and the opportunity to engage in more creative work, perhaps, than they might be able to do for other types of clients.

**Key Public Testimony:** none.



## **STAFF REPORT**

CONSIDERATION OF RESOLUTION NO. 01-3047 FOR THE PURPOSE OF  
AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A MULTI-YEAR  
CONTRACT FOR ADVERTISING SERVICES AT THE OREGON ZOO.

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Date: March, 2001

Presented by: Kathy Kiaunis

### **PROPOSED ACTION**

Approve Resolution 01-3047 to authorize Executive Officer to execute Metro Contract No. 922838 (Attachment A) with Cole and Weber resulting from the RFP (Attachment B).

### **EXISTING LAW**

Metro code section 2.04.026 (a) requires council authorization for contracts having significant impact on Metro.

### **BACKGROUND**

Oregon Zoo has had a three-year contract for producing and placing advertising. In the past, the advertising agency was paid a fixed amount each month for creating and overseeing production and placement of the ads. Expenses for graphic production of ads and purchase of advertising space was billed separately through the contract.

The zoo director encouraged the search for an ad agency that would handle the account on a pro bono basis, donating the agency's services. The zoo would pay out-of-pocket production expenses only.

The request for proposals was sent to qualified advertising firms including those owned by minority, women and emerging small business.

This contract is designated as significant impact. Due to an oversight on the part of zoo staff, the RFP was not brought before the council for review. The RFP has since been advertised. All appropriate steps were taken to review proposals and interview advertising firms.

### **BUDGET IMPACT**

Funding for the contract was included in the FY00-01 budget document for a total fiscal year cost of \$206,000.

### **EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Resolution No. 01-3047.



DRAFT

April 27, 2001

## **Regional Transportation Authorities and Districts**

### **Overview**

The purpose of this legislation is to provide regions throughout the state the ability to join together to address regional transportation problems. The Regional Transportation Authorities (RTA) and taxing Districts within the RTA (RTA Districts) are created by local agreements and authorized to approach the voters to obtain additional resources on a regional basis.

The creation of the RTA is intended as a locally controlled collaborative process involving the private sector and its resources in the development and promotion of solutions to regional transportation problems.

The legislation is intended to provide the state legislative authority necessary for the RTA and RTA Districts local creation and use.

The many details of the RTA and RTA Districts: nomination of the Board, operating procedures, and processes for program and project selection are left to the Local Agreements that will actually create the RTA and RTA Districts.

Programs and Projects selected for funding must comply with federal, state and local environmental, air quality, land use, and transportation and other requirements.

### **Local Agreements**

The formation of the RTA and RTA Districts is initiated by two or more counties coming together with other local governments in a joint agreement. If the region is not in a Metropolitan Planning Organization (MPO) then the signatories to the agreement shall include port or transit districts, counties, and cities over \_\_\_\_\_ in population. If there is an MPO the signatories shall include all of those mentioned above and the MPO. If an MPO resides entirely within one county then the signatories may include at a minimum the one county, port and transit districts, the MPO, and cities over \_\_\_\_\_ in population.

Local agreements shall define the process by which the RTA Board of Directors shall be selected and operate. Any parameters for the RTA District and its operation shall be set forth in the Local agreement. The transportation program and project selection process shall also be defined in the Local Agreements.



**SECTION 1. Definitions. As used in this 2001 Act:**

- (1) "Agency Account" means an account of the State of Oregon, an agency of the State or a political subdivision of the State to which are deposited funds derived from the passage of a measure referred by a Regional Transportation Authority to a Regional Transportation Authority District's voters. Funds in an Agency Account may only be expended on regional transportation projects or programs.
- (2) "Board" means the board of a Regional Transportation Authority.
- (3) "Regional Transportation Authority" means an organization of local governments including more than one county, except as provided in Section 3(3), established pursuant to Section 3 of this 2001 Act.
- (4) "Regional Transportation Authority District" means the geographical area within which voters are subject to referral measures from the Regional Transportation Authority. The boundary of the Regional Transportation Authority District shall be identified at the time of formation of the Regional Transportation Authority.
- (5) "Transportation Project or Program" means any acquisition, engineering, planning, operations, installation, procurement, new construction, rehabilitation, repair or maintenance of road, transit, bicycle, pedestrian, air, marine, passenger rail, freight rail, rolling stock, transportation demand management or pedestrian facilities or equipment, or any program to inform the public about or promote the use or non-use of transportation facilities and services. Regional transportation projects or programs shall be constructed or implemented, in whole or in part, within the boundaries of the Regional Transportation Authority District or sub-District.
- (6) In the Portland metropolitan area, "local government" means a Metropolitan Planning Organization, port authority, primary mass transit district, county, or a city with a population exceeding 70,000 and one city from each county with boundaries in whole or in part within a proposed Regional Transportation Authority District or sub-District boundary.
- (7) Outside the Portland metropolitan area, "local government" means a port authority, primary transit district, county or city with boundaries in whole or in part within a proposed Regional Transportation Authority District or sub-District boundary.

**SECTION 2. Purpose of Regional Transportation Authorities.**

The purpose of a Regional Transportation Authority is to identify and refer to the voters who reside within a Regional Transportation Authority District, revenue raising measures to fund, in whole or in part, one or more transportation projects or programs as defined in Section 4(5) of this act.



### **SECTION 3. Formation of Regional Transportation Authorities.**

(1) A Regional Transportation Authority and Regional Transportation Authority District may be formed with the approval of local governments proposed for inclusion in whole or in part within the Regional Transportation Authority District.

(2) A Regional Transportation Authority sub-District may be formed with the approval of local governments to address sub regional needs, in which case the Regional Transportation Authority District is not required to include all of the voters within the forming government or governments, and may be formed to address particularized transportation project or program needs.

(3) Notwithstanding Section 3(1), where a Metropolitan Planning Organization exists entirely within one county, a Regional Transportation Authority and Regional Transportation Authority District may be formed including a single county with the approval of local governments provided the Regional Transportation Authority District created does not extend beyond the boundary of the county.

(4) A Board shall be appointed to govern the Regional Transportation Authority. The manner and terms of appointment, the filling of Board vacancies, the schedule of Board meetings, the election of Board chairman and other officers, and the appointment of Board committees and advisory committees to the Board shall be determined by the joint resolution creating the Regional Transportation Authority. A majority of the members of the Board shall be necessary to transact business, and all actions of the Board shall be by a majority vote of the Board members. A Regional Transportation Authority Board may enter into contracts to obtain legal, financial, technical or other necessary information or services to achieve the purposes of the Regional Transportation Authority including, but not limited to, contracts or other agreements with one or several governments or government agencies, private business firms, non-profit organizations, or any combination of such agencies, firms and organizations.

### **SECTION 4. Authority of Regional Transportation Authorities.**

(1) A Regional Transportation Authority may not create or increase any tax or fee, or have issued any bond or other encumbrance, without approval by voters of the Regional Transportation Authority District or sub-district.

(2) Notwithstanding any other law and when consistent with or otherwise provided for in the Oregon Constitution, a Regional Transportation Authority shall have all of the powers necessary to carry out its purpose within the district or sub-district(s), which powers shall include, but are not limited to, the power to:

(a) Refer to the voters any ballot measure to create or increase any tax or fee, or to allow the issuance of bonds, by pledging revenue from any tax or fee submitted by a Regional



Transportation Authority. Prior to referring a measure to the voters, a Regional Transportation Authority shall hold at least one public hearing concerning the proposed measure. Other procedures and conditions shall be established through the local agreement creating the Regional Transportation Authority.

(b) Determine the date among the available election dates on which the election will be held;

(c) Identify the specific regional transportation projects or programs to be financed by the proceeds of the regional tax, fees or bonds in accordance with subsection (5) of this section.

(3) The proceeds from any tax, fees or bonds described in Section 6(1) that is approved by the voters within the Regional Transportation Authority District must be deposited in one or more accounts of a government located within the Regional Transportation Authority District.

(4) A Regional Transportation Authority may not impose a tax or a fee, or have bonds issued, without approval of a majority of voters of the Regional Transportation Authority District or sub-district who vote on the measure to impose such a tax or fee, or approve the issuance of such bonds.

(5) Regional Transportation Authority funds shall be used to fund, in whole or in part, one or more transportation projects or programs identified in a regionally or locally adopted transportation plan and which comply with applicable environmental, air quality conformity, land use policies and other applicable federal, state, regional or local requirements to build the project(s) or establish or implement the program(s).

## **SECTION 5. Operating Agreement of Regional Transportation Authorities.**

(1) Prior to referring any measure to the voters of a Regional Transportation Authority District, the Regional Transportation Authority must:

(a) Appoint a Board as defined in Section 3(4) of this act;

(b) Execute an operating agreement as provided in subsection (2) of this section;

(c) Where Regional Transportation Authority actions will impact state owned facilities, receive approval of the Oregon Department of Transportation or Oregon Aeronautics Division.

(2) An operating agreement must be executed among the Regional Transportation Authority and local governments. The operating agreement shall include at least the following terms:

(a) Provisions to pay the operating costs of the Regional Transportation Authority, including the reasonable costs of professional and support services, office space, utility and telecommunications services and other operational costs;



- (b) Provisions to ensure coordination among the Regional Transportation Authority and the governments who are signatory to the agreement including, but not limited to, the process for determining what projects or programs will be identified for funding in a proposed ballot measure, and when the measure will be voted on by the voters of the Regional Transportation Authority;
- (c) Provisions establishing the policies and procedures for collecting and appropriating funds derived from an approved ballot measure;
- (d) Provisions regarding how funds from an approved ballot measure will be invested until needed for approved project or program purposes;
- (e) Provisions related to how the cost of placing a measure on the ballot will be paid;
- (f) Provisions concerning how the Regional Transportation Authority will enter into contracts for services with governments;
- (g) Procedures for monitoring and auditing the expenditure of funds derived from an approved ballot measure;
- (h) Procedures and guidelines for how funds may be loaned to the Regional Transportation Authority from one or several governments and how the Regional Transportation Authority may loan funds to one or several governments within the Regional Transportation Authority District;
- (i) Provisions for how the Regional Transportation Authority shall coordinate with one or more of the signatory governments to ensure compliance with applicable federal, state, regional and local transportation planning, environmental, development and construction requirements to construct a project(s) or establish or enhance a program(s) to be funded, in whole or in part, by the proceeds or funds obtained from an approved ballot measure or measures;
- (j) Provisions for the dissolution of the Regional Transportation Authority and Regional Transportation Authority District. Dissolution requires a majority vote of the governing bodies that created the Regional Transportation Authority and Regional Transportation Authority District.

#### **SECTION 6. Legal Obligations of Regional Transportation Authorities.**

Regional Transportation Authorities shall be subject to public records law (ORS 192.410 et seq.) and the Oregon Tort Claims Act (ORS 30.260 et seq.) but are exempt from public purchasing and contracting (ORS 279.005 et seq.), the Administrative Procedures Act (ORS 183.310 et seq.), and the public meetings law (ORS 192.610 et seq.).



**MINUTES OF THE METRO COUNCIL MEETING**

April 26, 2001

Metro Council Chamber

**Councilors Present:** David Bragdon (Presiding Officer), Susan McLain, Rex Burkholder, Rod Park, Bill Atherton, Rod Monroe, Carl Hosticka

**Councilors Absent:** None

Presiding Officer Bragdon convened the regular council meeting at 2:03 p.m.

**1. INTRODUCTIONS**

There were none.

**2. CITIZEN COMMUNICATIONS**

There were none.

**3. EXECUTIVE OFFICER COMMUNICATIONS**

There were none.

**4. AUDITOR COMMUNICATIONS**

There were none.

**5. MPAC COMMUNICATIONS**

Presiding Officer Bragdon said the Metro Policy Advisory Committee (MPAC) met last night and approved the Zehren subcommittee parks report, which will be sent to the Metro Council.

**6. LEGISLATIVE UPDATE**

Jeff Stone, Chief of Staff, said Dan Cooper, General Counsel, was in Salem working on the Measure 7 issue. House Bill (HB) 3716, one of the parks bills, would likely be folded into HB 2502. The zoo parking lot bill had passed out of committee, and he would keep the council apprised. Councilor McLain planned to testify on the riparian tax zone credit bill on Friday. Executive Officer Mike Burton would attend a work session on the tire recycling bill.

**7. CONSENT AGENDA**

**7.1 Consideration of Minutes of the April 12, 2001, Regular Council Meeting**

**Motion:** Councilor Atherton moved to adopt the minutes of the April 12, 2001, regular council meeting.

**Vote:** The vote was 5 aye/0 nay/0 abstain. Councilors Park and Hosticka were absent. The motion passed.



**8. ORDINANCES - FIRST READING**

- 8.1 Ordinance No. 01-901**, For the Purpose of Amending Metro Code Title X, Metro Regional Parks and Greenspaces, to Increase Day Use Fees at Blue Lake Regional Park

Presiding Officer Bragdon referred Ordinance No. 01-901 to the Natural Resources Committee.

- 8.2 Ordinance No. 01-902**, For the Purpose of Amending Metro Code 3.01 to Avoid Urban Growth Boundary Map Errors

Presiding Officer Bragdon referred Ordinance No. 01-902 to the Community Planning Committee.

- 8.3 Ordinance No. 01-903**, Amending the FY 2000-01 Budget and Appropriations Schedule by Transferring Appropriations from Contingency to Operating Expenses in the Information Technology Department within the Support Services Fund; and Declaring an Emergency

Presiding Officer Bragdon referred Ordinance No. 01-903 to the Budget and Finance Committee.

- 8.4 Ordinance No. 01-904**, For the Purpose of Dedicating a Metro Open Spaces Program Acquisition in the Tryon Creek Linkages Target Area

Presiding Officer Bragdon referred Ordinance No. 01-904 to full council.

**9. ORDINANCES - SECOND READING**

- 9.1 Ordinance No. 01-891**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2001-02, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency

Presiding Officer Bragdon said Ordinance No. 01-891 was continued from an earlier meeting, and did not need a motion.

Councilor McLain reviewed the ordinance. The Budget Committee Recommendations Report FY 2001-02 and the FY 2001-02 Proposed Budget chart contain information presented by Councilor McLain and are included in the meeting record.

Presiding Officer Bragdon opened a public hearing.

David C. Hudson, Executive Director, Regional Arts and Culture Council (RACC), expressed disappointment that the council did not allocate funding for RACC in fiscal year 2001-02. The arts were a valuable regional asset and essential to livable communities. He pledged RACC's support to work with Metro to find a regional funding solution.

Mike Verbout, Principal, James John School, 7439 North Charleston, Portland, spoke in support of arts funding. He submitted into the record a letter signed by the staff of James John School, urging Metro's continued funding of RACC.

Councilor Burkholder encouraged Mr. Verbout to submit an application for a North Portland Enhancement Grant.



Mr. Verbout said the James John School submitted grant proposals on a regular basis. He acknowledged the good work of the North Portland Enhancement Grant program, but said the grant amounts available were not sufficient without RACC.

Presiding Officer Bragdon closed the public hearing.

Councilor McLain thanked Mr. Hudson and Mr. Verbout for their testimony. She said the council has struggled to find a way to continue to support RACC. She noted that Metro supported regional arts in a variety of ways.

Presiding Officer Bragdon continued Ordinance No. 01-891 to the next council meeting.

**9.2 Ordinance No. 01-896, Amending the FY 2000-01 Budget and Appropriations Schedule for the Purpose of Transferring \$20,000 from the General Fund Contingency to Interfund Transfers to Fund Costs Related to Council Redistricting; and Declaring an Emergency**

**Motion:** Councilor Monroe moved, seconded by Council McLain, to adopt Ordinance No. 01-896.

Councilor Monroe presented Ordinance No. 01-896. The committee report to the ordinance contains information presented by Councilor Monroe and is included in the meeting record. He urged the council's support.

Presiding Officer Bragdon opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-896. Presiding Officer Bragdon closed the public hearing.

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

**10. RESOLUTIONS**

**10.1 Resolution No. 01-3055, For the Purpose of Approving Metro's Entry into the Local Agency PERS Pool for Purposes of Determining Contribution Rates**

**Motion:** Councilor Hosticka moved, seconded by Councilor McLain, to adopt Resolution No. 01-3055.

Councilor Hosticka presented Resolution No. 01-3055. The committee report to the resolution contains information presented by Councilor Hosticka and is included in the meeting record. He urged the council's support.

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

**10.2 Resolution No. 01-3056, For the Purpose of Approving the FY 2001-02 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission**

**Motion:** Councilor McLain moved, seconded by Councilor Monroe, to adopt Resolution No. 01-3056.



Councilor McLain presented Resolution No. 01-3056. The staff report to the resolution contains information presented by Councilor McLain and is included in the meeting record.

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

10.3 **Resolution No. 01-3058**, For the Purpose of Approving the Year 12 Partnership Plan for Waste Reduction (Fiscal Year 2001-02)

**Motion:** Councilor McLain moved, seconded by Councilor Monroe, to adopt Resolution No. 01-3058.

Councilor McLain presented Resolution No. 01-3058. The committee report to the resolution contains information presented by Councilor McLain and is included in the meeting record. She urged the council's support.

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

10.4 **Resolution No. 01-3060A**, For the Purpose of Authorizing Receipt of a \$2.0 Million Congressional Appropriation for Preliminary Engineering of North and Southbound Improvements of I-5 from Delta Park to Lombard

**Motion:** Councilor Monroe moved, seconded by Councilor Atherton, to adopt Resolution No. 01-3060A.

Councilor Monroe presented Resolution No. 01-3060A. The committee report to the resolution contains information presented by Councilor Monroe and is included in the meeting record.

Councilor Burkholder said his amendment, which was adopted in committee, clarified that the project was part of the I-5 Trade Corridor Study. He fully supported the resolution as amended.

Presiding Officer Bragdon said he also supported the resolution as amended.

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

10.5 **Resolution No. 01-3061**, For the Purpose of Increasing Tri-Met's FY 01 and 02 Preventative Rail Maintenance Program by \$5.4345 Million to Accommodate Tri-Met/ODOT Fund Exchanges

**Motion:** Councilor Monroe moved, seconded by Councilor Atherton, to adopt Resolution No. 01-3061.

Councilor Monroe presented Resolution No. 01-3061. The committee report to the resolution contains information presented by Councilor Monroe and is included in the meeting record.

Councilor McLain said the resolution demonstrated cooperation between transportation partners.

Councilor Monroe said in all likelihood, without this program Oregon would receive even fewer federal transportation dollars. He urged the council's support.

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



10.6 **Resolution No. 01-3063, To Waive the Metro Urban Growth Boundary Annual Filing Deadline for Keith Taylor and Jean Taylor Major Amendment Petition in Washington and Clackamas Counties**

**Motion:** Councilor Hosticka moved, seconded by Councilor McLain, to adopt Resolution No. 01-3063.

Councilor Hosticka presented Resolution No. 01-3063. A staff report to the resolution contains information presented by Councilor Hosticka and is included in the meeting record.

William Cox, Attorney, 0244 Southwest California Street, Portland, represented the petitioners, Keith and Jean Taylor. He noted that prior to filing the petition with Metro, his office was told by Metro staff that a statement from the county planning directors would be sufficient. He was not informed until later that a written statement from the Board of County Commissioners was required.

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

10.7 **Resolution No. 01-3064, For the Purpose of Endorsing the South Corridor Policy Group Recommendations Regarding Options for the Environmental Impact Statement**

**Motion:** Councilor Monroe moved, seconded by Councilor Park, to adopt Resolution No. 01-3064.

Councilor Monroe presented Resolution No. 01-3064. A staff report to the resolution contains information presented by Councilor Monroe and is included in the meeting record. He urged the council's support.

Councilor Burkholder asked Andy Cotugno, Planning Director, to contact U.S. Congresswoman Darlene Hooley and assure her that Metro was aware of the federal deadline to receive funding in October 2003, and believed the project would be completed in time for proper consideration.

**Motion to Amend Main Motion:** Councilor Monroe moved, seconded by Councilor Park, to add "and the Metro Council" following each occurrence of "Metro Planning Committee" in the resolution.

**Vote on Motion to Amend Main Motion:** The vote was 7 aye/0 nay/0 abstain. The motion passed unanimously.

Presiding Officer Bragdon said this resolution simply endorsed the participation of all the jurisdictions and the process by which the decisions were made. It did not determine the outcome of the decision. He noted the positive, construction work being done by the new Milwaukie mayor and the citizens of Milwaukie.

Councilor Monroe urged an aye vote on Resolution No. 01-3064A.

**Vote on Main Motion as Amended:** The vote was 7 aye/0 nay/0 abstain. The motion passed unanimously.



Presiding Officer Bragdon recessed the Metro Council and convened the Metro Contract Review Board.

## **11. CONTRACT REVIEW BOARD**

### **11.1 Resolution No. 01-3048A, For the Purpose of Authorizing the Executive Officer to Execute a Multi-year Contract for Concert Coordinator at the Oregon Zoo**

**Motion:** Councilor Burkholder moved, seconded by Councilor Park, to adopt Resolution No. 01-3048A.

Councilor Burkholder presented Resolution No. 01-3048A. A committee report to the resolution contains information presented by Councilor Burkholder and is included in the meeting record. He noted that due to an oversight by zoo staff, the request for proposals (RFP) was not brought before the council for review. He said the council would have an opportunity to speak with the zoo director next week about its concerns over process. He recommended adoption of the resolution, however, because the concert promoter had, on good faith, made financial commitments to major music acts.

Councilor McLain noted that similar process errors had happened before, and it was important to determine why there was not a proper double-check of the process.

Presiding Officer Bragdon said the summer concerts were a great program. He noted that the process may not have been followed as rigorously as it should have been.

Councilor Burkholder said the Regional Facilities and Metro Operations Committee was looking at how to improve Metro's processes and contract administration.

Councilor Monroe recommended approving Resolution No. 01-3048A. He said, however, that the council should stress to the zoo director the importance of receiving prior council approval of major RFPs.

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

Presiding Officer Bragdon adjourned the Metro Contract Review Board and reconvened the Metro Council.

## **12. COUNCILOR COMMUNICATION**

Councilor Park briefed the council on the Willamette Valley Livability Forum, which he attended that morning with Councilor Hosticka.

Councilor Hosticka noted that Metro was already working on many of the issues and ideas that had been discussed at the conference.

Councilor Park said on May 3, there would be a tour of the new Gresham Station project and historic downtown Gresham. After lunch, the council would hold its regular meeting and a reapportionment public hearing at the Gresham City Hall.

Councilor Monroe gave a brief report on the Reapportionment Task Force and Citizen Advisory Committee. Two members of the Citizens Advisory Committee had proposed a radically different



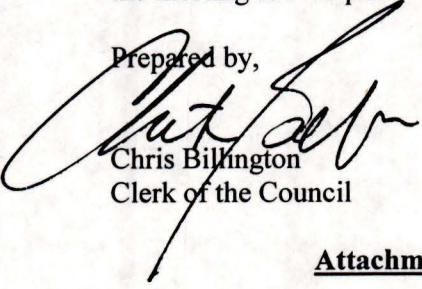
reapportionment design. Their design, and two other designs, would be considered at the public hearings. There would be a total of four public hearings on reapportionment. Following the public hearings, the Task Force would make its recommendation, and the council would vote in June.

Councilor Burkholder noted that the three maps were posted on Metro's web site. He announced that the next meeting of the Regional Facilities and Metro Operations Committee had been cancelled due to lack of a quorum. The meeting had been rescheduled for May 31, at the Oregon Convention Center.

### 13. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 3:12 p.m.

Prepared by,

  
Chris Billington  
Clerk of the Council

#### Attachments to the Public Record for the Meeting of April 26, 2001

The following have been included as part of the official public record:

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
042601c-01	4/26/2001	Budget Committee Recommendations Report, FY 2001-02		Ord. No. 01-891
042601c-02	4/18/2001	FY 201-02 Proposed Budget, includes actions through April 18, 2001		Ord. No. 01-891
042601c-03	4/24/2001	Letter RE: Support of Continued Metro Funding of RACC	TO Metro Council/ FROM Clayton Warburton, et al., James John School	Ord. No. 01-891
042601c-04	4/26/2001	Staff Report, Resolution No. 01-3056	TO Metro Council/ FROM Peggy Coats	Res. No. 01-3056
042601c-05	4/24/2001	Solid Waste and Recycling Committee Report, Resolution No. 01-3058	TO Metro Council/ FROM Susan McLain	Res. No. 01-3058
042601c-06	4/24/2001	Community Planning Committee Report, Resolution No. 01-3060A	TO Metro Council/ FROM Rod Monroe	Res. No. 01-3060A
042601c-07	4/24/2001	Community Planning Committee Report, Resolution No. 01-3061	TO Metro Council/ FROM Rod Monroe	Res. No. 01-3061



**METRO**

May 3, 2001

The Honorable Richard G. Kidd  
Mayor of the City of Forest Grove  
P.O. Box 326  
Forest Grove, OR 97116

Dear Mayor Kidd:

Please be advised that the urban growth boundary location information you provided to Metro have been incorporated in an ordinance that will amend portions of the Metro Urban Growth Boundary (UGB) as part of Metro's Periodic Review program. The Metro Council adopted Ordinance No. 01-900A on Thursday, May 3, 2001. Enclosed are copies of Maps 7 and 8 of Exhibit A to Ordinance No. 01-900A, which indicate the changes to the UGB adjacent to Forest Grove.

The Metro ordinance incorporates the City of Forest Grove's practice of utilizing floodplain delineation completed by a Professional Engineer registered by the State of Oregon where the floodplain defines the UGB. Any future delineation that is filed with Metro shall operate as the Metro Urban Growth Boundary in that delineated area.

The requirement in the binding note on Maps 7 and 8 for any delineation to be filed with Metro is necessary for the ordinance to be effective. Alan Holsted of the Metro Data Resource Center keeps the UGB Map and filed delineation.

Sincerely,

Andrew C. Cotugno  
Director  
Planning Department

ACC/TO/srb  
I:\gm\community\_development\share\Where to see the UGB\forest grove notif.doc

Enclosures

cc: Jon Holan  
Mike Hoglund  
Larry Shaw



OREGON  
ZOOMEMORANDUM

To: Mike Burton, Metro Executive Officer  
From: Tony Vecchio, Oregon Zoo Director *W*  
Date: May 1, 2001  
Subject: Concert Coordinator and Advertising Agency Contract

This memo is in response to your letter concerning the two recent contracts at the zoo. As you know, the zoo develops hundreds of contracts annually for the provision of goods and services for the zoo. The contract for concert coordination and the contract for advertising agency services are two of the numerous contracts executed by the zoo's marketing division. The zoo's concert series and the use of an advertising agency are both ongoing programs that have been underway for many years. These services have both been supplied on a multi-year contract over the years.

Both of these contracts were up for renewal in FY00-01. A thorough Request for Proposal process was completed for both contracts. The contracts were advertised per the Metro requirements. In the case of the concert coordinator, a special effort was undertaken to solicit interest in the concert series at the zoo. However, only one contractor submitted a proposal. For the advertising contract, I recommended soliciting for a pro bono contractor, to save the zoo considerable resources. There was significant interest in the advertising contract. Proposals were reviewed, and interviews held with six firms. The top-rated agency was offered the contract.

As you can see, normal Metro contracting procedures were followed in the securing these two contracts. A step was missed, however, because these contract renewals were designated "Significant Impact" by Metro Council on the FY00-01 contract list. It is unusual for the zoo to have contracts designated as "Significant Impact" and staff overlooked this step. The added required step for a "significant impact" contract is bringing the RFP to Council for review before the RFP is issued. This step was missed in the case of these two contracts. When this error was discovered, Metro contract staff and legal counsel advised that we request that Metro Council approve the contracts rather than start over with the lengthy contract process. In the case of the concert contract, we needed to begin securing bands for the summer series, and would risk not being able to get the talent needed if we delayed the contract. Similarly, we needed to begin work on the summer advertising campaign, and did not want to fall behind in developing concepts.

This is the first time that I am aware of that we have had any contracts designated significant impact that we have not followed the proper procedures. Staff are certainly aware of this step now and will not overlook it again. Kathy Kiaunis, who signs all the contracts for the zoo, has sent out an email with the contracts designated significant impact for FY01-02 to affected zoo managers. In addition, we are in the process of adopting the audit recommendation for Metro to centralize contracting by designating a contract coordinator for the zoo. This consolidation of contracting expertise within the zoo will further assist us in complying with the many contracting procedures.