



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

## A G E N D A -- REGULAR COUNCIL MEETING

Date: AUGUST 26, 1982  
Day: THURSDAY  
Time: 5:45 PM - Contract Review Board  
6:15 PM - Executive Session - Energy Recovery  
7:30 PM - Regular Council Meeting  
Place: METRO OFFICES

CALL TO ORDER (7:30)\*

ROLL CALL

1. Introductions.
2. Written Communications to Council.
3. Citizen Communications to Council on Non-Agenda Items.
4. Councilor Communications. (7:40)\*
5. Consent Agenda (Items 5.1 thru 5.3) (7:55)\*

5.1 Minutes of Meeting of 8/5/82.

Development Committee Recommendations:

Presented by:

5.2 Resolution No. 82-349, For the Purpose of Authorizing the Metropolitan Service District (Metro) to Enter into an Agreement with an Urban Development Corporation (UDC) Establishing the Roles and Relationships between Metro and an UDC.

P. Whitmore

5.3 Resolution No. 82-350, For the Purpose of Recommending a National Scenic Area Designation for the Columbia River Gorge.

B. Etlinger

6. From the Coordinating Committee:

(Note: A quorum of the Committee was not present at the meeting held 8/13/82; however, Couns. Deines, Bonner and Burton recommend Council approval of the following items.)

6.1 Recommendations related to the Executive Officer's Financial Management Report of July 29, 1982. (Page 3 of the Report) (8:00)\*

R. Gustafson

\*Times listed are approximate.

6. From the Coordinating Committee (cont'd) Presented by:
- 6.2 Resolution No. 82-347, For the Purpose of Authorizing an R. Gustafson  
Employment Contract for the Position of Solid Waste  
Director and Establishing a Rate of Compensation. (8:05)\*
7. From the Development Committee:
- 7.1 Resolution No. 82-348, For the Purpose of Expanding the E. Bonner/  
S. Siegel  
Region's Supply of Industrial Land. (Note: This item  
is referred to the Council with no recommendation from  
the Committee pending receipt of additional information  
from staff and 1000 Friends of Oregon.) (8:10)\*
8. Reports:
- 8.1 Executive Officer's Report. (8:25)\*
- 8.2 Committee Reports. (8:40)\*

ADJOURN (8:55)\*

\*Times listed are approximate.

5:45 pm Contract Review Board  
6:15 pm Executive Session - ERF  
7:30 pm Regular Council Meeting

DATE August 26, 1982

TIME: \_\_\_\_\_

MEETING - Call Sheet for Councilors - Reminder

			<u>YES</u>	<u>NO</u>
CRB	Bob Oleson	224-4280	<u>x</u> ✓	—
	Charlie Williamson	227-6784	<u>x</u> ✓	—
	Craig Berkman	228-0700	<u>x</u> ✓	—
	Corky Kirkpatrick	244-6111	<u>x</u>	—
	Jack Deines	654-1449	—	<u>x</u> (No, out of town on vacation)
	Jane Rhodes	771-6461	<u>x</u> ✓	—
	Betty Schedeen	667-7153	<u>x</u> ✓	—
	Ernie Bonner	231-9643	<u>x</u> ✓	—
	Cindy Banzer	253-2915	—	<u>x</u> (not well)
	Bruce Etlinger	255-7758	<u>x</u> ✓	—
	Marge Kafoury	248-3565	<u>x</u> ✓	—
	Mike Burton	636-8141	—	<u>x</u> (No, out of town until September 7)

9/2 next week  
Oleson  
Schedeen  
Bonner  
Kafoury  
Etlinger

Andy J  
Rick G  
Norm W  
Jennifer S  
Tom O  
Sonnie R  
Steve B  
Alan D  
Kay R  
Jae C  
Steve S  
Doug D

Tom Kroop  
State Rep  
(Behd)  
Carol Kirschner  
Friends of Gorge  
Tom Dennehey  
Bob Stacey -  
1000 Friends  
John  
Mc Gregor  
Port of Portland  
Paul  
Carlson  
Cushman and  
Wakefield  
(industrial broker)





METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

Date: August 20, 1982  
To: Metro Council  
From: Cindy Banzer, Presiding Officer  
Regarding: Consent Agenda Item No. 5.3

I am requesting that the following item be pulled from the Consent Agenda of the August 26 meeting and discussed as a separate item:

- 5.3 Resolution No. 82-350, For the Purpose of Recommending a National Scenic Area Designation for the Columbia River Gorge.

CB:sh



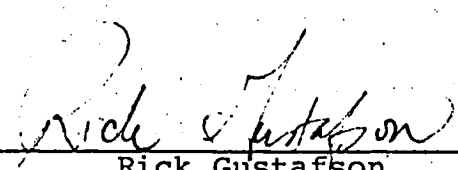
METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

## A G E N D A    --    REGULAR COUNCIL MEETING

Date:            AUGUST 26, 1982  
Day:            THURSDAY  
Time:           7:30 PM  
Place:           COUNCIL CHAMBER

### C O N S E N T    A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet with the Consent List Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.

  
\_\_\_\_\_  
Rick Gustafson  
Executive Officer

5.1 Minutes of the 8/5/82 Council meeting.

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AUGUST 5, 1982

Members present: Couns. Bonner, Burton, Deines, Etlinger,  
Oleson, Rhodes, Schedeen, and Williamson.

Members absent: Couns. Banzer, Berkman, Kafoury, and Kirkpatrick.

Staff present: Jennifer Sims, Mel Huie, Don Carlson, Teri  
Anderson, Gus Rivera.

Visitors present: Geraldine L. Ball, DJB, Inc., 11515 SW 91st,  
Tigard;  
Bob Breihof, PRROS, P. o. Box 66398, Portland;  
Neil Bullier, Pat Stryker, and Richard  
Solomon, Portland Recycling Team;  
John Trout, representing the collection  
industry; and  
Joe W. Cancilla, Jr., PASSO.

The meeting was called to order by Deputy Presiding Officer  
Oleson at 7:30 PM.

There were no introductions, written or citizen communications  
to Council on non-agenda items at this time.

4. Councilor Communications.

Coun. Burton thanked the Council for the note of sympathy for  
the recent death of his father.

Coun. Oleson stated that Coun. Banzer has requested that her  
absence from the Council meeting this evening be recorded as excused.

Coun. Schedeen reported she had attended the Friends of the Zoo  
meeting and that she is impressed with the FOZ's hard work and good  
ideas.

Coun. Oleson stated that the regional jail committee has been  
reorganized and with Jack Bails' assistance, the committee will be  
meeting regularly to discuss a funding proposal.

5.2 Minutes of Meetings of 6/24/82 and 7/1/82.

Motion to approve the minutes of 6/24/82 and 7/1/82, with the  
amendments proposed by Geraldine Ball (as follows); carried unani-  
mously. (Rhodes/Burton)

In the minutes of 6/24/82, agenda item #7.1, paragraph two should read as follows:

"Geraldine Ball, representing DJB, Inc. and herself personally, reviewed with the Council her objection to changing the location of the S. Tigard portion of the N. Tigard-S. Tigard Interchange from the Alternate 2 design. At the suggestion of the Council, Ms. Ball was asked to arrange a meeting with Andy Cotugno to resolve the situation."

In the minutes of 7/1/82, agenda item #6.2, paragraph three should read as follows:

"Presiding Officer read letters received from Geraldine L. Ball, representing DJB, Inc., as well as herself personally, thanking Andy Cotugno for contacting the State Right-of-Way Department to assist in resolving their objections to the possibility of the Dept. of Transportation acquiring additional property."

#### 5.1 A-95 Review.

Motion to approve A95 Review, with the exception of items 14, 15, 16, 17, and 19; carried unanimously. (Burton/Bonner)

Coun. Etlinger indicated his concern with overbuilding in specialized areas of the medical field, particularly #3 to provide a spinal cord injury care program at Good Samaritan Hospital, a service which will be duplicated at the Veterans' Hospital.

Coun. Bonner asked Mel Huie to check with Burke Raymond at Multnomah County and Phil Whitmore regarding the sewer project proposed under #15.

Regarding #14 (Transit Operating Assistance/Tri-Met), Coun. Bonner stated he is concerned that Tri-Met has not yet publicly endorsed the Regional Transportation Plan and that UMTA should be advised of this.

Regarding items 16, 17 and 19 (Special Lift Vehicles), concern was expressed over duplication of projects. Mr. Huie stated that it has not yet been determined if private agencies should apply directly for funding for such projects or if the projects should be applied for regionally; until the matter is settled, the public agencies will continue to apply for the funds.

Motion to approve items #14, 15, 16, 17, and 19 of A95 Review, with UMTA notification of Tri-Met's failure to endorse the RTP (#14); carried unanimously. (Bonner/Rhodes)

6.1 Ordinance No. 82-136, An Ordinance Relating to Solid Waste Disposal, and Amending Ordinance No. 81-111. (Second Reading)

General discussion of the ordinance.

It was suggested that the ordinance be amended at a later date to incorporate language that would require compliance with public liability insurance statutory tort claim limits, rather than a specific dollar amount; this would eliminate amending the ordinance each time legislation changes the limit.

A vote on the previous motion (Rhodes/Deines) to adopt the ordinance indicated that the motion passed unanimously.

6.2 Ordinance No. 82-139, An Ordinance Relating to Personnel and Amending Ordinance No. 81-116. (Second Reading)

Motion to amend the ordinance to add subsection (c) under Section 56 as follows:

"(c) Hiring and termination by Metro of employees employed pursuant to this section shall only be with the approval or consent of the Council."

carried unanimously. (Deines/Rhodes)

A vote on the previous motion (Deines/Williamson) to adopt the ordinance, as amended, indicated that the motion passed unanimously.

6.3 Ordinance No. 82-140, An Ordinance Relating to the FY 1982-83 Budget and Appropriations Schedule and Amending Ordinance No. 82-132. (Second Reading)

Jennifer Sims introduced the following amendment to clarify the ordinance:

The words "amendments to the" should be added in the first paragraph between "The" and "FY 1982-83 Budget".

Motion to amend the ordinance by adding the wording; carried unanimously. (Rhodes/Schedeen)

Considerable discussion of the Waste Reduction Program and the status of the Portland Recycling Team. Pat Stryker, Mark Peterman and Richard Solomon of PRT testified in favor of Council action to continue funding for PRT.

Bob Breihof of PRROS indicated that if Council continues funding PRT, it could hurt the negotiations between private companies who are proposing to take over the operations of PRT.



Motion to remove the designations under contingency on Appendix "E" and change the \$36,023 to a designation of "Waste Reduction Contingency"; carried. (Rhodes/Schedeen, Bonner and Deines voting "no")

Coun. Burton indicated that a year ago, the Council had requested a financial report from PRT, indicating where the Metro funds were being spent. To date, no report has been received.

Pat Stryker of PRT stated that no such request had been received by the PRT board and they would be happy to furnish whatever reports the Council requests.

(Coun. Burton left the meeting at this time.)

Further discussion of the ordinance.

Coun. Deines again indicated his opposition to the PRT funding and therefore to passage of the ordinance.

Discussion of the number votes required for passage of an ordinance. It was determined that seven affirmative votes are required and seven Councilors were present at this time. However, one Councilor indicated his opposition to the ordinance.

Motion to postpone voting on Ordinance No. 82-140 until the next regular Council meeting (8/26) or until a special Council meeting prior to that time; carried unanimously. (Rhodes/Williamson)

Staff was directed to prepare a management analysis and evaluation of PRT by the end of September.

7.1 Resolution No. 82-345, For the Purpose of Authorizing an Employment Contract for the Position of Zoo Director and Establishing a Rate of Compensation.

Motion to adopt Resolution No. 82-345 and the contract as amended (deleting subsection F. of Section II and deleting the second sentence in Section IV); carried unanimously. (Etlinger/Schedeen)

7.2 Resolution No. 82-346, For the Purpose of Establishing a New Classification of 322 Facilities Supervisor.

Motion to adopt Resolution No. 82-346; carried unanimously. (Williamson/Oleson)

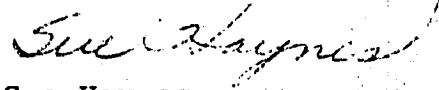
There was no Executive Officer's Report.

The Committee Reports consisted of reminders of the upcoming meetings:

8/10/82	5:30 PM	Executive Session on Energy Recovery
8/10/82	6:30 PM	Special Council Meeting on Energy Recovery
8/10/82	7:30 PM	Services Committee Meeting
8/13/82	3:00 PM	Special Coordinating Committee Meeting
8/16/82	5:30 PM	Special Development Committee Meeting

The meeting adjourned at 9:30 PM.

Respectfully submitted,



Sue Haynes  
Clerk of the Council

A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Phillip Whitmore, Development Director  
SUBJECT: Authorizing the Metropolitan Service District (Metro) to  
Enter into an Agreement with the Corporation for Transit  
Investment Establishing the Roles and Relationships  
Between Metro and the Urban Development Corporation (UDC)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the Master Operating Agreement Resolution.
- B. POLICY IMPACT: This Agreement establishes the relationship between Metro and the Corporation; acknowledges Metro's support of the Corporation's purposes; obtains the Corporation's support of Metro's development objectives; and recognizes the Corporation as the principal mechanism to carryout transit-related joint development.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: Metro's joint development and transit station area planning programs have been merged and are transitioning into a quasi-public, nonprofit development corporation. The Corporation's program was established in the Unified Work Program adopted by the Metro Council this summer.

The Master Operating Agreement and its Resolution were reviewed by the Regional Development Committee and unanimously forwarded to the Metro Council with a "do pass" recommendation. Two suggestions were offered by Councilors and acted upon by staff:

- 1. It was suggested that the Council name the person from Metro on the Corporation's initial Board of Directors. Both the Presiding Officer and the Executive Officer agree with the suggestion. Since the Corporation's first meeting is scheduled for September 2, the Council should name the Board member now.
- 2. Councilor Williamson wanted to clarify the language on duration to eliminate possible confusion about terminating the agreement. Staff has eliminated the phrase "such termination in the best interest of the parties hereto."

B. ALTERNATIVES CONSIDERED: No agreement would leave the Metro/Corporation relationship undefined and make their mutual support unstated.

C. CONCLUSION: Recommend adoption of the Resolution.

SB/gl  
6544B/318  
08/19/82

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 82-349
THE METROPOLITAN SERVICE DISTRICT	)	
(METRO) TO ENTER INTO AN AGREE-	)	Introduced by the Regional
MENT WITH THE CORPORATION FOR	)	Development Committee
TRANSIT INVESTMENT ESTABLISHING	)	
THE ROLES AND RELATIONSHIPS	)	
BETWEEN METRO AND AN URBAN	)	
DEVELOPMENT CORPORATION (UDC)	)	

WHEREAS, The funding for the Banfield Light Rail Transit (LRT) system has been secured, vehicles ordered, and construction is underway on the 15-mile \$309 million project scheduled to commence operation in 1985-86; and

WHEREAS, The affected local jurisdictions and TRI-MET in resolutions recommending the Banfield LRT project all cited the beneficial effect LRT can have on land development; and

WHEREAS, Local jurisdictions along the corridor have adopted Comprehensive Plans which anticipated the Banfield LRT and the beneficial effect transportation investments can have on shaping land use development patterns; and

WHEREAS, TRI-MET received an Urban Mass Transportation Administration (UMTA) grant for the Transit Station Area Planning Program (TSAP) to identify how the Banfield LRT would affect development along its route, and TSAP has provided a positive framework for the cities of Portland and Gresham, and Multnomah County to guide and promote development around the 25 Banfield LRT stops, and TSAP is resulting in adopted concept plans, specialized zoning, design standards and parking requirements at many stations; and



WHEREAS, The METRO Council identified the need to explore methods to establish a joint development implementation capacity for the Banfield Light Rail Project, and successfully obtained funding to determine methods and approaches for that capacity under an UMTA Urban Initiatives grant; and

WHEREAS, The TSAP has set the stage for the implementation of development projects, TSAP consultants together with members of the financial and business community have concluded that one of the missing links to implement development around stations is an aggressive entrepreneurial entity to serve as a go-between between the public and private sectors; and

WHEREAS, Economic Research Associates after conducting interviews with key members of the financial and business community, and senior officials of TRI-MET, METRO, the city of Gresham, Multnomah County, and the Portland Development Commission found the need for and consistent acceptance of a private nonprofit development corporation if it was created with the support of both METRO and TRI-MET to help implement joint development; and

WHEREAS, To gain this joint development implementation capability a nonprofit development corporation with no governmental powers that serves as the principal mechanism for promoting and negotiating transit-related development and acts as a "go-between" with private developers, TRI-MET, and local governments has been created; now, therefore,

BE IT RESOLVED,

That Metro is hereby authorized to enter into the attached Master Operating Agreement with the Corporation establishing the

goals and responsibilities of each party, acknowledging Metro's support of the Corporation's purposes, acknowledging the Corporation's support of Metro's development objectives and recognizing the Corporation as the principle mechanism to carry out transit-related joint development.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

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

SB/srb  
6544B/318  
08/19/82

MASTER OPERATING AGREEMENT  
WITH  
THE CORPORATION FOR TRANSIT INVESTMENT

By this Master Operating Agreement, herein referred to as "Agreement" made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between the METROPOLITAN SERVICE DISTRICT, herein referred to as "METRO," and the CORPORATION FOR TRANSIT INVESTMENT of PORTLAND, OREGON, an Oregon nonprofit corporation, herein referred to as the "CORPORATION"; METRO and the CORPORATION do hereby confirm and agree as follows:

RECITALS

WHEREAS, The funding for the Banfield Light Rail Transit (LRT) system has been secured, vehicles ordered, and construction is underway on the 15-mile \$309 million project scheduled to commence operation in 1985-86; and

WHEREAS, The affected local jurisdictions and TRI-MET in resolutions recommending the Banfield LRT project all cited the beneficial effect LRT can have on land development; and

WHEREAS, Local jurisdictions along the corridor have adopted Comprehensive Plans which anticipated the Banfield LRT and the beneficial effect transportation investments can have on shaping land use development patterns; and

WHEREAS, TRI-MET received an Urban Mass Transportation Administration (UMTA) grant for the Transit Station Area Planning Program (TSAP) to identify how the Banfield LRT would affect development along its route, and TSAP has provided a positive framework for the cities of Portland and Gresham, and Multnomah County to guide and promote development around the 25 Banfield LRT stops, and TSAP is resulting in adopted concept plans, specialized zoning, design standards and parking requirements at many stations; and

WHEREAS, The METRO Council identified the need to explore methods to establish a joint development implementation capacity for the Banfield Light Rail Project, and successfully obtained funding to determine methods and approaches for that capacity under an UMTA Urban Initiatives grant; and

WHEREAS, The TSAP has set the stage for the implementation of development projects, TSAP consultants together with members of the financial and business community have concluded that one of the missing links to implement development around stations is an aggressive entrepreneurial entity to serve as a go-between between the public and private sectors; and

WHEREAS, Economic Research Associates after conducting interviews with key members of the financial and business community, and senior officials of TRI-MET, METRO, the city of Gresham, Multnomah County, and the Portland Development Commission found the

need for and consistent acceptance of a private nonprofit development corporation if it was created with the support of both METRO and TRI-MET to help implement joint development; and

WHEREAS, To gain this joint development implementation capability a nonprofit development corporation with no governmental powers that serves as the principal mechanism for promoting and negotiating transit-related development and acts as a "go-between" with private developers, TRI-MET, and local governments has been created; now, therefore,

IN CONSIDERATION OF THE FOREGOING, the parties do mutually agree as follows:

#### ARTICLE 1. RESPONSIBILITIES OF THE PARTIES

Responsibilities of METRO. METRO hereby recognizes the CORPORATION as the principal mechanism through which joint development projects will be carried out around major transit investments.

Pursuant to this designation, METRO agrees that it will:

- a. Enter into specific contracts with the CORPORATION for the implementation of joint development projects.
- b. Where provided by contract make available to the CORPORATION, for the purpose of implementing joint development plans, funds for staffing the CORPORATION and consultants.
- c. Allow the CORPORATION to purchase from METRO office space and certain services including graphics, printing, word processing, motorpool, office equipment and office equipment repair at a cost not to exceed METRO's cost.
- d. Coordinate the preparation of regional transit investments outlined in the Unified Work Program with CORPORATION so a mutually acceptable joint development program can be structured to meet METRO's joint development objectives.
- e. Where provided by contract, exercise METRO's powers under State law, to assist the CORPORATION in the implementing of joint development plans, including, but not limited to, its power to issue revenue bonds and levy special assessments for a direct transportation purpose, as necessary to assist the CORPORATION in carrying out joint development projects.
- f. Where provided by contract make available to the CORPORATION, for the purpose of implementing joint development plans, funds which have been obtained by METRO through federal grants to finance joint development projects.
- h. METRO agrees to hold hearings and submit grant

applications to obtain federal funds where provided for by contract to facilitate joint development projects.

It shall be understood as follows:

a. That METRO recognizes the role of local jurisdictions as maintaining primary responsibility for planning approval and permit issuance for joint development projects.

b. METRO recognizes that subsequent agreements for specific development projects consistent with the framework outlined in this Master Operating Agreement will be necessary. This Master Operating Agreement in no way commits METRO to undertaking those subsequent agreements until METRO has reviewed and approved them.

Responsibilities of the CORPORATION. The CORPORATION will coordinate the preparation of its joint development proposals and work with METRO to prepare a mutually acceptable program structured to meet the CORPORATION's joint development objectives. The CORPORATION hereby acknowledges and accepts its designation by METRO as the principal mechanism for implementing joint development projects in CORPORATION's area of operations. In light of this designation, the CORPORATION agrees that it will:

a. Work with local governments, METRO and businesses on the joint development aspects of transit investments.

b. Provide real estate packaging for specific projects including assessment of market potential, preliminary design and engineering, estimates of operating income and expenses and capital costs, and negotiation to secure financing, developers and prime tenants, and appraisal to determine land disposition and reuse value;

c. Negotiate and enter into contracts with METRO for the planning and preparation of joint development projects.

d. Exercise its powers as described in the CORPORATION's Articles of Incorporation to implement joint development projects, including its power to enter into and perform contracts, borrow and lend money, deal with property, accept gifts, and receive and disburse government funds.

e. Where provided by contract exercise the CORPORATION'S powers to assist METRO in meeting its development objectives.

It shall be understood as follows:

The CORPORATION recognizes the role of local jurisdictions as maintaining primary responsibility for planning approval and permit issuance for all projects.



## ARTICLE 2. FUNDING

The CORPORATION is not, nor shall it be deemed to be, a department or operating agency of METRO, and shall not be regularly allocated funds from METRO as if it were a department or operating agency. It shall be the responsibility of the CORPORATION also to obtain funding through sources other than METRO's general funds, including urban initiative-type grants, other federal funds, financial participation agreements with other governments and other government agencies, grants, donations, private sector contributions, and any other source of funding as may be available from time to time.

## ARTICLE 3. STAFFING

The CORPORATION shall employ its own staff and pay its staff with CORPORATION funds. METRO may elect to provide staff assistance to the CORPORATION on specific projects. The CORPORATION can elect to contract with METRO for staff assistance. METRO staff will continue to cooperate and coordinate with the CORPORATION's staff.

## ARTICLE 4. MISCELLANEOUS TERMS AND CONDITIONS

Duration. The term of this Master Operating Agreement shall be for a period of five (5) years from the date this agreement is entered into, automatically renewable for other like terms without further action by either party, unless the Master Operating Agreement is sooner terminated under the procedure set forth herein. Each party to this agreement without prejudice to any other right or remedy, and after giving the other party written notice of ninety (90) days, may terminate this agreement.

Jurisdiction. Nothing in this Master Operating Agreement shall be construed as either limiting or extending the legal jurisdiction of either METRO or the CORPORATION.

Federal Requirements. The CORPORATION agrees to abide by the provisions relating to securing and administering federal funds as established in OMB circular. A-87 and A-102 and their attachments.

Hold Harmless. The CORPORATION does hereby covenant and agree to indemnify and save harmless METRO, its Council, officers and employees, individually and collectively, from all fines, suits, claims, demands, actions, costs of litigation, attorney's fees or liability of any kind and does hereby agree to and assume all the risks in the operation of its business hereunder and shall be solely responsible and answerable for any and all accidents and injuries to

persons or property arising out of the performance of this Master Operating Agreement.

IN WITNESS THEREOF, the parties hereto have executed this Master Operating Agreement as of the date first written above.

URBAN DEVELOPMENT CORPORATION

METROPOLITAN SERVICE DISTRICT

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

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

GBA/srb  
5337B/298  
08/19/82



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

Date: August 25, 1982

To: Metro Councilors

From: Phillip Whitmore, Development Director

Regarding: Master Operating Agreement between Metro and  
the Corporation for Transit Investment

At the request of members of the Regional Development Committee we are providing you with copies of the attached draft report. The report recommends the formation of a private nonprofit development corporation, e.g. the Corporation for Transit Investment (see pp. 28-31). The Master Operating Agreement between Metro and the Corporation is before the Metro Council for approval on August 26.

# **Economics Research Associates**



Los Angeles, California  
San Francisco, California  
Chicago, Illinois  
Boston, Massachusetts  
Washington, D.C.  
Ft. Lauderdale, Florida

## **DRAFT**

**A JOINT DEVELOPMENT ORGANIZATION  
IN THE PORTLAND REGION**

**JUNE 1982**

**PREPARED BY  
ECONOMICS RESEARCH ASSOCIATES  
680 BEACH STREET, SUITE 370  
SAN FRANCISCO, CALIFORNIA 94109  
(415) 775-3170**

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## INTRODUCTION

This paper is the tenth in a series of papers prepared under the Banfield Light Rail Transit Station Area Planning Program. The objective of this paper is to explore the need for an organization which focuses public sector planning, capital investment and private development community attention on transit station area joint development opportunities. In addition, the paper examines the opportunities and constraints of creating such an organization in the Portland region.

The Banfield Light Rail Transit Station Area Planning Program is a joint program sponsored by the City of Portland, City of Gresham, Multnomah County, Metropolitan Service District, Oregon Department of Transportation, and Tri Met. The objective of this program is to analyze the potential of and to plan for more intensive land development in the vicinity of the 27 light rail stations. The Management Team of this program selected Economics Research Associates (ERA) as the prime contractor to prepare the analysis. William W. Lee, ERA Vice President and Project Manager, is responsible for the preparation of this paper.

## ORGANIZATIONS FOR JOINT DEVELOPMENT

With transit agencies facing an ever growing gap between operating cost and revenues, interest in joint development has intensified. Joint development is simply land development around public investments such as transit stations which recognizes the advantages and constraints created by such an investment. For transit system operators, joint development serves two very important objectives:

- o It increases patronage and therefore operating revenues, and
- o It generates direct revenue from land sale or lease if implemented on transit agency real estate.

For the larger community, joint development encourages a more efficient land use pattern and decreases the dependence on automobiles.

### TYPES OF ORGANIZATIONS

Different regions have used very different organizations to achieve joint development. The more common types of organizations are described below.

#### Transit Authorities

Transit authorities have varying degrees of interest and control over joint development. The "natural powers" transit authorities can exercise in joint development are a function of the amount and location of the land or development projects rights they own or lease, the direct access agreements they control, and the statutory real estate development authority that they are delegated. Transit authorities may also, under the right circumstances, be "provided" with additional control over joint

development. This additional control can come in the form of  
1) conveyances of land from city agencies or 2) conveyances of resources including grant funds and infrastructure improvements.

Transit authorities, however, like any non-municipal entity not possessing the power to control zoning and property taxes is ultimately limited in their control over development, particularly where zoning amendments and property tax arrangements are crucial to the feasibility of a given development. To the degree that existing zoning is sufficient and that existing market forces are strong enough, the lack of control over property taxation can be minimized.

Thus, under the appropriate circumstances (e.g., where the market is relatively strong and the transit body has the requisite land holdings and rights to station access), a transit authority can have substantial control over joint development. The willingness and/or ability to be a partner in transit-related development, depends on the policies of the board of directors, the perceived cost/benefit relationships of a given project, the amount of financial resources available, and the statutory authority to legally participate in real estate ventures. Assuming these conditions favor transit authority involvements, they may prove to be good partners in development. They are shielded more than municipal agencies from the vagaries of local politics and often have in-house expertise in real estate appraisal, acquisition, and disposition skills.

#### Economic Development Corporations

Economic development corporations (EDCs) are quasi-public (but legally-private) non-profit corporations. They are capitalized largely by long-term grants from governmental entities for the purpose of administering funds for economic development projects. Because of their legal status, they have access to important real estate development powers that are often not available to government.

EDCs employ full-time professional staffs which usually are not on local government payrolls, but which are indirectly responsible to local government officials through an appointed board of directors. EDC boards are typically composed of business, labor, and civic group representatives in addition to ex-officio members from local government agencies. EDC professional staffs are hired by the executive director.

In assisting potential real estate developments, EDCs can be very important 1) when the city (or its agencies) lack the appropriate statutory authority to become involved in real estate, 2) if the city's staff lacks the necessary development expertise to work with developers, and 3) when desired development lacks the financial feasibility (or interest in a particular site) without the financial subsidy packaging that an EDC can provide.

The advantages of EDCs (other than those stated explicitly above) is that they possess the beneficial characteristics of administrative autonomy without complete lack of political accountability. The feature of being able to directly invest in development projects in a flexible way, but with some degree of political accountability, provides the strongest reason for establishing and funding this form of development organization.

The disadvantage of this type of entity is that it can be costly to set up, particularly for small applications. Although staff and overhead costs, at first, are usually financed out of public and private sector grants, it is expected that an increasing share of the administrative costs will be absorbed by fees and service charges which over time, should increase with user volume. For this reason, they are typically established under long-term economic development objectives for the purpose of multiple project development.

#### City Departments/Municipal Agencies

The most common and simple organizational solution is to designate an existing city department or agency to carry out the development function. Many cities have in-house development divisions which have

extensive staffs for use in carrying out urban renewal and other related programs. Thus, perhaps with some modification, city departments or municipal agencies could perform joint development related functions.

Although it could be effective, a city department or local development agency is often burdened with political considerations and is therefore limited in the development techniques it can utilize as well as the risks it can assume. A municipal agency may also not be able to provide the necessary development continuity over a period of years as development policies are changed by elected officials. Moreover, legislative restrictions can prohibit city departments or agencies (except in urban renewal areas) from such activities as assisting private firms, engaging in land banking, and other related real estate development activities.

The advantage of designating a city department or agency to carry out joint development is that accountability to the city would be maintained at a high level. In addition, coordination with other city agencies might be enhanced.

Regardless of the degree of involvement, city agencies have both important powers and an important role in the joint development process. First, they generally have the ultimate zoning and taxing authority over a particular development. They can also bring to bear a broader array of public purposes and public uses than a transportation agency or EDC in dealing with the complex needs of most joint development projects. They can also provide various fiscal resources which may be necessary to supplement those of other agencies.

The general purpose local government also plays an important political role in joint development. In the many sensitive situations that often arise in joint development type projects, it is the local government that is responsible to the local community and will need to coordinate to alleviate adverse neighborhood impacts where necessary. Thus, the power of the local government and the importance of its services can not be underestimated.

### County Involvement

County governments can have a broader land-use perspective than municipal governments but their actual control over land use is typically limited to unincorporated areas. Because cities have typically not relinquished their designated control over station area joint development, counties will generally have little input into actual planning or financing of projects in incorporated areas. Outside the incorporated areas the county will serve much the same role as a municipal government. They will provide comprehensive planning and will control zoning and taxation.

Their abilities to be a partner in joint development are often very limited, more so than municipal governments. Although this varies greatly, by county, most counties have little experience in actually participating in development projects. This is largely a function of the circumstances underlying development in unincorporated areas which is often straight forward and lacks the complexities unique to dense cities and urban renewal areas. To the extent that counties already have in-house expertise or that they can hire new staff, their ability to become involved in joint development will be much similar to that of a city department or municipal agency.

### Transit Corridor Development Corporation

Transit corridor development corporations (TCDCs) serve a similar, but more regional and specific role than economic development corporations (EDCs) as discussed earlier. They both hold many of the same powers and have related functions. Although few, if any, formally exist anywhere in the U.S.<sup>1</sup>, there may be some precedents for creating them when the

<sup>1</sup>The City of Baltimore has the only formal UMTA funded TCDC. This TCDC, as will be further discussed in the next section, has control over only three transit station areas -- all of which are within the City of Baltimore. Although the State of New Jersey is pursuing the development of a TCDC with UMTA funding support, it nevertheless is only in the planning stages.

appropriate conditions prevail. The two most significant reasons why they have not been formed to any significant degree to date is 1) the political and administrative problem of organizing, funding, and delegating powers to a multi-jurisdictional entity, and 2) the problem of further fragmenting economic development responsibilities (particularly where existing EDCs or local development authorities exist). Another problem, that is very similar to one that EDCs may experience, is the lack of significant and continuing development opportunities to merit the costs of establishing and funding such an entity.

The advantages of a TCDC is that they have a very defined role and, as such, can provide a centering force for the planning and implementing of transit station area development. Their administrative autonomy and their very specific objectives can be an advantage over other entities that may have competing projects, objectives and constituencies.

#### Special Development Authority

This alternative, as the name applies, would typically require state enabling legislating. Often organizations such as port authorities and downtown development authorities have significant governmental powers (limited to their special purpose) and funding. Typical powers include eminent domain, bonding authority, and perhaps even limited taxing authority. This form of entity, because of the powers it is vested with would require significant public need for it to be politically feasible.

#### Private Development Organizations

Private development organizations can also be set up to carry out specific development objectives. They can be endowed with delegated eminent domain powers and can be granted with tax abatements and/or long term leases on municipally owned land. The objective in establishing this organizational form would be to gain the support of the private sector. The disadvantage of this type of organization is that it may not meet the

city's standard for accountability (unless a contractual agreement with certain performance standards is developed) and the character of the organization might not create the desired image of an economic development agency open to public or elected official comment or criticism. On the other hand, this form or organization could be an inexpensive solution to the lack of an appropriate entity for coordinating a relatively short term joint development project.



### THREE ORGANIZATIONS WHICH HAVE BEEN EFFECTIVE

Although the range of organizations possible for joint development vary widely, truly successful models are relatively few. Three effective organizations, very different from each other, are examined as possible models for the Portland region.

#### WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)

The Washington D.C. Metro is a regional heavy-rail network serving the District of Columbia, two counties each in Maryland and Virginia, and several Virginia cities. During the planning of the system, route selections were based primarily on right-of-way requirements, cost factors, bus access, and minimization of neighborhood disruption, rather than on joint development potential. As a result, many stations are located alongside elevated tracks on railroad right-of-ways, or on undevelopable public land, and are therefore unsuitable for joint development. Due to strong market conditions, an increasingly aggressive approach to value capture by WMATA, and the adjacency of several stations to large city-owned urban renewal tracts, joint development has occurred or has the potential to occur at a number of Metro stations.

Joint development around Metro stations is coordinated by both the local jurisdiction and WMATA. Local jurisdictions are responsible for defining the broad parameters of station area development, while the implementation of specific projects is the responsibility of WMATA. Local input typically involves zoning changes and provision of capital improvements. With the exception of some coordination of development projects on city-owned urban renewal land in Washington, D.C., the local jurisdictions have not been involved in land assemblage, provision of tax breaks or other activities aimed at facilitating the feasibility of specific projects. WMATA involvement, on the other hand, focuses on the development of specific projects in the air or subsurface rights at Metro station sites.

WMATA was created in 1966 with the signing of the Interstate Compact Legislation, which was itself the result of earlier political approvals by the Virginia and Maryland General Assemblies. This legislation gave WMATA authority to plan and construct the Metro system. Later, after discussion of alternatives such as subcontracting to a private concern or local government control, WMATA was given the authority to operate the system.

The Interstate Compact gave WMATA the power to, "acquire by condemnation, wherever in its opinion it is necessary or advantageous to the Authority to do so... any real or personal property... necessary or useful for the transit system." Although this language might seem to allow liberal supplemental acquisition, WMATA has adopted a policy of not acquiring any property except that necessary to construct and operate the transit system. Land required for machinery that is necessary for station construction, however, often requires WMATA to purchase more land than is necessary for the operation of the system. As a result, after the completion of construction, WMATA has been left with excess land holdings around Metro stations.

Where such excess land is available, WMATA, in conjunction with local zoning authorities, plan to varying levels of detail, the type of development it wishes to have on the site. The objectives WMATA aims to realize include: improved ridership, recapture of acquisition costs, enhanced tax base, greater accessibility to the Metro facilities and an opportunity for value capture. When an appropriate development concept has been formulated, WMATA issues prospectuses and invites bids from developers.

#### The Board

The WMATA Board of Directors is comprised to two representatives from each of the three major jurisdictions served by the Metro: Washington, D.C., Maryland and northern Virginia. Virtually all WMATA

board members are public officials, and usually more than half are locally elected representatives. The six board members are supported by six alternates representing the same jurisdictions.

The District of Columbia representatives typically include a city council member and the mayor or mayor's representative. In Maryland, one representative comes from each of the two Maryland counties served by the system--Montgomery County and Prince George's County. The Maryland members are usually either from the respective county council or the county executive branch. The Maryland board members are also involved with the Washington Suburban Transit Commission (WSTC) which coordinates the transit activities of the two Maryland counties and the state.

The Virginia board members are selected on a rotating basis from the constituency of the North Virginia Transit Commission (NVTC), which serves the coordinating function between the State of Virginia and the localities served by the Metro system. The NVTC is comprised of representatives of Fairfax County, Arlington County, the City of Alexandria and several smaller incorporated areas including the Town of Vienna and Fairfax City.

#### Solicitation of Developers

After assembling real property through either ordinary purchase or through its power of eminent domain, WMATA issues a joint development prospectus and awaits developer proposals. These prospectuses contain varying levels of detail on the type and density of development the local jurisdiction and the Authority hope to attract. Some offer no specifications other than the requirement to meet relevant local zoning ordinances, while others provide detailed development outlines. The comprehensive sector plans developed by the Maryland National Capital Park and Planning Commission for each of the station areas in Montgomery County, for example, are essentially complete urban design studies which specify

everything from overall design concepts to bicycle access requirements, and involve complete revisions of local zoning ordinances and suggestions for public investment in capital improvements.

Responding to these prospectuses requires a significant expenditure of resources from the competing developers. Most of the development proposals are required to include a graphic description of the proposed development including a site plan, schematic floor plans, elevations and cross sections. Proposals must also specify the precise amount of ground rent to be paid and provide a pro forma financial statement substantiating the proposal's economic feasibility.

#### Lease Terms

The basic lease terms, which are the same at most of the stations with strong markets and at which development is desired, are premised on a 50-year initial lease with an additional 49-year renewal option. The leases call for: 1) a minimum guaranteed rent, to be paid during the development period; 2) a minimum guaranteed ground rent to be paid beginning at the conclusion of the specified development period; and 3) an "additional rent" based on the project's income. The minimum guaranteed rent paid during the construction period is often a nominal fee intended to aid project feasibility. The minimum guaranteed rent, which goes into effect at the conclusion of the specified development period, is typically set at a certain dollar rate and is in effect through the 50th year. The additional rent is based on either the project's gross or net income. Such an arrangement involves WMATA in the risks of the project since a portion of its lease income is contingent on the project's income success.

The leases also typically require the developer to provide some transit-related facilities such as passenger drop-off and pick-up areas, parking facilities and off-street bus bays. Other construction related to specific site circumstances is also required at some stations. Although

WMATA sometimes offers reimbursement for the costs incurred, the developer absorbs the cost in most instances. WMATA assumes responsibility for the maintenance and operation of these facilities after construction.

#### Review and Approval

WMATA reserves the right to review and approve all development plans. Plans must also be approved by the local zoning authority. Some localities have established special zoning regulations for areas impacted by the Metro. As an incentive to developers, zoning requirements for such development parameters as parking and floor area ratios (FAR) are sometimes eased. WMATA requires the developer to obtain the requisite approvals within a set amount of time after the lease is awarded. The authority places similar time constraints on the commencement and completion of construction, and in newly developed stations, on the completion of the transit-related improvements to insure their availability by the time station operations begin.

#### MARKET CENTER DEVELOPMENT CORPORATION (MCDC) IN BALTIMORE

After many years of planning, the Mass Transit Administration (MTA) of the Maryland Department of Transportation began construction of Baltimore's heavy-rail rapid transit system in 1976. The first phase of the project is an eight-mile route connecting downtown Baltimore at the Lexington Market with the Reisterstown Road Plaza regional shopping mall at the northwestern boundary of the city. Current plans call for construction of an additional six miles of heavy-rail and a two mile Downtown People Mover.

The City of Baltimore has been actively planning for joint development since 1974 when the State of Maryland and UMTA funded the Transit Station Area Development and Access Study (TSADAS) program. These studies were conducted by the Baltimore City Planning Department in conjunction with the MTA. The first phase of the TSADAS program involved

examination at both the corridor and station area levels of: 1) existing socio-economic conditions and trends, and 2) future development potentials. The second phase of the TSADAS program involved development of master plans outlining specific short and long-term development strategies for each of the nine station areas and for the corridor overall.

Based on this TSADAS information, the city selected the three station areas which appeared to offer the greatest short-term development potentials and designated the areas around these station sites as urban renewal districts. This designation allows the city's Department of Housing and Community Development to utilize the power of eminent domain to assemble and prepare land for private development in conformance to the TSADAS station area master plans.

About this time, the Department of Housing and Community Development prepared a series of UMTA grant applications for funds to support public improvements in the three station areas selected for priority development and for the establishment and maintenance of what was referred to as a Transit Corridor Development Corporation (TCDC). These grants were awarded and following the approval of the Environmental Impact Statement (which city officials say delayed development for about a year), the city created the Market Center Development Corporation.

The Market Center Development Corporation (MCDC) is a quasi-public, non-profit corporation created by the mayor and city council in 1979. MCDC receives 80 percent of its funds from UMTA. The remaining 20 percent is funded through general obligation bonds issued by the city.

MCDC was patterned on the Charles Center Inner Harbor Management Corporation which has had notable success in developing the Charles Center Office complex and redeveloping the Baltimore waterfront. The corporation's policy is set by its five member board. The board is headed by a Baltimore businessman appointed by the mayor, who is also the

president of the corporation. The other five board members include the commissioner of the city's Department of Housing and Community Development and three community leaders.

MCDC policy is implemented by the corporation's nine-person staff. In addition to the president, senior staff members include an architect/urban designer, a civil engineer, and a public relations officer. The senior staff is supported by two urban planners, an architect, and a two-person secretarial staff.

Although MCDC does not officially have eminent domain, zoning, or contract approval authority, it acts as the de facto holder of these powers. When actual exercise of these policy or contract approval powers is required, MCDC goes to the appropriate established city agency, usually the Department of Housing and Community Development, for what is most often rubber stamp approval.

Although MCDC was established with UMTA funds earmarked for TCDC, MCDC is responsible for only the three station areas the city had earlier selected for high priority development. Responsibility for the areas surrounding the other six stations under construction is held by the Department of Housing and Community Development and this department is not currently pursuing new development around these stations.

Although MCDC has tried to stimulate joint development in all three of the station areas under its jurisdiction, planning has reached an advanced stage only at the Lexington Market Station. MCDC is responsible for an 83-acre area around this station called the Retail Urban Renewal District. At the heart of this district is a five-acre parcel which will house the subway station. This parcel is called the joint development site and is the focus of MCDC's efforts for the revitalization of the area.

### Supporting Organizations

In addition to the MCDC and the Department of Housing and Community Development, there are several other Baltimore agencies and groups which are involved. The Mass Transportation Administration, which as noted earlier is a branch of the Maryland Department of Transportation, is responsible for the planning, construction and operation of the rail system. Although MTA will have some residual properties in station areas after the completion of construction, it will not become directly involved in joint development or value capture. Any excess properties held by the MTA upon completion of system construction will be sold to the city.

The Downtown Retail Merchants Association is a non-profit organization, which provides input to the MCDC on its redevelopment plans for the Retail Urban Renewal District. The Market Center Project Area Committee (PAC) serves a similar community input function, but its membership includes area residents, historic preservationists, and property owners as well as proprietors of businesses.

The Greater Baltimore Committee (GBC), which is comprised of the leaders of the 100 largest firms in Baltimore, funded an early plan for the development of the Lexington Market Station area. This plan was scuttled, however, when the GBC failed to find a developer. Since then the GBC has maintained a relatively low level of involvement although it has recently funded a retail study of the Lexington Market Station area.

### City Contribution

The major city-initiated improvements in the urban renewal district include the rehabilitation and expansion of the Lexington Market, an historic retail area and one of the world's largest fresh food centers. Although the city expects to complete all of the capital improvements planned, the renovation and expansion of the Lexington Market is the only improvement the city has contractually committed itself, to the Murdock Development Corporation, to perform. Other City investments in the area



include an expansion of the Lexington Street Pedestrian Mall adjacent to the Joint Development site's southern boundary which will be paid for with UMTA and CDBG funds; and the creation of the Howard Street Transit Mall adjacent to the site's western boundary which will also be paid for with UMTA and city funds.

Public sector involvement in joint development of the site began with a city initiative for the relocation of the Lexington Market Station to allow direct access to the development from the station during Mass Transportation Administration's early system planning. MCDC will reimburse the MTA for the redesign and reengineering costs as well as for part of the increased construction costs this relocation will entail.

#### Developer Selection

After the MCDC's review of the two development proposals submitted, the Commissioner of the Department of Housing and Community Development chose the David H. Murdock Development Corporation to develop the Joint Development site. Construction of the Joint Development site will include between 0.5 million and 1 million square feet of office space, a minimum of 100,000 square feet of retail space, a parking garage to accommodate up to 400 spaces, a pedestrian plaza and an atrium which will connect the project to two existing major department stores. This development proposal reflects the broad outlines for the area set by MCDC in its station area master plan.

#### MCDC Role

Through purchase and eminent domain (a power exercised through the Department of Housing and Community Development) MCDC assembled the site. MCDC also coordinated relocation, demolition, and partial site preparation. The corporation will sell the assembled, partially prepared site to Murdock for what would be considered a fair price for uncleared land in the area--essentially giving the Murdock Corporation assemblage,

relocation, and partial site preparation for free. MCDC will also fund facade improvements for some of the historic structures on the site, and has made "best efforts" commitments to obtain industrial revenue bond financing for construction of the on-site garage. MCDC has also committed its best efforts to obtaining a low interest loan or other sort of preferential financing for the construction of the atrium which, as mentioned earlier, will enclose the new retail space and connect the project to adjacent stores. City policy opposes tax breaks and the Murdock project will not receive preferential tax treatment. The developers have indicated that they do not want UDAG funds.

MCDC has also issued rehabilitation guidelines and set mandatory rehabilitation schedules (between two and four years, depending on the area) for building owners throughout the 83-acre urban renewal district. MCDC will aid these business and property owners in their rehabilitation planning and in obtaining public funding where available.

In return for these incentives, the developer was required to participate in competitive bidding for the development rights, and to meet the master plan requirement which outlined the type and quantity of space to be provided. In addition to providing this new development, the developer is obligated to partially rehabilitate two structures on the site, submit plans for MCDC design review and approval, and meet the requirements of a performance schedule.

#### THE DENVER PARTNERSHIP

Unlike the previous two examples, the Denver Partnership is really three organizations which serve a broad range of downtown interest. The three organizations are Denver Civic Ventures, Downtown Denver, Inc. and the Denver Partnership.

#### Denver Civic Ventures (DCV)

Denver Civic Ventures, a nonprofit corporation, is the public purpose arm of the Denver Partnership. It receives much of its funding from foundations and corporations such as the Piton Foundation, the Gates Foundation and Historic Denver, Inc. Its staff, shared with Downtown Denver, Inc. and the Denver Partnership, has expertise in urban design, planning, financial analysis, development packaging and promotion.

Denver Civic Ventures has been working to achieve an active pedestrian environment along the 16th Street mall and to integrate new construction with existing historical buildings in the Lower Downtown Area. DCV has also created the Denver Business Challenge, a comprehensive program to stimulate, service, promote and recognize corporate public-purpose investment and philanthropy in Denver.

#### Downtown Denver Inc. (DDI)

Downtown Denver Inc. is a downtown association which advocates business interests. DDI receives its funding from membership dues. In addition to its advocacy activities, DDI has created a special Downtown Management District centered on 16th Street. This district plans to supervise and coordinate maintenance, security, traffic, parking, special events and a healthy mix of retail outlets. This management approach is similar to that found in regional shopping centers.

#### The Denver Partnership and Transit

The Board of Directors of the Denver Partnership consists of approximately 100 chief executive officers and civic leaders. Forty of these are also on the Board either of DDI or DCV. This umbrella organization will be directing its efforts, among other agenda items, to help develop a light rail system to alleviate traffic congestion, parking shortage, and air pollution in the downtown.

The Colorado State Legislature intends to place the light rail issue before the voters in the Spring of 1983. The voters will decide on a one cent sales tax for planning and construction of the system. The Denver Partnership has appointed a task force to explore access, circulation and infrastructure issues as they relate to the city center.

#### SUMMARY OF ALTERNATIVE ORGANIZATIONS

The organization which actually fosters joint development can take many forms. A transit agency in Washington, D.C., a nonprofit development corporation in Baltimore, and a complex of community organizations in Denver have all demonstrated success. The key to success is not the legal or technical structure of the organization but rather that the mandate of the organization enjoys the broad based political support of the community and its civic and business leaders.

## CAPABILITIES AND OBJECTIVES OF ORGANIZATIONS IN THE PORTLAND REGION FOR JOINT DEVELOPMENT

Building upon the information generated in the previous sections, which explored alternative organizations for joint development and provided three successful models, this section evaluates the ability and desire of existing organizations in the Portland region to effectively induce transit station area joint development. The analysis examines the public agencies important to the Banfield system on an individual basis.

### TRI MET

Tri Met is the transportation agency in the Portland region responsible for construction and operations of the Banfield LRT system. Tri Met also operates the buses which provide public transportation to residents of the region.

Because of the need to acquire right-of-way for system construction, Tri Met has the power of eminent domain: the power to take private property, without consent, for public use and with compensation. Depending upon the precise interpretation of "public use" within the context of Oregon State Law, Tri Met could possibly use such eminent domain powers to facilitate joint development. Given such powers, a transportation agency, as demonstrated by WMATA, could become a very effective joint development entity.

The Tri Met Board of Directors, however, has decided to interpret public use narrowly to mean direct public transportation use. This transportation agency therefore has decided not to assume any land development or joint development responsibilities within its own organization. Because of the long-term patronage benefits of joint development, Tri Met has, however, encouraged other organizations such as the Metropolitan Service District to assume responsibility for joint development.

In summary, if the Tri Met Board wished to aggressively pursue joint development, the agency probably has sufficient powers and could secure staff with the appropriate planning and real estate development expertise to become an effective joint development entity. However, in sharp contrast to the Washington Metropolitan Area Transportation Authority, Tri Met has consistently decided against taking on the responsibilities and opportunities of joint development.

#### METROPOLITAN SERVICE DISTRICT (METRO)

The Metropolitan Service District was created by the Oregon State Legislative Assembly in 1979 to contain the proliferation of regional governments in the Portland metropolitan area. Metro has responsibility for metropolitan aspects of waste disposal, surface water management, transportation planning, zoo facilities and land use planning.

It has been the opinion of legal counsel<sup>1</sup> that specific state legislation is required for Metro to acquire substantial joint development powers such as property acquisition, development of facilities and structures, condemnation, bonding and perhaps tax increment financing. Such legislation has not been secured apparently for two reasons:

- o Local government jurisdictions in the Portland region have been concerned that the expanding powers of regional government will threaten their individual power base and revenue structure. One area of potential conflict is land use control.
- o The recent public mood in the nation and in the state has been against the expansion of any type of governmental powers or taxing authority.

<sup>1</sup>E. Andrew Jordan, General Counsel of CRAG in September 1, 1978, correspondence to David Harris of Tri Met.

Without such legislative authority, Metro can still play a role in fostering joint development. The effectiveness of that role depends upon cooperation from all interested private and public entities. As long as the staff of local jurisdictions are suspicious of Metro's intentions, that cooperation will not be easily secured. In addition, joint development requires the promotion of the interest of specific parcels of property. The promotion of such narrow interest could conflict with the broad mandate of a regional multi-purpose government agency.

In summary, the Metropolitan Service District is less than ideally suited to serve as the region's joint development organization because it lacks effective powers to implement joint development, its attempts to acquire such powers have met with considerable political resistance from local government jurisdictions, and its broad multi-purpose mandate is not particularly compatible with the narrow property interest necessary for effective joint development.

#### THE PORTLAND DEVELOPMENT COMMISSION (PDC)

The Portland Development Commission is the City of Portland's urban renewal agency. Because of its impressive record of successful redevelopment, it is a highly respected development organization. Within the jurisdiction of urban renewal areas, the PDC has all the powers and tools necessary to effectively induce joint development.

Oregon State law, however, stipulates that redevelopment is for the purpose of removing, preventing or reducing blight or blighting factors or the causes of blight. Even with a fairly broad interpretation of blight, a number of the station area joint development opportunities will clearly not be in blighted neighborhoods. In such cases, PDC involvement and effectiveness would be limited.

If a policy decision were made at the very top levels of Portland City government, PDC could be directed to actively pursue transit station area joint development even in locations outside urban renewal districts.

In such station areas PDC would not have eminent domain powers and would not have the use of tax increment financing; but it could still assemble land through open market purchases, plan and package development projects, market property, solicit developers and basically perform all of the joint development functions which a quasi-public development corporation could perform. There is currently little indication that the PDC is interested in committing its staff resources in this direction.

It is ERA's expectation that PDC will continue to focus its attention to the removal of blight in areas which have near term redevelopment potential. Joint development opportunities near transit stations will receive PDC attention only if they also happen to satisfy the two above conditions.

Since a number of the joint development opportunities are outside Portland, PDC, being a City of Portland agency, faces some geographic constraints. Its enabling legislation allows the PDC to operate up to five miles outside the City limits by agreement with the governing jurisdiction. However, the political likelihood of extra-territorial operation is very low. For example, since the voters in unincorporated Multnomah County voted overwhelmingly against the formation of an urban renewal agency, it would be extremely unlikely that the County's political leaders would agree to allow the PDC to function in the County.

The Portland Development Commission has the powers, tools and experience to become a successful joint development organization. However, it will not function as such because its legal mandate is to remove blight and because its effective geographic jurisdictions is limited to the City of Portland. Until there is a top level directive to alter PDC's mandate, transit station area joint development will be a secondary consideration of this agency.



## MULTNOMAH COUNTY

Within Multnomah County, the Department of Environmental Services acts as a single agency to process development permits and to prepare land use plans near LRT station areas. The County has increased zoned residential densities along the LRT corridor and has limited multi-family zoning outside the Banfield Corridor. In addition, the County is revising its development codes to accommodate more urban types of development in a traditionally rural and suburban area.

While strong land use policies exist to accommodate higher density joint development along the Banfield Corridor, the County has very limited ability to assist in project implementation. The County does not have the financial resources to allow the Department of Environmental Services staff to promote or package joint development. An attempt to form a redevelopment agency was overwhelmingly rejected by the voters. In fact, the County has not been able to develop an effective financing plan to construct sanitary sewers along much of the Banfield Corridor. Without such sewers, urban density joint development can be achieved only in limited places.

Because of its weak fiscal position and the lack of voter support for additional governmental powers, the County's position regarding joint development is one of encouragement and accommodations through zoning and development code changes. A more active approach simply has not been possible.

## CITY OF GRESHAM

Due to the abundance of vacant land, much of the joint development potential created by the Banfield LRT System is in Gresham. Working closely with the market potential identified by ERA in previous papers and workshop sessions, the City of Gresham planning staff carefully developed a downtown area plan. This plan coordinated joint development around the

three light rail stations with redevelopment of the City's central core. Urban renewal powers and tax increment financing were projected to be the implementing vehicles.

In a very recent city wide election, voters in Gresham rejected the creation of an urban renewal agency. That election defeat represented a major set-back for implementation of joint development plans. The City is now exploring alternative vehicles to fund needed downtown capital improvements and to consolidate development opportunities.

#### SUMMARY OF CAPABILITIES

While most of the key public officials involved in the various jurisdictions support the ideal of transit station area joint development, the Portland region clearly does not have an organizational entity which is focused on promoting and facilitating such development.

A JOINT DEVELOPMENT ORGANIZATION  
WITHIN THE REALITIES OF THE PORTLAND REGION

The political and financial realities of the Portland region presents some constraints and some opportunities for the creation of a joint development organization. These constraints and opportunities shape the type of organization appropriate to this region.

CONSTRAINTS AND CONCERNS

The constraints and concerns regarding a joint development organization, voiced both by the voters and by key public officials, can be summarized by the following discussion:

- o The recent political climate, both in the nation and in the Portland region, indicates that the creation of a new governmental entity or the expansion of an existing governmental unit for the purpose of joint development does not enjoy substantial public support. The vote against the formation of urban renewal agencies in both Gresham and Multnomah County are strong indications of this attitude. A joint development organization created for this region should not be a governmental entity with powers of taxation, bonding, eminent domain land acquisition, etc.
- o There was also concern voiced by local government representatives that any regional scale joint development organization would be insensitive to local community or neighborhood issues and needs.
- o Public officials in the region were also concerned that a new regional agency with broad responsibilities would duplicate the functions and responsibilities of existing agencies. Such duplication invites conflict and promotes waste.

- o ERA's primary concern is that, if a joint development entity is created, it should have ample funding for both on-going operation and significant initial projects. Without such funding, the creation of such an organization merely amounts to window dressing.

#### OPPORTUNITIES AND SUPPORT

Active support for a joint development organization comes from both Tri Met and Metro. Realizing the long term benefits of station area development to transit operations, Tri Met has indicated willingness to fund an organization which has the ability to promote and package development. Metro, because of its interest in the efficient use of land within the metropolitan area, has also indicated willingness to provide initial staff and overhead support. It is this support which makes the creation of a joint development entity not only possible but probable.

#### A NON PROFIT DEVELOPMENT CORPORATION

Given the region's opportunities and constraints and the fact that no single entity is primarily concerned with station area joint development, Economics Research Associates recommends the creation of a non profit development corporation for the purposes of joint development. Such a corporation would not have the governmental powers of taxation, eminent domain land acquisition, land use controls, bonding, etc. However, given adequate funding, such an organization could be effective because it could receive government grants or private corporate contributions, it could purchase or dispose of property, and it could provide development or pre-development services on a contract basis.

### Objectives of the Corporation

The objectives of this non profit joint development corporation should be as follows:

- o To promote more intensive land development around transit stations for the purpose of enhancing future transit patronage and encouraging efficient land use patterns.
- o To provide public improvements which serve as linkages between private land development projects and Tri Met station area improvements (pedestrian walkways, skybridges, plaza areas, escalators, etc.)

### Functions

In ERA's view this joint development corporation would primarily serve the following functions within the Portland region.

- o Encouraging local government agencies to provide good planning and capital improvements in the vicinity of transit stations.
- o Focusing private development community interest on the station areas.
- o Encouraging the interface of private land development projects with public transit station area investments.
- o Actually providing the critical public improvement linkage when necessary and appropriate.
- o Assisting less experienced developers with project conceptualization, approvals, financing and marketing.
- o Assisting government entities with acquisitions of land, packaging, developer solicitation, developer selection, and disposition of land for joint development.

- o Assisting local community groups with project conceptualization, marketing and implementation.

### Financial Support

Initial financial support is expected from Tri Met and Metro. It will be essential for the corporation's success to also have a substantial amount of capital projects, most likely from Federal joint development grants. As a track record is demonstrated financial backing is expected to broaden to include corporate contributions and revenues from services provided. The effectiveness of this corporation in the initial years will determine the level of future funding support. That effectiveness depends on cooperation from local jurisdictions which have control over land use and development.

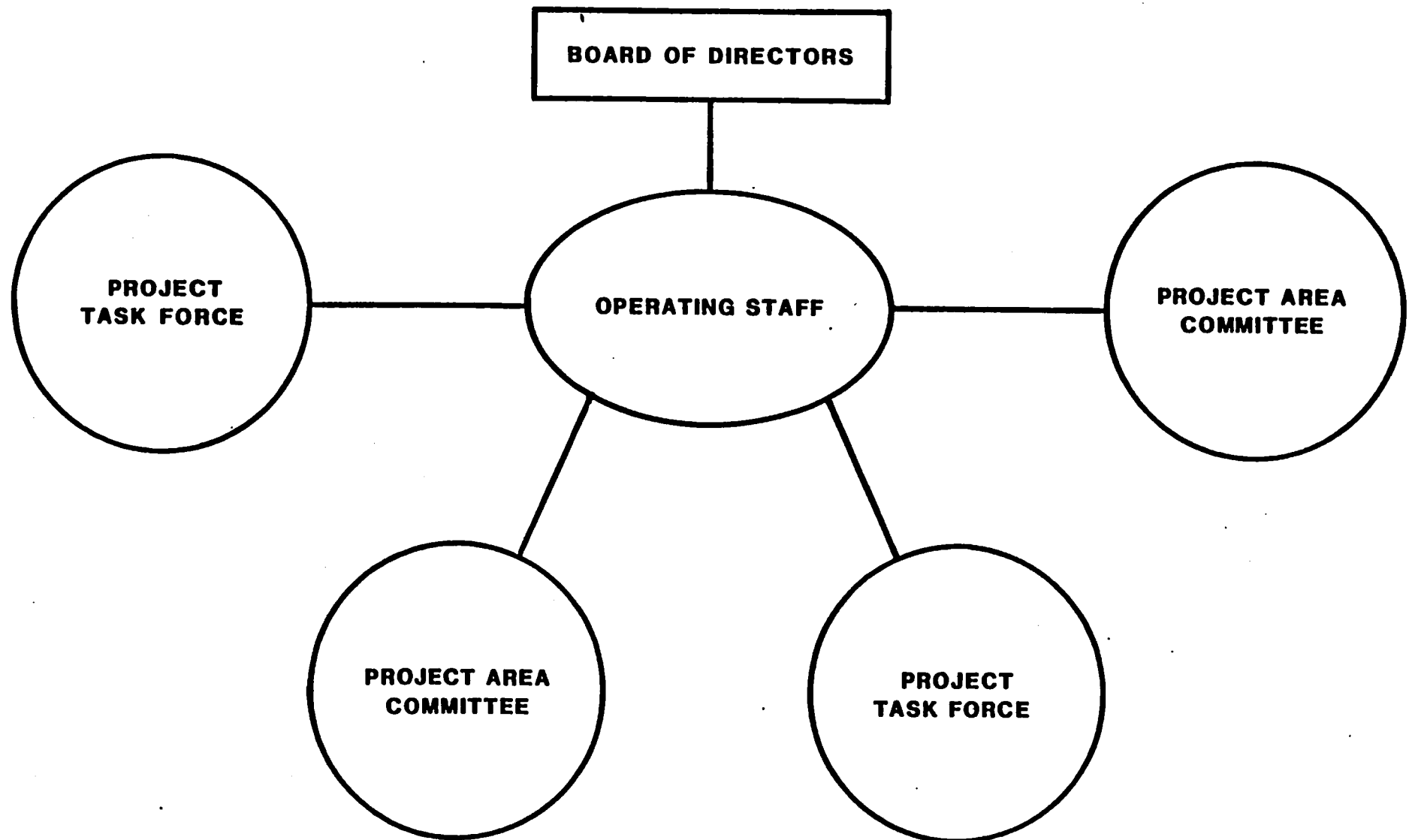
### Organization

A successful non profit joint development corporation needs to be effective at three different levels. These are described briefly below:

- o Staff and Operations - This corporation needs to have a staff which is capable of planning, packaging, promoting and marketing real estate projects. An ongoing staff with its own offices is recommended.
- o Funding and Policy - This corporation needs a Board of Directors consisting of Portland region's civic and business leaders, for the purposes of fund raising and policy formation. Board members should be capable of assisting in securing grants from State and Federal agencies and from local corporations.
- o Project Level Partnerships - This corporation needs to be able to form partnerships with local groups so that project level decisions reflect local interest and concerns. These partnerships would probably be in the form of project area committees or task forces.

The long term success of a joint development corporation in the Portland region depends on the political and financial backing of the community and its civic and business leadership.

## JOINT DEVELOPMENT CORPORATION





A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Councilor Bruce Etlinger  
SUBJECT: Endorsing Legislation Designating the Columbia River  
Gorge as a National Scenic Area

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: That the Council adopt the attached resolution endorsing legislation now in Congress to designate the Columbia River Gorge as a National Scenic Area.
- B. POLICY IMPACT: The resolution is consistent with State Land Use Planning Goals No. 5 (Open Spaces, Scenic and Historic Areas and Natural Resources) and No. 8 (Recreational Needs). It puts Metro on record as supporting stronger protection of the Gorge.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: Metro's endorsement of this legislation has been requested by Friends of the Gorge. The proposed legislation affects only 10% of the property in the Oregon portion of the Gorge, since 90 percent of the land is already in public ownership. It will set up a mechanism for cooperation between the numerous governmental bodies in Washington and Oregon who have been managing the Gorge.
- B. ALTERNATIVES CONSIDERED: Not adopting the resolution would leave Metro with no official position on the Gorge protection legislation.
- C. CONCLUSION: Council should adopt the attached resolution.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING )  
A NATIONAL SCENIC AREA DESIGNATION )  
FOR THE COLUMBIA RIVER GORGE )

RESOLUTION NO. 82-350

Introduced by  
Councilor Bruce Etlinger

WHEREAS, The Columbia River Gorge is a national treasure enjoyed by generations of citizens for its scenic and recreational values; and

WHEREAS, The Columbia River Gorge is now more threatened than ever before by increasing unplanned growth and development which may lead to irreparable damage to its landscape, unique plant and animal life and scenic grandeur; and

WHEREAS, The existence of more than 50 separate governmental bodies in two states attempting to manage its resources has resulted in poor coordination and inadequate protection for the Gorge; and

WHEREAS, The support for preservation of the Gorge as a national resource comes from citizens in Oregon and Washington; citizens inside and outside the Gorge and citizens throughout the country; and

WHEREAS, A number of studies performed by various levels of government have articulated the value of the Columbia Gorge as a national resource and have laid the groundwork for long-range preservation; and

WHEREAS, An immediate and effective regional solution must be enacted to protect this magnificent resource for future generations while providing for a maximum of local control and input; and

WHEREAS, Oregon's State planning goals require the conservation of open space, the protection of natural scenic resources and the satisfaction of the recreational needs of the citizens; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District, as the regional land use planning coordinator for the Portland metropolitan area, encourages Congress to designate the Columbia River Gorge a National Scenic Area.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

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

LZ/srb  
6458B/107  
07/27/82

BEFORE THE COJNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

August 26, 1982

I am Carol Kirchner, Executive Director of Friends of the Columbia Gorge. I am here to urge you to adopt the resolution supporting a national scenic area designation for the Columbia River Gorge, that your Development Committee has unanimously supported. Congressional legislation calling for a scenic area in the Gorge was introduced March 31st of this year and the first hearing will be held in Hood River on September 10th. It is important that Metro take a supportive position at this time when the legislation is before Congress. As an agency responsible for regional management, it is entirely appropriate that you should support a concept for regional management of the Columbia River Gorge.

If you adopt this resolution you will be joining with Governor Atiyeh, Senators Packwood and Hatfield, Congressmen AuCoin, Wyden and Weaver, the Cities of Portland and Gresham, the County of Multnomah, 16 newspapers and 54 organizations and over 9500 individual citizens who have signed petitions supporting a scenic area designation for the Gorge.

Since 1937, when the first comprehensive study proposed managing the Gorge as a single unit to protect its scenic and historic values, there have been countless efforts (and many more studies) to legislate a regional plan that would span both sides of the river. There have been councils, commissions, committees and consortiums. Plans have called for single state controls, bi-state or interstate compacts and since 1970 a national recreation area designation. Because of

the unique nature of the Gorge -- it is a major transportation corridor, provider of energy to the NW, an agricultural community of orchards and ranches, home for 44,000 people, and at the same time a recreational resource to the Portland metropolitan area -- a plan for protection and management had to be forged that would encompass all these values, ~~A~~ scenic area allows for this diversity. It allows for a public/private partnership in the ownership of the area. It provides for a partnership among the federal, state and local governments, with the federal government acting as an "arbiter". Within its boundaries, cities and their urban growth boundaries are excluded from the legislation. This means that cities, counties and port districts can continue their own planning for housing and economic development. Acquisition and condemnation is limited. Other than fee -- such as scenic easements -- is the primary tool used to preserve the critical scenic and historic areas. In all such cases, the property owner is compensated for restricting development. In sum, a scenic area designation can protect the most fragile areas from unnecessary development and also protect the existing lifestyles and economic base.

It is a reasonable and fair approach. And the economic benefit to the Gorge communities, and the surrounding metropolitan area, of having the Gorge designated a national area will be in increased tourism. When the Gorge is noted on every tour map distributed throughout this country and the world we will experience greater influx of visitors who will spend time and money here.

The time to act is now. Those who support this effort know that the development pressures are real. Opening of the I-205 bridge and the location of Hewlett-Packard, Tektronix and an industrial park in eastern Clark County has opened up the eastern end of the Gorge to suburbanization.

Teddy Roosevelt at Yosemite in 1903 said, "We are not building this country of ours for a day. It is to last through the ages." And that's our job today. To save the Columbia River Gorge for the generations of Americans to come.

Thank you.

Friends of the Columbia Gorge  
519 SW Third, #303  
Portland, Oregon 97204  
(503) 241-3762



**METROPOLITAN SERVICE DISTRICT**  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

Date: July 29, 1982  
To: Metro Council  
From: Rick Gustafson, Executive Officer  
Regarding: Metro Financial Management Report

This memo is in response to your request for an evaluation and report on our fiscal management situation and needs. You asked during the budget process to report to you by July 31, 1982.

As a result of the work of your Special Task Force on Fiscal Management and the 1982-83 budget process, we have restructured the fiscal management system at Metro. The Management Services Department has been abolished and the Department of Finance and Administration has been created. There are three divisions in the Finance and Administration Department, including Budget & Administrative Services, Accounting, and Data Processing. The restructuring has put the accounting function on an equal par with the budget function and has placed the data processing function in a "neutral" position so it can independently serve the primary users, Transportation and Accounting. The organization chart for the Department of Finance and Administration is attached as Exhibit "A". As indicated, the Deputy Executive Officer serves as the department head and the division managers include Chum Chitty, Accounting; Jennifer Sims, Budget & Administrative Services; and Keith Lawton, Data Processing.

The status report on our fiscal management situation can be divided into two parts--work being performed on the 1981-82 fiscal year and work being performed on the current fiscal year, 1982-83.

### 1981-82 Fiscal Year

We have just completed an intensive five-month effort of restructuring our fiscal information while tightly monitoring revenue and expenditures, particularly for the General Fund. During this time, we have prepared monthly revenue and expenditure reports, a supplemental budget and a revised schedule of appropriations. We are now preparing for our 1981-82 Audit. You have selected Coopers & Lybrand to conduct our audits for the next three years. Coopers has established a schedule for completion of the Audit by September 30, 1982. In

Memorandum  
July 29, 1982  
Page 2

order for that schedule to be met, we must supply them with a list of records by August 16, 1982. The full list of records we must submit to Coopers is attached as Exhibit "B".

Because a timely audit is crucial for the financial management of our current year budget (1982-83), we have made a strong commitment to meeting Coopers August 16 date. This commitment includes the expenditure of \$12,000 in 1981-82 (April & May) for two senior level accountants from Peat, Marwick and Mitchell to work on the Zoo and Solid Waste funds, the immediate filling of a vacant Senior Accountant (Solid Waste) position, and more currently, the retention of two senior level accountants--one from Peat, Marwick and Mitchell and the other from Coopers & Lybrand--to assist in the preparation of the schedules required by our auditors (see Exhibit "C"). The final financial statements will be available by August 16.

#### 1982-83 Fiscal Year

The focus of the current fiscal year is timely financial reporting. Our pledge to the Council is to establish and maintain a budget and accounting system which is capable of providing timely and accurate fiscal reports to the Council.

In this regard, we have restructured the basic fund accounts for simplicity's sake (separated the Planning Fund from the General Fund and established separate funds for pass-through grants in Transportation and Criminal Justice). We have greatly simplified the Chart of Accounts and have worked hard to bring the Chart of Accounts together with the budget document. We have spent considerable time instructing the department heads and their fiscal assistants on use of the Chart of Accounts in coding transactions.

I have issued Executive Order No. 12, attached as Exhibit "D", which will serve as a guide for our administrative fiscal management program this year. Basically, department heads will be responsible for staying within the expenditure plan approved by the Council. To the extent that funds can be shifted administratively within line item accounts, prior approval must be obtained from the Budget Officer and Accounting must be informed of the change for recording purposes. Our effort will be on consciously deciding to alter the approved expenditure plan and keeping a record of it at the time the change takes place. It is our plan to follow the recommendation of the Finance Task Force and provide timely and accurate financial reports to the Council. Initially, we will focus on providing the following reports:



Combined Schedule of Cash and Investments (monthly)

Statement of Actual and Estimated Revenue and  
Appropriations and Expenditures (monthly)

Balance Sheets (quarterly)

Schedule of Open Grant Projects (monthly)

Projected Revenue and Expenditures (at mid-year and  
nine months)

### Recommendations

The Council has asked that I make recommendations at this time regarding further actions. The following are my recommendations and actions:

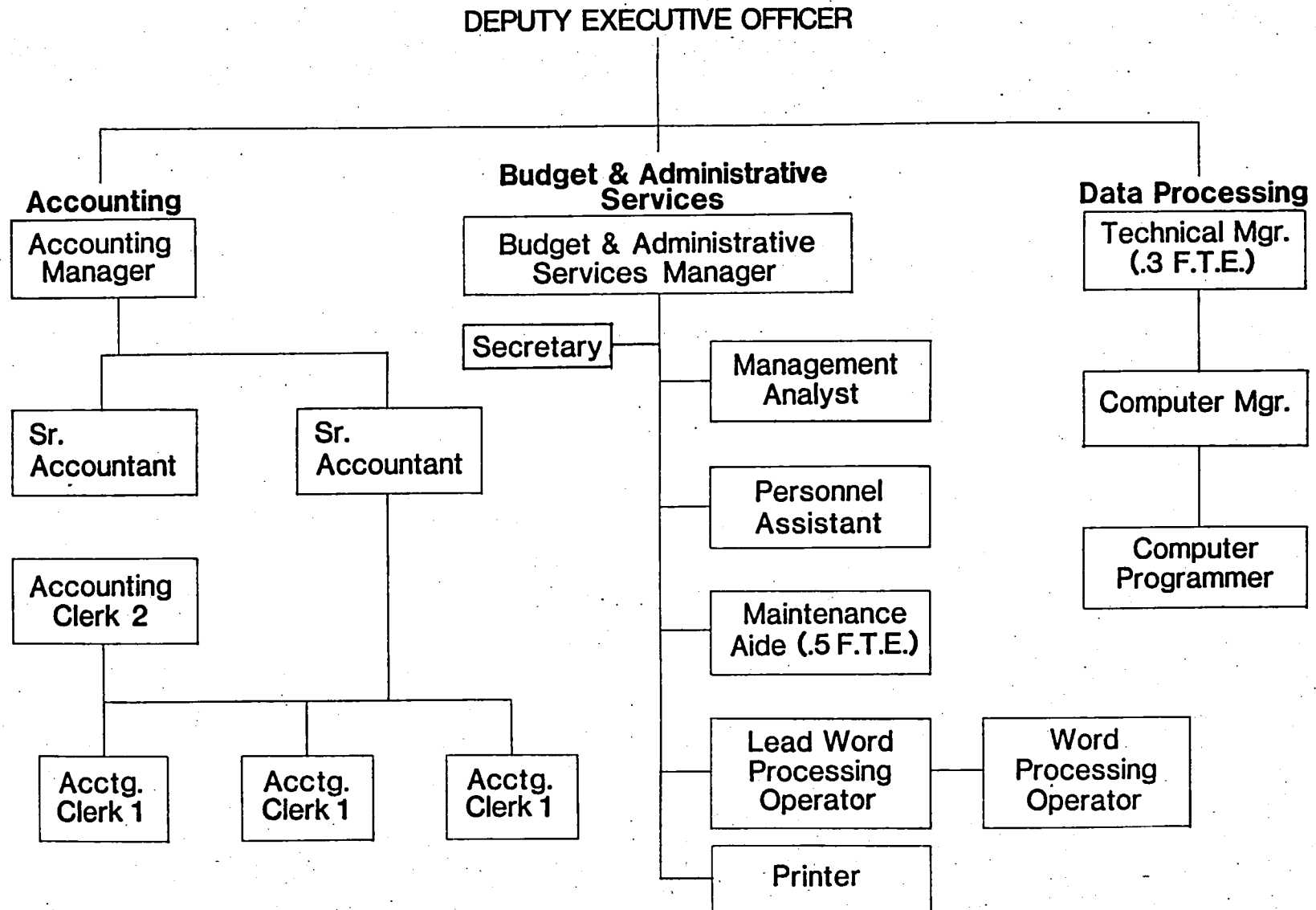
1. I have assigned the duties, functions and responsibilities of chief financial officer to the Deputy Executive Officer for a period of four months (July 1, 1982 to October 30, 1982). As such, he will serve as head of the Finance and Administration Department. I recommend and ask Council concurrence in a salary increase for the Deputy for this same time period from his existing salary of \$2,950 per month to \$3,334 per month. Such salary increase can be funded within the existing Personal Services appropriation to the Executive Management Department.
2. I will take action to provide the timely and accurate financial reports to the Council as outlined above.
3. I am committed to take such necessary actions to complete the 1981-82 Audit on schedule.
4. I recommend and will ask that your Special Task Force on Fiscal Management be reconvened at a time after completion of Metro's Audit schedules (after August 16, 1982) but prior to mid-October to review our fiscal situation.
5. I will prepare an updated fiscal management report to the Council by October 30, 1982 taking into account:
  - a. the advice from the Task Force on Fiscal Management;
  - b. the results of the Audit including the Letter to Management from the auditors; and

Memorandum  
July 29, 1982  
Page 4

- c. the experience with our financial reports to Council.

This report and the recommendations contained herein will be put on the August 16 Council Coordinating Committee agenda. If you have any comments or suggestions prior to that date, please let me know.

RG/DC/gl  
6409B/D4



Because we have committed to an audit report delivery date of September 30, Metro must have its books ready to be closed and the following schedules accurately prepared for our use by August 16. Any variation from the above requirements would prevent timely delivery of our report. The schedules we expect Metro to prepare are as follows:

1. Comparative trial balances by funds with revenue and expenditure accounts by budget function category. The trial balances, of course, must agree to the general ledger.
2. Reconciliation of all bank accounts to general ledger.
3. Schedules supporting the following accounts in the general ledger: accounts receivable (aged), accounts payable, accrued expenses, retainage payable, investments, inventories.
4. Schedule of changes in fixed assets and depreciation for the year with additions reconciled to capital outlay expenditures.
5. Schedules by grant indicating:
  - . Overhead rate computation with supporting detail agreed to general ledger.
  - . Grant awards summary updated for any 1981-82 awards.
  - . Receivable at June 30, 1981, cash receipts, reimbursable expenditures and receivable at June 30, 1982.
  - . Detail of grant reimbursable expenditures agreed to general ledger, final grants approved budget, and last fiscal 1981-82 billing to grants.
  - . Drawdowns on letters of credit supported by necessary documentation.

6. Schedule for each pass-through grant indicating:

- . Grant awards and changes during 1981-82.
- . Change in balance sheet items from beginning to end of year.
- . Resources and expenditures.

7. Miscellaneous schedules including:

- . Interest income for year allocated by fund.
- . Changes of debt and accrued interest payable from beginning to ending balance.
- . Vacation payable by fund agreed to supporting detail.
- . Changes in restricted assets and liabilities from beginning to ending balance with itemization of changes.
- . Commitments at June 30, 1982.
- . Changes in membership dues receivable from beginning to ending balance by member.
- . Budget appropriations, with itemization by modification for supplemental budgets and/or transfers.

Our fee is also predicated on Metro providing us with all necessary Council resolutions, ordinances and minutes, contracts, payroll records, paid and unpaid invoices, insurance policies, the 1982-83 budget document, cash receipt records and other documents necessary to complete the audit.



METROPOLITAN SERVICE DISTRICT  
527 SW. HALL ST., PORTLAND, OR 97201 503-221-1646

## MEMORANDUM

Date: July 14, 1982  
To: Don Carlson, Deputy Executive Officer  
From: Chum Chitty, Manager of Accounting *me*  
Regarding: Preparation of FY 1982 Audit Schedules

At our meeting on July 8, 1982, we discussed the Accounting Department's present status in the preparation of audit schedules requested by Coopers & Lybrand on August 16, 1982. You have indicated that this schedule must be met! I agree.

To ensure this time table, however, I request two additional accountants be hired for about three weeks. The estimated cost of a qualified person would be about \$2,000 to \$2,500. These individuals will be assigned the following tasks:

1. Schedule of changes in fixed assets and depreciation with the year's additions reconciled to capital outlay.
2. Reconciliation of accrued expenses (payroll and withholdings) from period ending 6/30/82 reports to the General Ledger.
3. Preparation of comparative trial balances.
4. Changes in restricted assets and liabilities.

As we have discussed, funding for this contract service is available in the Accounting Department's FY 1983 budget. If you would like to discuss this further, please let me know.

CC/srb  
6363B/D3

cc: Cindy Banzer  
Craig Berkman  
Charlie Williamson

EXECUTIVE ORDER NUMBER 12

EFFECTIVE DATE: July 1, 1982

SUBJECT: FISCAL MANAGEMENT FOR FISCAL YEAR 1982-83.

Because of the need to effectively manage Metro's fiscal affairs, the following actions and responsibilities will take effect on July 1, 1982:

- 1) Department Heads are responsible for monitoring their respective budgets to assure that sufficient revenues are received to cover appropriated expenditures. Department Heads will report immediately to the Dept. of Finance and Administration any changes in budgeted revenues. It shall be the responsibility of the Dept. of Finance and Administration to monitor the revenue receipts for the General Fund.
- 2) Expenditures for departments and/or divisions (programs in the case of the Solid Waste Operating Fund) shall stay within the specific line item amount included within the adopted FY1982-83 Budget. No expenditures of funds will be made which exceeds the budgeted line item amounts. Changes in budgeted line items are authorized only with approval of the Budget Officer. It shall be the responsibility of the Budget Officer to inform the Accounting Manager of the line item change immediately upon approval.
- 3) To assist Department Heads in managing their budgets and appropriations, it shall be the responsibility of the Dept. of Finance and Administration to supply monthly line item revenue and expenditure reports to the respective Department Heads. The format and distribution of such reports shall be substantially similar to that as indicated on the following attachments.

Executive Order  
No. 12  
July 1, 1982

- 4) In cases where an employee is supervised by a Department Head different from the funding department, the timesheet will be signed by two (2) Department Heads. The supervising department will verify work performed and the funding department will verify that funds are available and that the change is allowable. Department Heads are responsible for notifying Accounting when dual signatures are required. Accounting is responsible for verifying that all required signatures are on the timesheet prior to paying the employee.

---

Rick Gustafson  
Executive Officer

---

Date





METRO

METROPOLITAN SERVICE DISTRICT  
527 SW. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

Date: August 26, 1982  
To: Metro Council  
From: Jennifer Sims *JS* Manager of Budget and Administrative Services  
Regarding: July, 1982, Revenue and Expenditure Report  
All Funds

The attached materials comprise the revenue and expenditure report for July, 1982. The report covers all Metro funds which are:

General	Solid Waste Operating
Planning	Solid Waste Capital
Zoo Operating	Solid Waste Department Service
Zoo Capital	Transportation Technical Assistance
Drainage	Criminal Justice Assistance

ERF funds have been excluded.

Note that beginning fund balances have not yet been established. Also, July interest revenue \$68,229 has not been allocated by fund. These figures will be displayed in the August report. Target percentages for revenues and expenditures are indicated although these should only be used as guides.

Your comments and suggestions on the format and presentation of this information are encouraged.

JS/cjv

TABLE A  
GENERAL FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Beginning Fund Balance <sup>3</sup>	25,700	-	-
Dues Assessments	579,070	474,468	81.9
Licenses, Fees & Permits	6,400	8	.1
Documents/Publications	2,700	205	7.5
Transfers			
from Zoo Operating	389,252	32,438	8.3
from Solid Waste Operating	569,700	47,475	8.3
from Transportation Planning	320,619	26,718	8.3
from Development Services	81,214	5,768	8.3
from Criminal Justice Planning	55,730	4,644	8.3
Fund Total	2,030,385	660,953	32.6

Description	Budget	July Expenditure	Percent <sup>2</sup> Remaining
<u>Expenditures</u>			
Council			
Personal Services	69,514	2,533	96.4
Materials & Services	49,220	4,504	90.8
Capital Outlay	0	0	-
Subtotal	118,734	7,037	94.0
Executive Management			
Personal Services	214,909	14,630	93.2
Materials & Services	11,420	951	91.7
Capital Outlay	0	0	-
Subtotal	226,329	15,581	93.1
Finance & Administration			
Personal Services	428,331	30,413	92.9
Materials & Services	709,618	55,978	92.1
Capital Outlay	0	0	-
Subtotal	1,137,949	86,391	92.4
Public Affairs			
Personal Services	191,684	13,751	92.8
Materials & Services	30,113	1,488	95.0
Capital Outlay	0	0	-
Subtotal	221,797	15,239	93.1

Description	Budget	July Expenditure	Percent Remaining
<u>Expenditures - continued</u>			
General Expense			
Transfer			
to Transportation Planning	139,192	11,596	91.7
to Development Services	93,114	7,759	91.7
Contingency	93,270	-	-
	<u>325,576</u>	<u>19,355</u>	<u>91.7</u>
Fund Total	2,030,385	143,603	92.9

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<sup>1</sup>Target % received = 8.3%  
<sup>2</sup>Target % remaining = 91.7%  
<sup>3</sup>Fund Balance not confirmed  
 6655B/307-1/2

TABLE B  
PLANNING FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues<sup>3</sup></u>			
Documents/Publications	0	75	
Federal Grants	1,435,628	0	0
Licenses, Fees, Permits	7,000	0	0
State Grants	82,341	0	0
Local Grants	90,455	0	0
Professional Services	60,000	0	0
Transfer			
from General Fund	232,306	19,356	8.3
from Criminal Justice Planning	41,732	3,478	8.3
Fund Total	1,949,462	22,909	1.2

Description	Budget	July Expenditure	Percent <sup>2</sup> Remaining
<u>Expenditures</u>			
Transportation			
Personal Services	552,877	45,556	91.8
Materials & Services	198,970	2,236	98.9
Capital Outlay	1,000	0	100.0
Transfer			
to Transportation Technical			
Assistance Fund	321,700	26,808	91.7
to General Fund	320,619	26,718	91.7
Subtotal	1,395,166	101,318	92.7
Development Services			
Personal Services	212,643	13,912	93.4
Materials & Services	106,123	93	99.9
Capital Outlay	0	0	
Transfer			
to General Fund	81,214	6,768	91.7
Subtotal	399,980	20,773	94.8

<u>Description</u>	<u>Budget</u>	<u>July Expenditure</u>	<u>Percent Remaining</u>
<u>Expenditures - continued</u>			
Criminal Justice			
Personal Services	96,086	5,605	94.2
Materials & Services	2,500	30	98.8
Capital Outlay	0	0	0
Transfer			
to General Fund	55,730	4,644	91.7
Subtotal	<u>154,316</u>	<u>10,279</u>	<u>93.3</u>
Fund Total	1,949,462	132,370	93.2

<sup>1</sup>Target % received = 8.3%

<sup>2</sup>Target % remaining = 91.7%

<sup>3</sup>Grant billings have not been done.

6655B/307-3/4



TABLE C  
ZOO OPERATING FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Beginning Fund Balance	1,110,309	-	-
Federal Grants	33,500	8,500	25.4
Taxes, Current Year	4,650,000	8,456	.2
Taxes, Prior Year	212,237	56,876	26.8
Interest <sup>3</sup>	65,000	-	-
Concessions, Food	731,500	138,117	18.9
Admissions	1,015,200	181,039	17.8
Concessions, Gifts	192,960	35,539	18.4
Vending	7,700	339	4.4
Rental Strollers	15,840	2,310	14.6
Railroad Rides	231,000	45,602	19.7
Tuition/Lectures	3,140	640	20.4
Donations/Bequests	44,000	6,832	15.5
Sale of Animals	15,000	50	.3
Sale of Equipment	2,000	0	0
Building Rental	700	0	
Miscellaneous Income	4,000	86	2.1
Fund Total	8,334,086	484,386	5.8
Description	Budget	July Expenditure	Percent <sup>2</sup> Remaining
<u>Expenditures</u>			
Personal Services	2,571,958	221,210	91.4
Materials & Services	1,512,929	153,256	89.9
Capital Outlay	325,299	12,682	96.1
Transfers			
to General Fund	389,252	32,438	91.7
to Capital Fund	2,213,750	184,479	91.7
Contingency	224,594	-	-
Total Appropriations	7,347,782	604,065	91.8
Unappropriated Balance	986,304		
Fund Total	8,334,086		

<sup>1</sup>Target % received = 8.3

<sup>2</sup>Target % remaining = 91.7

<sup>3</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

TABLE D  
ZOO CAPITAL FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Beginning Fund Balance <sup>4</sup>	1,033,209	-	-
Interest <sup>2</sup>	103,000	-	-
Donations/Bequests	300,000	0	0
Transfer from Zoo Operating Fund	<u>2,213,750</u>	<u>184,497</u>	<u>8.3</u>
Fund Total	3,649,959	184,497	
Description	Budget	July Expenditure	Percent <sup>3</sup> Remaining
<u>Expenditures</u>			
Capital Projects	3,284,999	61,524	99.9
Contingency	<u>364,960</u>	<u>-</u>	<u>-</u>
Fund Total	3,649,959	61,524	99.9

<sup>1</sup>Target % received = 8.3%

<sup>2</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

<sup>3</sup>Target % remaining = 91.7%

<sup>4</sup>Fund balance not confirmed.

6655B/307-6

TABLE E  
SOLID WASTE OPERATING FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Beginning Fund Balance <sup>3</sup>	414,300	-	0
Documents/Publications	0	40	-
Grants	59,000	0	0
Disposal Fees-Commercial	4,301,550	222,958	5.2
Disposal Fees-Non-Commercial	200,000	26,280	3.3
Franchise Fees	900	0	0
User Fees	1,300,000	101,176	7.8
Salvage Revenue	5,500	0	0
Interest <sup>4</sup>	60,000		
Transfer from Solid Waste Capital	<u>566,735</u>	<u>47,228</u>	<u>8.3</u>
Fund Total	7,507,985	397,682	5.3
Description	Budget	July Expenditure	Percent <sup>2</sup> Remaining
<u>Expenditures</u>			
Personal Services	684,133	48,478	92.9
Materials & Services	4,460,189	51,871	98.8
Capital Outlay	52,835	0	100.0
Transfer			
to General Fund	569,700	47,475	91.7
to Solid Waste Debt Service	810,200	134,401	83.4
to Solid Waste Capital	344,000	0	100.0
Contingency	<u>586,928</u>	<u>-</u>	<u>-</u>
Fund Total	7,507,985	282,225	96.2

<sup>1</sup>Target % received = 8.3

<sup>2</sup>Target % remaining = 91.7

<sup>3</sup>Fund Balance not confirmed

<sup>4</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

6655B/307-7



TABLE G  
SOLID WASTE DEBT SERVICE FUND  
REVENUES & EXPENDITURES  
FY 1982-83

<u>Source</u>	<u>Budget</u>	<u>Received or Billed Through 07/31/82</u>	<u>Percent<sup>1</sup> Received or Billed</u>
<u>Revenues</u>			
Transfer from Solid Waste Operating	<u>810,200</u>	<u>134,401</u>	<u>16.6</u>
Fund Total	810,200	134,401	16.6
<u>Description</u>	<u>Budget</u>	<u>July Expenditure</u>	<u>Percent<sup>2</sup> Remaining</u>
<u>Expenditures</u>			
Principal Payments	352,000	30,000	91.5
Interest Payments	<u>458,200</u>	<u>104,401</u>	<u>77.2</u>
Fund Total	810,200	134,401	83.4

<sup>1</sup>Target % received = 8.3  
<sup>2</sup>Target % remaining = 91.7  
6655B/307-9

TABLE F  
SOLID WASTE CAPITAL FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Beginning Fund Balance <sup>4</sup>	3,087,750	-	
State Grants	709,510	0	
Interest <sup>2</sup>	100,000	-	
Loan Proceeds	8,251,900	1,157,700	14.0
Transfers			
from Solid Waste Operating	344,000	28,667	8.3
from ERF Construction	1,069,572	0	0
Fund Total	3,087,750	1,188,349	38.5

Description	Budget	July Expenditure	Percent <sup>3</sup> Remaining
<u>Expenditures</u>			
Clackamas Center			
Land	35,000	858	
Construction	3,430,000	0	
Engineering Design	200,000	0	
Transfer Stations			
Land	1,306,800	0	
Construction	4,000,000	0	
Engineering Design	530,000	0	
St. Johns			
Engineering Design	72,000	6,518	
Final Cover	984,000	0	
Final Cover Reserve	150,000	0	
Wildwood, Engineering	375,000	0	
Transfer			
to Solid Waste Operating	566,735	47,228	8.3
Contingency	1,913,197	-	-
Fund Total	13,562,732	54,604	99.6

<sup>1</sup>Target % received = 8.3%

<sup>2</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

<sup>3</sup>Target % remaining = 91.7%

<sup>4</sup>Fund Balance not confirmed.

6655B/307-8

TABLE H  
TRANSPORTATION TECHNICAL ASSISTANCE FUND  
REVENUES & EXPENDITURES  
FY 1982-83

<u>Source</u>	<u>Budget</u>	<u>Received or Billed Through 07/31/82</u>	<u>Percent<sup>1</sup> Received or Billed</u>
<u>Revenues</u>			
Federal Grants	151,400	0	0
Transfer			
from Planning Fund	<u>321,700</u>	<u>26,808</u>	<u>8.3</u>
Fund Total	473,100	26,808	5.7
<u>Description</u>	<u>Budget</u>	<u>July Expenditure</u>	<u>Percent<sup>2</sup> Remaining</u>
<u>Expenditures</u>			
Payments to Other Agencies	<u>473,100</u>	<u>0</u>	<u>100.0</u>
Fund Total	473,100	0	100.0

<sup>1</sup>Target % received = 8.3  
<sup>2</sup>Target % remaining = 91.7  
6655B/307-10

TABLE I  
CRIMINAL JUSTICE ASSISTANCE FUND  
REVENUES & EXPENDITURES  
FY 1982-83

Source	Budget	Received or Billed Through 07/31/82	Percent <sup>1</sup> Received or Billed
<u>Revenues</u>			
Federal Grants	420,000	0	0
Professional Services	180,000	0	-
Interest <sup>2</sup>	<u>41,732</u>	<u>-</u>	<u>0</u>
Fund Total	641,732	0	0

Description	Budget	July Expenditure	Percent <sup>3</sup> Remaining
<u>Expenditures</u>			
Payments to Other Agencies	600,000	0	
Transfer			
to Planning Fund	<u>41,732</u>	<u>3,478</u>	<u>91.7</u>
Fund Total	541,732	3,478	99.5

<sup>1</sup>Target % received = 8.3%

<sup>2</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

<sup>3</sup>Target % remaining = 91.7%

6655B/307-11

TABLE J  
DRAINAGE FUND  
REVENUES & EXPENDITURES  
FY 1982-83

<u>Source</u>	<u>Budget</u>	<u>Received or Billed Through 07/31/82</u>	<u>Percent<sup>1</sup> Received or Billed</u>
<u>Revenues</u>			
Beginning Fund Balance	9,545	0	0
Interest <sup>2</sup>	<u>1,145</u>	<u>=</u>	<u>0</u>
Fund Total	10,690	0	0
<u>Description</u>	<u>Budget</u>	<u>July Expenditure</u>	<u>Percent<sup>3</sup> Remaining</u>
<u>Expenditures</u>			
Contingency	<u>10,690</u>	<u>0</u>	<u>100.0</u>
Fund Total	10,690	0	100.0

<sup>1</sup>Target % received 8.3%

<sup>2</sup>Total interest revenue for all funds is \$68,229. This has not yet been allocated by fund.

<sup>3</sup>Target % remaining 91.7%

6655B/307-12



A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Executive Officer  
SUBJECT: Solid Waste Director and Employment Contract

I am pleased to present to you Dan Durig for your consideration for the position of Solid Waste Director. As I will outline in this memorandum, Dan was selected following a lengthy search process and a thorough evaluation of the prospective candidates. Dan possesses the qualifications which I feel will contribute significantly to our Solid Waste Department.

He brings with him top management experience in the public sector. He fits our current and future need for a good construction contracts manager and someone who is experienced in financial management. He will compliment the technical skills of our Department's excellent staff in completing our solid waste program. I am impressed with his communication skills and believe he has the leadership abilities to develop the region's solid waste system and work with the various agencies and public organizations.

I look forward to your approval of Dan Durig for this important position.

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of Resolution No. 82-347 approving Dan Durig for the position of Solid Waste Director and authorizing the attached employment contract.
- B. POLICY IMPACT: Council recently amended Ordinance No. 81-116, Metro Personnel Rules, to allow employment contracts for positions designated by Council. The Council shall also approve the hiring of such employees.
- C. BUDGET IMPACT: The Metro Pay Plan has been revised to provide for this contract. The contract salary of \$46,000 is within the amount budgeted for Solid Waste Director during FY 1982-83.

The proposed contract also provides reimbursement to Mr. Durig for six months of medical and dental coverage. Under previous Metro health care policies, employees were eligible for health coverage on pre-existing conditions 30 days following date of employment at Metro. Effective July 1, 1982, however, the policy was changed to exclude health care on pre-existing conditions for a period of six months. Mr. Durig needs to continue his current coverage

during this period and Metro has agreed to cover his costs in the total amount of \$850. This amount is within budget.

## II. ANALYSIS:

- A. **BACKGROUND:** Mr. Durig was City Manager of the city of Forest Grove, Oregon, for eight years. Background information is attached for your review.

It was agreed to enter into an employment contract with Mr. Durig. The proposed contract is considered mutually beneficial in securing employment for the employee and in retaining the employee's services for Metro. Such an agreement supersedes Metro Personnel Rules and following is a synopsis of the pertinent terms of the contract:

Salary: \$46,000

Merit Increase: Not provided in the agreement; subject to contract negotiation and Council approval.

COLA: In accordance with budget.

Term of Employment: Starting date is August 30, 1982, for a term of two years with automatic extension for one year increments unless sixty days written notice is given prior to expiration.

Termination/Severance Pay: Metro to pay three months salary plus six months health and dental coverage. If employee resigns, he must give three months' notice.

Benefits: These are the same as for other Metro employees with following exceptions:

Medical/Dental: Metro is reimburse employee for continued coverage under prior health and dental plan for a period of six months. Please refer to information under "Budget Impact."

Retirement: Contribution to be made to International City Managers Association.

Vacation: Will accrue at rate of five hours per pay period or three weeks per year.

Sick Leave: Credit of 30 days upon date of employment.

Outside Activities: Yes, as long as they do not affect work performance.

- B. **ALTERNATIVES CONSIDERED:** Dan Durig has been selected for the position of Solid Waste Director after a nationwide search and a thorough interview process. Recruitment for



the position was accomplished through ads placed in eight national publications, plus The Oregonian and Wall Street Journal, as well as contacts with government and private business sources. Over 75 applications were screened by a private consultant hired to assist Metro in the selection process. The consultant personally interviewed candidates throughout the United States and presented the Executive Officer with eight finalists for consideration. Three were selected for the full interview process which included meetings with Councilors Banzer, Burton and Deines; John McIntyre, Director of Public Works and Environmental Services, Clackamas County; John Lang, Director Public Works, City of Portland; John Trout, Head of Teamsters Local 281, as well as with the Executive Officer and staff. Dan Durig was the Executive Officer's top choice following this process. He possesses exceptional management abilities and a project management background, skills which were considered essential for the Solid Waste Director.

- C. CONCLUSION: Recommend Council approval of Resolution which will authorize employment contract for Solid Waste Director, set the rate of compensation and approve Dan Durig for this position.

RG/gl  
6534B/283  
8/9/82

Attachments: Contract with attached Job Description  
Resume Summary  
Resolution



## EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1982, by and between the METROPOLITAN SERVICE DISTRICT, a municipal corporation, hereinafter called "METRO," and DAN DURIG, hereinafter called "EMPLOYEE."

### W I T N E S S E T H :

WHEREAS, METRO desires to employ the service of Dan Durig as Director of Solid Waste; and

WHEREAS, It is the desire of METRO to provide certain benefits, establish certain conditions of employment, and to set working conditions of said EMPLOYEE; and

WHEREAS, It is a primary purpose of this Agreement to assure EMPLOYEE'S leadership of the Solid Waste Department during the time of facility plan implementation; and

WHEREAS, It is the desire of METRO to: 1) secure and retain the services of EMPLOYEE and to provide inducement for him to remain in such employment; 2) to make possible full work productivity by assuring EMPLOYEE'S morale and peace of mind with respect to future security; 3) to act as a deterrent against malfeasance or dishonesty for personal gain on the part of the EMPLOYEE; and 4) to provide a just manner for terminating EMPLOYEE'S services at such time as he may be unable fully to discharge his duties due to age or disability or when METRO may desire to otherwise terminate his employ; and

WHEREAS, EMPLOYEE desires to accept and continue employment as Director of the METRO Solid Waste Department;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

Section I. Duties

METRO hereby agrees to employ Dan Durig as Director of the Solid Waste Department to perform the functions and duties specified in the attached Job Description, and to perform such other legally permissible and proper duties and functions as the METRO Executive Officer shall from time to time assign. EMPLOYEE hereby agrees to accept such employment.

Section II. Term

A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of METRO to terminate the services of EMPLOYEE at any time, subject only to the provisions set forth in Section III, paragraphs A and B, of this Agreement.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the EMPLOYEE to resign at any time from his position with METRO, subject only to the provision set forth in Section III, paragraph C, of this Agreement.

C. EMPLOYEE agrees to remain in the exclusive employ of METRO until August 30, 1984, and neither to seek, to accept, nor to become employed by any other employer until said termination date, unless termination occurs sooner as hereinafter provided. The term "employed" shall not be construed to include occasional teaching, writing or consulting performed on EMPLOYEE'S time off.

D. In the event written notice is not given by either party to this Agreement to the other three (3) months prior to the termination date as hereinafter provided, this Agreement shall be

extended on the same terms and conditions as herein provided, all for an additional period of one (1) year. Said Agreement shall continue thereafter for one-year periods unless sixty (60) days written notice is given prior to time of expiration.

E. This Agreement shall be subject to renegotiation of any or all terms, such renegotiation to occur between ninety (90) and sixty (60) days prior to normal expiration of the period of the Agreement. Such renegotiation may be requested by either party, and it is intended that all changes in terms resulting from renegotiation be decided upon by both parties prior to sixty (60) days before normal expiration.

### Section III. Termination and Severance Pay

A. In the event EMPLOYEE is terminated by METRO before expiration of the aforesaid term of employment and during such time that EMPLOYEE is willing and able to perform the duties of Director of the Solid Waste Department, then in that event METRO agrees to pay EMPLOYEE a lump sum cash payment equal to three (3) months' aggregate salary; provided, however, that in the event EMPLOYEE is terminated because of his conviction of any illegal act involving personal gain to him, then, in that event, METRO shall have no obligation to pay the aggregate severance sum designated in this paragraph.

B. In the event METRO at any time during the employment term refuses, following written notice, to comply with any provision benefiting EMPLOYEE herein, or the EMPLOYEE resigns following a formal suggestion by the Executive Officer of METRO that he resign, then, in that event, EMPLOYEE may at his option be deemed to be

"terminated" at the date of such refusal or suggestion within the meaning and context of the severance pay provision herein cited as Section III. A.

C. In the event EMPLOYEE voluntarily resigns his position with METRO before expiration of the aforesaid term of employment, then EMPLOYEE shall give METRO three (3) months notice in advance.

#### Section IV. Salary

METRO agrees to pay EMPLOYEE for his services rendered pursuant hereto an annual base salary of FORTY SIX THOUSAND (\$46,000.00) DOLLARS payable in installments at the same time as other employees of METRO are paid. EMPLOYEE shall also receive cost of living increases at the same time and at the same rate as approved by METRO for all other employees.

#### Section V. Hours of Work

A. It is recognized that this Agreement is for professional service, that EMPLOYEE must devote substantial time to METRO business outside of normal office hours and that his duties are not limited to a forty-hour week. Therefore, EMPLOYEE is expected and allowed to establish personal office hours consistent with the need to carry out his responsibilities.

B. EMPLOYEE may engage in teaching, consulting and other non-METRO connected business to an extent which will not affect or infringe upon his performance as Director of the Solid Waste Department, and no compensation may be accepted for such activities which are engaged in during normal office hours.

#### Section VI. Dues and Subscriptions

METRO agrees, subject to availability of funds, to budget and to pay the professional dues and subscriptions of EMPLOYEE necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, and for the good of METRO.

#### Section VII. Professional Development

A. METRO hereby agrees, subject to availability of funds, to budget and to pay the travel and subsistence expenses of EMPLOYEE for professional and official travel, meetings, and occasions adequate to continue the professional development of EMPLOYEE and to adequately pursue necessary official and other functions for METRO.

B. METRO also agrees, subject to availability of funds, to budget and to pay for the travel and subsistence expenses of EMPLOYEE for short courses, institutes, and seminars that are necessary for his professional development and for the good of METRO.

#### Section VIII. General Expenses

METRO recognizes that certain expenses of a nonpersonal and generally job-affiliated nature are incurred by EMPLOYEE, and hereby agrees to reimburse or to pay said general expenses up to an annual budgeted amount upon receipt of duly executed expense or petty cash vouchers, receipts, statements, or personal affidavits.

#### Section IX. Vacation, Sick and Military Leave

A. EMPLOYEE shall accrue, and have credited to his personal account, vacation and sick leave at the same rate as other regular employees of METRO. On the effective date of this Agreement, EMPLOYEE shall have accrued thirty (30) days sick leave

and shall accrue vacation leave at a rate of 5.00 hours per pay period.

B. EMPLOYEE shall be entitled to military reserve leave time pursuant to state law and existing METRO policy.

#### Section X. Disability, Health, Life Insurance and Retirement

METRO agrees to provide fringe benefits such as health and dental insurance, retirement plan, life insurance and disability insurance in the same manner and to the same extent as provided other employees of METRO generally. METRO agrees to reimburse EMPLOYEE for the cost of extension of EMPLOYEE's prior health and dental plan for a period of six months. Such reimbursement shall be limited to \$850. Should EMPLOYEE be terminated and receive severance pay as provided in Section III of this Agreement, METRO agrees to reimburse EMPLOYEE for the cost of extending METRO's health and dental plan for a period of six (6) months.

METRO agrees to make available to EMPLOYEE continued participation in International City Managers Association retirement plan and make contributions to said plan on EMPLOYEE's behalf at the same rate as METRO contributes for all other employees.

#### Section XI. Other Terms and Conditions of Employment

A. The Executive Officer shall fix any such other terms and conditions of employment, as he may determine from time to time, relating to the performance of EMPLOYEE, provided such terms and conditions are not inconsistent with or in conflict with the provisions of law or this Agreement.

B. All provisions of ordinances, regulations and rules of METRO relating to vacation and sick leave, retirement and pension

system contributions, holidays, and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to EMPLOYEE as they would to other employees of METRO, in addition to said benefits enumerated specifically for the benefit of EMPLOYEE, except as herein provided.

Section XII. General Provisions

A. The text herein shall constitute the entire Agreement between the parties, and this Agreement shall supercede the METRO Employee Rules to the extent of any inconsistency therewith.

B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of EMPLOYEE.

C. This Agreement shall become effective commencing August 30, 1982.

D. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, METRO has caused this Agreement to be signed and executed on its behalf by its Executive Officer and the EMPLOYEE has signed and executed this Agreement, both in duplicate, the day first above written.

EMPLOYEE:

METROPOLITAN SERVICE DISTRICT:

\_\_\_\_\_  
DAN DURIG

\_\_\_\_\_  
EXECUTIVE OFFICER

DC/srb  
6446B/289  
07/28/82

GENERAL STATEMENT OF DUTIES:

Performs administrative and supervisory work in the direction of all functions of the Solid Waste Department.

SUPERVISION RECEIVED:

This is an administrative position and works under the general direction of the Executive Officer who reviews work for conformance to policy and assignments.

SUPERVISION EXERCISED:

Exercises full supervision over assigned personnel, construction contractors and operating contractors of the Solid Waste Department.

EXAMPLES OF PRINCIPAL DUTIES:

An employee in this classification may perform any of the following duties. However, these examples do not include all the specific tasks which an employee may be expected to perform.

1. Plans, organizes and directs all activities of the Solid Waste Department. Negotiates and enforces all contracts for the construction, operation and maintenance of the Department programs.
2. Establishes organizational operating procedures and standards; determines kind and amount of personnel and equipment required for various functions within the Department. Coordinates activities with other departments within Metro as well as outside agencies, vendors and consultants.
3. Analyzes and interprets cost estimates, work records and operating procedures. Recommends to the appropriate supervisor changes as indicated.
4. Works with the bond underwriters, sets up systems for bonds, grants and reserves. Prepares contract payment schedules. Develops financial plans to provide the most favorable impact on Metro. Project long-term financing and user fees. Prepares financial statements for bond issues and obtains bond rating.
5. Prepares budget recommendations and maintains budget control records; selects personnel within Solid Waste operation; prepares progress reports as required; supervises the requisitioning of supplies and materials.



6. Meets with other agencies and public organizations representing Metro and on occasion speaking to organizations and groups about Metro and the Solid Waste programs. Preparing information to be released to the public through the media.
7. Performs any related duties as necessary or assigned.

RECRUITING REQUIREMENTS:  
KNOWLEDGE, SKILL, ABILITY

Working knowledge of equipment and processes used in recycling facilities and steam generation. Ability: to read blueprints and interpret contracts; to plan and coordinate large scale construction projects and plant operations; to understand the effectively utilize information from cost, productivity, legal, manpower utilization and other management information reports; to recognize need for and institute change; to establish and maintain effective working relationships with the public, contractors and other employees.

EXPERIENCE AND TRAINING:

Requires a Bachelor's degree from a recognized University or college in engineering, business administration, public administration or a closely related field and a minimum of five years demonstrated experience involving planning, financing, organizing, staffing and directing large scale projects. Prefer experience in the Solid Waste Recovery field. This should include at least two years of direct supervisory experience in budget planning and control and operation analysis of large scale construction projects.

SW/srb  
5242B/294

RESUME OF:

DANIEL F. DURIG  
2925 Watercrest Road  
Forest Grove, Oregon 97116  
Telephone: 503/357-9371 (Residence)

PERSONAL DATA:

Age 38  
Married, no children

Mrs. Durig (Rosanne) is a homemaker.

EDUCATION AND  
PROFESSIONAL  
QUALIFICATIONS:

UNIVERSITY OF KANSAS  
Lawrence, Kansas

Master of Science degree, Public  
Administration (Urban Management option),  
1972. Mr. Durig was 1 of 100 HUD Fellows  
nationally.

UNIVERSITY OF CINCINNATI  
Cincinnati, Ohio

Bachelor of Arts degree (Honors), Political  
Science, 1970

In addition, Mr. Durig has attended numerous  
seminars concerning city management, leadership  
and related subjects.

PROFESSIONAL MEMBERSHIPS:

\*International City Management Association  
\*Forest Grove Chamber of Commerce

MILITARY SERVICE:

UNITED STATES AIR FORCE

Mr. Durig served as a Flight Simulator  
Specialist from 1962 to 1966. He was  
honorably discharged as a Sergeant in 1968.

PROFESSIONAL  
EXPERIENCE:

October 1974 to  
July 1982

CITY OF FOREST GROVE  
Forest Grove, Oregon

Position: City Manager

Comments: Mr. Durig was responsible to the City  
Council for administrative management of the  
city government. He managed a staff of 115  
(FTE) employees and a total budget of  
\$12,000,000. The city of Forest Grove is a full  
service city, which includes a city-operated  
electric utility.

Mr. Durig resigned his position effective August 2, 1982 amid local political controversy. The City Council is divided as to its preferences in government form. This controversy and Mr. Durig's progressive management evidently contributed to his demise. In general, he is highly regarded for his abilities and for his performance. Many observers believe he was a victim of Council differences.

His annual salary upon termination was \$43,000.

June 1971 to

CITY OF DELAWARE  
Delaware, Ohio

Position: Assistant City Manager

Comments: In this position Mr. Durig acquired varied experience in all phases of municipal operations. He left this position for greater opportunity in Forest Grove, Oregon.

June 1970 to  
August 1970

CITY OF MIAMISBURG  
Miamisburg, Ohio

Position: Administrative Assistant  
Office of City Manager

Comments: Mr. Durig held this position between completion of his bachelor's degree and beginning of graduate work. He worked on a public information program and was exposed to the basic concepts of council-manager government.

Other Employment:

During school breaks and part-time while in the military service, Mr. Durig worked as an architectural technician, draftsman and designer. He prepared drawings and specifications, researched building codes and ordinances, and performed other functions which provided experience of lasting value.

SUMMARY:

Mr. Durig offers strengths as a professional, public sector manager. He has worked for a governmental council and has several years of public management experience in city government. He has broad-based skills in finance and budgeting, planning, personnel and public information/relations. While he has some exposure to solid waste management, he is not a specialized professional in the field.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING AN	)	RESOLUTION NO. 82-347
EMPLOYMENT CONTRACT FOR THE	)	
POSITION OF SOLID WASTE DIRECTOR,	)	Introduced by the
ESTABLISHING A RATE OF COMPENSA-	)	
TION, AND APPROVAL OF DAN DURIG	)	
AS SOLID WASTE DIRECTOR	)	

WHEREAS, Metro wishes to retain the services of the Solid Waste Director for a minimum term of employment and provide certain benefits and terms of employment; and

WHEREAS, The Council wishes to set the rate of compensation and approve the hiring of personnel employed under contract; now, therefore,

BE IT RESOLVED,

1. That the Council authorizes an employment contract for the position of Solid Waste Director.
2. That the rate of compensation for said position shall not exceed \$46,000 unless a COLA adjustment is made during the term of contract.
3. That Council approves Dan Durig for the position of Solid Waste Director.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

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

DC/gl  
6534B/283  
8/9/82

A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Executive Officer  
SUBJECT: Expanding the Region's Supply of Large Lot Industrial Land

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: That the Council petition LCDC to amend its acknowledgement order for the Portland metropolitan Urban Growth Boundary (UGB) by waiving State imposed requirements on large parcel industrial development in Specially Regulated Areas.
- B. POLICY IMPACT: If approved by LCDC, this petition will expedite large lot industrial development in Specially Regulated Areas. Local plans and zoning will continue to govern development approval.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: When it acknowledged the Metro UGB, LCDC required that Goal No. 3 (Agricultural Lands) continue to be applied to Specially Regulated Areas inside the Boundary. Local governments must find that such lands are unsuited for farm use and that there are no alternative sites elsewhere in the UGB before approving development for these areas. This restriction effectively removes these lands from the supply of available, developable land.

Recent studies by Metro and SRI, International show that Portland lacks large industrial sites when compared with other similar metropolitan areas. Metro's analysis of large industrial sites shows that only nine of 50 parcels are available for development, based on a consideration of physical limits, sewage treatment availability, transportation problems and present commitment to development. Three of these nine parcels are located in Specially Regulated Areas.

The proposed petition would ask LCDC to lift restrictions on industrial developments of 30 or more acres. There are 28 parcels larger than 30 acres inside Specially Regulated Areas. Fifteen of these 28 parcels are in areas tentatively planned by the County for residential or commercial uses. Eight other parcels are zoned residential, but are located in areas that Washington County or Hillsboro may designate industrial. Five parcels in the West Union area are zoned for industrial use.

- B. ALTERNATIVES CONSIDERED: Not adopting the attached resolution would leave in place the requirement that local governments apply Goal No. 3 to all land use actions in Specially Regulated Areas.
- C. CONCLUSION: The Council should adopt the attached resolution. This action would add to the region's short supply of land available for large lot industrial development, while continuing the protections afforded by Goal No. 3 for other types of development.

JC:lz

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXPANDING)  
THE REGION'S SUPPLY OF LARGE)  
INDUSTRIAL SITES )

RESOLUTION NO. 82-348

Introduced by  
Councilor Bonner

WHEREAS, Studies by Metro show a shortage of large industrial sites available for industrial development based on a consideration of service availability, physical constraints and needs for transportation improvements; and

WHEREAS, Specially Regulated Areas contain approximately one-half of the land in serviceable large parcels zoned for industrial use in the Portland area; and

WHEREAS, The Land Conservation and Development Commission has required the application of Goal No. 3, Agricultural Lands, to land use actions involving Specially Regulated Areas inside the Urban Growth Boundary; and

WHEREAS, Goal No. 3 review precludes prompt and timely land use decisions and thereby deters economic development; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District requests that the Land Conservation and Development Commission amend its acknowledgement order for the Portland Metropolitan Urban Growth Boundary by waiving restrictions on development in Specially Regulated Areas, where a proposed use:

- is industrial in nature; and
- is located on a parcel or collection of parcels 30 acres or larger in size; and

- does not involve the subdivision, partitioning or other land use action that will produce any lot smaller than 30 acres.

ADOPTED by the Council of the Metropolitan Service District,  
this \_\_\_\_ day of \_\_\_\_\_, 1982.

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

EB:lz



AMENDMENTS TO RESOLUTION NO. 82-348, INTRODUCED BY COUNCILOR BONNER

At the end of the fourth paragraph, strike the words "now, therefore," and add the word "and." Following the fourth paragraph, insert the paragraph:

"WHEREAS, land use policies adopted by Washington County and its cities will continue to provide for the application of Goal 14 (Urbanization) criteria, including the requirement for orderly and economic provision of services, to the conversion of land from urbanizable to urban status; and"

In the last sub-section of the "Be it Resolved" portion of the resolution, delete the period, add a comma and the words:

"or provide for any uses smaller than 30 acres."

ERRATA SHEET

<u>AREA</u>	<u>ACRES</u>	<u>CONSTRAINTS</u>	<u>EVALUATION</u>
1. NORTH RIVERGATE	56	NONE	YES
2. NORTH RIVERGATE	242	FLOODPLAIN, TRANSPORTATION	NO
3. SOUTH RIVERGATE	52	HEAVY IND.	YES
4. SOUTH RIVERGATE	60	HEAVY IND.	YES
5. SOUTH RIVERGATE	61	NONE	YES
6. SOUTH RIVERGATE	250	FLOODPLAIN, TRANSPORTATION	NO
7. RIVERGATE WATERFRONT	50	**	YES****
8. RIVERGATE WATERFRONT	95	**	YES****
12. MOCKS LANDING	70	NONE	YES

\*\* SITE LOCATED IN SPECIALLY REGULATED AREA

\*\*\*\* FOR LEASE ONLY, WATERFRONT PROPERTY OR FOREIGN TRADE ZONE

ADJUSTED TOTALS BASED ON ERRATA SHEET MODIFICATIONS

<u>Area</u>	<u>Acres</u>	<u>Floodplain</u>	<u>Sewage Treatment</u>	<u>Committed</u>	<u>Heavy Industry</u>	<u>Transportation Problems</u>	<u>Evaluation</u>
<u>TOTALS</u>							
Sites	50	9	13	12	5	21	16
Acres	5,555	1,111	1,813	1,743	322	2505	1594

# 1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

August 26, 1982

Councilor Cindy Banzer  
Presiding Officer  
Metropolitan Service District Council  
527 S.W. Hall  
Portland, Oregon 97201

Re: Resolution No. 82-348, Industrial Uses in SRAs

Dear Councilor Banzer:

1000 Friends of Oregon supports the resolution, introduced by Councilor Bonner, requesting that the Land Conservation and Development Commission waive development restrictions in Specially Regulated Areas for any industrial use requiring 30 or more acres. We concur in your staff's analysis that this resolution -- and prompt action on it by LCDC next month -- is the one certain way to make an immediate and needed improvement in the region's supply of large-parcel industrial sites.

We support the limitation in the resolution to those uses which will occupy 30 or more acres and which will not result in creation of parcels smaller than 30 acres. The clear need in the metropolitan area is for large parcels suitable for fast-growing industries that need or project a near-term need for substantial acreage. Such parcels exist in the SRAs. It would be a waste of this resource simply to allow any industrial development, including small-lot subdivisions, on this land that has been reserved in large parcels. Resolution 82-348 has been drafted to prevent such wasteful development and to assure that these parcels are made available for large-parcel users.

Our analysis of the short-term need for large sites follows.

1. The Current Supply of Large Parcels Is Low

On August 16, 1982 Metro staff issued a site-by-site analysis of 50 vacant parcels throughout the region containing 50 or more acres of land planned or zoned for industrial use. The 50 were the total supply of such parcels the staff was able to identify. Of those 50, the staff determined that only six sites, totalling only 388 acres, are free from development constraints or not already committed to other development:

<u>Site</u>	<u>Acreage</u>
33 - St. Marys	75
39 - Hillsboro (BN)	61

40 - Hillsboro	50
41 - Hillsboro (Hawthorn Farm)	53
43 - Hillsboro (Roseway)	85
49 - Wilsonville	<u>64</u>
TOTAL AVAILABLE ACREAGE	388

In the past week 1000 Friends has attempted to review the large-parcel availability problem as well. We have found only two instances where the staff analysis may have erred on the conservative side. These two instances do not affect our conclusion that the Specially Regulated Area resolution is needed.

The first case is Troutdale, where the Metro Staff identified five otherwise available parcels (sites 23 through 27) which it believes are constrained by lack of sewage treatment capacity at the Troutdale plant. These sites total 529 acres. We learned from Scott Pemble, Troutdale Planner, that the city has reserved 650 "equivalent residential units," or 260,000 gallons of treatment capacity, for commercial and industrial use. According to Ben Altman, Wilsonville City Planner, the Tektronix plant in Wilsonville generates daily waste water flows of 123,700 gallons from its 83-acre developed site. We conclude that there is sewage capacity at present in Troutdale to serve equivalent high-technology development of 170 acres, the actual size of site 23 in the staff's list.

However, it should be noted that the reserved sewer capacity in the City of Troutdale is available to new or expanding industry or commercial development on a first-come, first-served basis. It is not earmarked for site 23 or any other parcel; it could be exhausted before a development proposal is ever filed for site 23.

The second case is Standard Insurance Company's Rock Creek-area industrial planned unit development (site 42). The staff analysis lists this 218-acre site as committed by the PUD to parcels 20 acres and less in size. However, according to Dennis Wilde of Wilsey and Ham, consultants for the development, the landowner intends to reserve one site of from 85 to 100 acres for a land-extensive high technology user, and may also market one or more parcels in the 30-acre range. On that basis, we conclude that approximately 100 acres of this 218-acre site are available for large-parcel development.

Addition of these two sites -- Troutdale and Rock Creek -- to the "available" inventory would raise the number of large-parcel sites to eight and the total acreage to 658. However,

these sites are dependent on a difficult sewage capacity situation and on private marketing decisions. There remains a need for additional readily-available large sites.

2. Resolution 82-348 Makes a Significant Improvement

Approval of this resolution by the Council and by LCDC will mean that three parcels presently planned for industrial use will become available immediately:

Site 36 - West Union	147 acres
Site 37 - West Union	110 acres
Site 38 - West Union	<u>90 acres</u>
TOTAL ACREAGE	347 acres

These three parcels, all located in the West Union SRA, will add 347 acres to the supply of available large parcels, nearly doubling the present inventory.

The effect of the resolution does not stop here. It will enable local governments to change the land use designation of serviceable large parcels in the SRAs to allow new large-scale industrial development. For example, the City of Hillsboro Planning Commission is scheduled to hear a request for plan amendment to industrial for a 60-acre parcel on Evergreen Road on September 28. We understand from Rodney Stubbs, one of the principals in the development proposal, that the proposal will be for one or two 30-acre or larger industrial users. Thus, under Resolution 82-348, this application can be approved by Hillsboro without consideration of LCDC Goal 3 or the exceptions criteria of Goal 2.

According to Hillsboro City Manager Eldon Mills, favorable action on this 60-acre plan amendment can be expected as early as October 19, 1982. This would bring to four the total number of sites added by approval of Resolution 82-348, totalling 407 acres.

3. Future Actions Needed

Approval of Resolution 82-348 and favorable action on the Hillsboro amendment will increase the supply of large-parcel industrial land to between 795 and 1,065 acres. It should be the first of several steps designed to maintain or improve that inventory.


The City of Gresham is now undertaking one such step: redesignation of the 250-acre Rogers property from residential to industrial, with the specific objective of attracting a high-technology firm with large acreage requirements. Gresham

Councilor Cindy Banzer  
August 26, 1982  
Page Four

Planning Director Walter Monasch estimates that all necessary ordinance changes will be accomplished by Mid-November; the property already has necessary services. This would increase the region's supply to as much as 1,300 acres of large-parcel sites.

Other large parcels within the region's urban growth boundary may be appropriate candidates for rezoning. However, the Metro staff's analysis points to another, even larger source of sites: the many existing 50-acre or larger industrial parcels which are constrained by inadequate sewage treatment capacity or lack of needed transportation improvements. The lack of sewer capacity in the Inverness and City of Troutdale systems, and the need for transportation facilities in the Rivergate, South Shore, Clackamas and Tualatin areas, are more than local problems. Because they are inhibiting development of the region's supply of industrial land, they need regional attention. Metro must lead the effort to meet these facilities needs promptly in order to avoid future crises in the supply of available industrial land.

Very truly yours,

  
Robert E. Stacey, Jr.  
Staff Attorney

cc: Members of the Council  
Rick Gustafson  
James F. Ross, Director, DLCD

Date 8/26/82

Meeting Title Regular Council Meeting

Name

Affiliation/Address

JOHN MACGREGOR  
CAROL KIRCHNER

PORT OF PORT.  
Friends of the Columbia River